

Introduction

Today, one out of every nine prisoners is serving a life sentence.¹ This adds up to roughly 160,000 people,² or an entire midsize U.S. city, such as Eugene, Oregon, or Fort Collins, Colorado. Even though a proportion is serving a sentence of life without parole,³ the majority of life-sentenced individuals will at one point be paroled to society.

Life sentences are of great consequence to the individuals who receive them and the society that imposes them. Over the last decades, the number of lifers nationwide has been rising dramatically. Since 1984, the lifer population has more than quadrupled in size.⁴ Trends in Massachusetts generally mirror this growth.⁵ Not only are more people being admitted to prison with life sentences, but lifers are serving increasingly longer terms of incarceration before being paroled, now averaging thirty years compared to an average of twenty years in the early 1990s.⁶ It has been well documented that this growth is linked to policy changes, not to increases in crime rates. Since the mid-1970s, the political climate in the United States has progressively embraced tougher policies as the primary focus of a crime-control strategy.⁷ This shift was grounded in the belief that one of the best ways to confront what was perceived as a growing crime rate was to radically increase both the number of persons being sentenced to prison and to extend their period of incarceration.⁸ This period of rising crime and rapid social change provided a context for a series of policy choices across all branches of government that significantly increased sentence length.⁹ During this time policy-makers and the public grew comfortable with the idea of incarcerating people either for very long terms or simply for the rest of their lives. As fear of crime among the public and policy-makers was crystallized by sensationalized media accounts of formerly incarcerated persons reoffending, imprisonment came to be accepted as a retributive tool.¹⁰ The growth in incarceration rates in the United States over the past forty years is historically unprecedented and internationally unique.¹¹ In recent years,

however, there has been a significant shift in both public discussion and policy attention to the goal of imprisonment, public safety, the social and fiscal costs, and the implications of imprisonment for victims and offenders.¹² This conversation needs to be expanded to the application of life sentences.

We know, however, very little about what happens to those released after a life sentence. With the demise of the rehabilitation model and the increasing “get tough on criminals” public attitude,¹³ the politically easy solution is to allow people to wither away behind bars. Over the years, instead of rehabilitation, punishment and incapacitation have become identified as the primary goals of imprisonment, and many have abandoned the idea of reforming offenders.¹⁴ A more difficult course is to accept the possibility that even individuals who have committed serious crimes may so develop as to be able to live in society crime-free. What, then, makes these lifers successful in staying out once they are released? Given that they have been removed from society for decades, their re-entry¹⁵ process cannot simply be equated to that of prisoners who have served much shorter prison sentences.

Why Should We Care?

At the time of writing, the United States has the largest prisoner population and the highest per capita incarceration rate in the world: 2.3 million adult prisoners and a rate of about 750 per 100,000 of the general population.¹⁶ Aside from the staggering size of the general prison population, there are at least four reasons why we should pay particular attention to the use of long-term incarceration for homicide offenders: the absence of crime reduction through incarceration, the financial aspects of applying prolonged imprisonment, the adverse social and psychological effects of long-term incarceration and, finally, recent developments in legislation that may result in more life-sentenced individuals being released.

First, contrary to public perception, older offenders who have committed homicides are the least likely of all offenders to recidivate and highly unlikely to repeat their violent crimes.¹⁷ Specific recidivism (i.e., committing a second homicide) among homicide offenders is very rare, and ranges from 1% to 3%.¹⁸ If we look at broader measures of recidi-

vism, such as rearrest, homicide offenders also constitute a category that is least likely to be rearrested: a large-scale Bureau of Justice Statistics study based on over four hundred thousand released U.S. prisoners found that homicide offenders had the lowest five-year rearrest rates (47.9%) compared to all other groups of offenders, including violent offenders.¹⁹ Studies further show that if homicide offenders reoffend, they mostly do so within two to three years of release from prison.²⁰ Studies assessing specific recidivism (i.e., committing another homicide) similarly report the time that elapsed between release and the second homicide to be three to nine years.²¹ The still relatively high rate of reported general recidivism²² seems to be largely attributable to parole violations, new drug charges, or offenses committed during imprisonment. The rates of violent recidivism are more moderate and range from 7%²³ to 16%.²⁴ It has been well established that being convicted of a violent crime may not necessarily be indicative of a high risk of sustained violence.²⁵ In short, research so far fails to demonstrate a strong causal link between long-term incarceration limiting the risk of recidivism.²⁶ Overall, findings from previous studies suggest that individuals serving long sentences do not seem to pose a distinctive threat to the community when compared with other former prisoners.²⁷

Further, research shows that long sentences, including life sentences, have little to no effect on crime reduction through either deterrence (the threat of punishment may discourage criminal acts) or incapacitation (crimes averted by physically isolating the potential offender).²⁸ The deterrent value of long sentences appears to be minimal, as the decision to commit a crime is more likely influenced by the certainty and swiftness of punishment than by the severity of the criminal sanction.²⁹ There is little evidence that research findings like these have had any role in the adoption of long-term confinement, despite calls in recent years for more evidence-based policy.

The second reason why we should care about this specific group of prisoners could be summarized as the “money issue.” Given the serious crimes of many long-term prisoners, public protection demands the provision of secure custody.³⁰ The costs associated with such custody are considerable: in Massachusetts, incarcerating an offender costs \$43,000 per year. The costs for housing an inmate, including lifers, at maximum-security facilities accumulate to \$48,000 per year.³¹ These figures are

based, however, on young prisoners. Inmates undergo a process of accelerated aging compared to their age-matched counterparts outside of prison.³² This accelerated aging process is likely due to the high burden of disease common in people from poor backgrounds, coupled with unhealthy lifestyles prior to and during incarceration.³³ To illustrate, to account for accelerated aging, the National Institute of Corrections defines “older inmates” as those fifty years of age or older.³⁴ Many state correctional departments consider prisoners aged fifty-five and older as “geriatric.”³⁵ As their health is further exacerbated by substandard medical care either before or during incarceration,³⁶ the increased burden of illness, disability, and special needs make them an expensive prison population.³⁷ Older prisoners cost approximately \$70,000 per year³⁸—two or three times that of younger prisoners. Currently, Massachusetts houses 1,975 lifers, of whom approximately half serves life without the possibility of parole.³⁹ In total, lifers make up almost 20% of the overall Massachusetts prison population. Aside from those who will spend the rest of their lives behind bars, considering that the average lifer spends thirty years in prison we may wish to evaluate to what extent we are willing to pay the price for their captivity.

Third, despite the well-worn maxim that, eventually, nearly all prisoners will be released to the community, there is virtually no literature on the community integration of long-term prisoners.⁴⁰ Long-term imprisonment constitutes an extreme on many fronts. On one hand, it entails considerable deprivations and requires substantial and long-term allocations of scarce correctional resources; on the other, it may cause harm to inmates, thereby becoming ineffective. This highlights the need to shed light on the unknown effects of long-term incarceration. The effects of incarceration on offenders who spend several months to several years in prison are well documented: ex-prisoners earn less money during their lifetimes, find it harder to stay employed, are less likely to marry, and suffer a range of medical and psychological problems.⁴¹ Very little is known, however, on the effects of imprisonment among those spending decades behind bars. The lack of research in this area can be traced back to the 1960s, when the influential Radzinowicz Report,⁴² reflecting the status quo of long-term prisoners in maximum security prisons in the United Kingdom, noted, “Practically nothing is known about the vital subject of the lasting effects on human personality of

long-term imprisonment, yet pronouncements on the subject continue to be made and very long prison sentences continue to be imposed.”⁴³ Little has changed since then: although more studies have been conducted on the effects of imprisonment, these have mainly based their conclusions on those serving much shorter sentences, rather than on long-term prisoners specifically. Lifers, however, constitute a unique population. The average age of male lifers leaving state prison is about thirty-five years.⁴⁴ By the time lifers face the possibility of parole they are much older, and hence they are likely to face different problems and to have different needs from those in their twenties or thirties.

Fortunately, the vacuum in research on lifers has not remained entirely void, as recent journalistic accounts,⁴⁵ books based on a small samples of long-term prisoners,⁴⁶ and thorough dissertational research⁴⁷ have shed light on the issue. One of the most well-known works on life in prison is John Irwin’s book *Lifers*, in which he describes seventeen incarcerated men serving sentences of twenty years or more. He finds that most lifers changed drastically during the course of their prison sentence. These men experienced a process of awakening, a point at which they understood that their actions have led them to their current situation.⁴⁸ In their recent work *On the Outside*, the Canadian scholars Melissa Munn and Chris Bruckert give a unique insight to the lives of twenty former long-term prisoners, among whom were sixteen life-sentenced men released or paroled from Canadian prison at least five years ago who have remained charge-free ever since. Through interviews with these men, the authors unveil some of the effects of long-term incarceration, including what they term “fragile freedom”: being out on parole but constantly fearful of returning to prison on a parole violation. These men, the authors found, “are left with a profound sense of being abnormal, of being outside, of not belonging.”⁴⁹ With this book, I hope to add to the research literature by specifically focusing on the American context of lifer reentry: How are these men and women able to live a life beyond bars after having been incarcerated for decades?

Finally, recent developments in legislation make the study of lifer reentry even more warranted. Currently, approximately 2,500 juveniles are serving a sentence of life without the possibility of parole (LWOP). The United States is the only country in the world that imposes this sentence on youth. Juvenile LWOP sentences have recently garnered atten-

tion because of two major Supreme Court cases, *Graham v. Florida* and *Miller v. Alabama*. In *Graham*, the Court decided in 2010 that because of their cognitive, behavioral, and emotional differences from adults, youth under eighteen at the time of their crime who did not commit a homicide could not be sentenced to the harshest available sentence. In the *Miller* case two years later, the Court again relied on expert knowledge from the field of adolescent brain science to find an Eighth Amendment violation in sentencing youth to LWOP in a mandatory way without allowing for consideration of their age and other relevant factors. According to estimates, the *Miller* decision might affect the sentences of two thousand of these life-sentenced individuals, but cases are pending in as many as ten state supreme courts about whether *Miller* applies retroactively.⁵⁰ One of the outcome scenarios entails *Miller* being applied to already-sentenced juveniles, potentially leading to many life-sentenced individuals being eligible for parole. These developments highlight the need for studying this unique offender population.

This Book

The sample of lifers on which this book is based is different from previous work in many ways. First, all these lifers have committed a homicide. While homicide remains the offense for which most lifers are sentenced, life sentences are today authorized for robbery, assault, drug offenses, and even some property offenses.⁵¹ While other work on lifers also includes these offenders,⁵² this book focuses on homicide offenders alone. Second, previous work on lifers has been based predominantly in the United Kingdom, where lifers typically serve less than fifteen years in prison,⁵³ as opposed to the United States, where lifers spend on average twice as many years.⁵⁴ In this book, I hope to shed light on the status quo in the country with the largest lifer population worldwide. In doing so, I should reiterate that I was interested in what determined success versus failure post-release. Hence, I did not talk to people who served a life sentence without the possibility of parole. In six states—Illinois, Iowa, Louisiana, Maine, Pennsylvania, and South Dakota—and in the federal system, life means life.⁵⁵ Massachusetts, like forty-two other states, has laws that permit sentencing defendants to life with or without parole.

As a European citizen, I should emphasize that the United States is an outlier in many ways: With its mobile, heterogeneous, and urban population, it is low in what the American sociologist Francis Cullen termed “communitarianism” and high in “utilitarian individualism,”⁵⁶ or the dominance of individual self-interest in the pursuit of the desired, usually material ends. Accordingly, the structural basis for creating and sustaining supportive social relations is weak. In addition, the current penal climate in the United States is distinctive from its European counterparts in the length of its punishments and the sheer numbers of people it involves.⁵⁷ In contrast to European countries, where social assistance is viewed as a right, irrespective of the causes of poverty,⁵⁸ Americans arguably hold dear the creed of individualism, which admonishes people to “pick themselves up by their bootstraps” and fend for themselves.⁵⁹ Given these large differences, there is a strong need for comparative research in other parts of the world. I hope that, by starting in the United States with a lifer population of over one hundred thousand individuals, this research provides a first step to explore such barren terrain.

In this book, I explore the experiences of men and women before, during, and after serving a life sentence. In doing so, I aim to offer insight into the lives of long-term incarcerated individuals and come to an understanding on how to explain their successes and failures post-release. In order to answer this question, I recruited lifers who were “successful,” in that they were on parole at the time I interviewed them, as well as those who were “unsuccessful,” in that they were recalled to prison.

The data necessary to investigate this question are inevitably different from those used in empirical models estimating the impact of the length of sentence on post-release “success” versus “failure.” Not only are the methodological issues associated with these regression-based approaches substantial,⁶⁰ but this type of research “fail[s] to recognize the fundamental humanity of the individual offender.”⁶¹ Similarly, it has been argued that public and academic discussions surrounding prisoner reentry usually leave out the voices of those studied, relying instead on crude statistics.⁶² Much of the criminal career research proceeds as if

the meaning of social relationships can be simply established by their presence or absence.⁶³ To address the gap between statistical reality and real-life experiences, throughout this book I will focus on giving voice to those having experienced this process firsthand.

Hence, this book primarily reflects the perspectives of lifers regarding their experiences of a life sentence. Following others in the field,⁶⁴ I leave questions related to the degree of sentencing to criminal justice experts, questions on legality and constitutionality to legal scholars, and economic considerations to economists. This book reflects on the lives of the lifers I talked to, the years they spent behind bars, and the ways in which they lived their lives after release.

The structure of this book is as follows. In the next chapter, I draw from two predominant criminological theories that have been used to explain desistance from crime: life-course theories and theories of cognitive transformation. This chapter also addresses the nature of homicide and the influence of imprisonment to help us understand how the homicide offenders on which this study was based fare post-release. Did prison act as a school of crime, as a deterrent, or simply as a “deep freeze,” which implies that offenders came out the exact way they came in? Finally, the chapter discusses potential harmful effects of imprisonment, including institutionalization.

In chapter 3 I describe how I encountered these lifers, and the context in which I conducted the interviews. Here, I also briefly touch on the characteristics of the interviewees, and the geographical and cultural background that shaped their lives.

In the chapters that follow, I take a chronological approach, following the life of the interviewees before incarceration, throughout incarceration, and after release. Chapter 4 talks about the lives of the interviewees before they committed the homicide: their childhoods, family relations, neighborhoods they lived in, previous criminal behaviors, and lifestyles, how these factors lead up to them becoming involved in a homicide and how, consequently, they were sentenced to life in prison.

Chapter 5 portrays in depth the factors peculiar to long-term imprisonment, how the interviewees coped with these conditions, and how they managed to adapt to confinement over the years. In this chapter I

will also go deeper into what differentiates the lifers' prison experience from those who are "passing through" the prison system.

In chapter 6 we will take a closer look at the notion of prison as a turning point. We will see that the majority of interviewees described having experienced a "personal change." I will examine the process underlying this change, and the associated narrative. I will show that this narrative is not necessarily fake, in the sense that interviewees pretend to be someone they are not, but rather a reflection of how they wish to present themselves.

Chapter 7 continues with a chronological timeline, exploring the initial effects of reentering a world they left so many years ago. The chapter highlights specific roadblocks to reentry: finding a place to live and obtaining a job. Deriving indicators from life-course theories, I further explore how relationships with family members, intimate partners, and children developed and influenced the interviewees over the years. Chapter 8, then, extends beyond the impact on social relations by focusing on the effects of incarceration on mental health.

In chapters 9 and 10 I arrive at the question who was able to stay out of prison and who was not. I will first discuss the nature of being on parole and the strategies these lifers employed to navigate such conditions. In chapter 9 the interviewees mentioned several themes in terms of "failing" to stay out of prison: being recalled for political reasons, making up for lost time too quickly, falling back into old habits, and returning to prison as a safe place. Conversely, in chapter 10 I delve deeper into the factors the participants mentioned as key to staying out. These included aging out of crime, a healthy fear of the conditions of parole, and, most important, self-efficacy, or having a sense of choice and control over one's life.

Chapter 11 concludes by exploring the boundaries of two main theoretical models—life-course theories and theories of cognitive transformation—in explaining success and failure among these lifers. It highlights that conventional pillars of social control as suggested by life-course theorists, such as family relations, parenthood, and intimate partner relations, are unable to explain desistance among this group. Similarly, theories of cognitive transformation fall short, since virtually all interviewees describe themselves as "transformed" individuals. In this final chapter, I discuss ways we can put the findings of this re-

search into practical and policy recommendations to better prepare this unique group of offenders for release to the community: by reclaiming self-efficacy in prison and through employment, by evidence-based programming, and by acknowledging the psychological aftermath of long-term incarceration. The chapter concludes with a discussion of reform in both prison and parole systems for lifers. Providing lifers a fair chance on the job market, adequate programming taking into account the prolonged period of confinement, and a sense of certainty in terms of reasons for recall will enable them to start a life beyond bars.