

“Criminal” Justice Social Work in the United States: Fulfilling the Obligation of Social Work

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Abstract

Social work and so-called “criminal justice” were made for each other. The two belong together given the core values and principles of social work. The intersection between modern day social work and criminal justice issues has historical roots dating back to the 19th century and include an understanding that structural and environmental forces beyond individual control are related to crime without ignoring individual responsibility. The old relationship has ceased to exist. Public sentiment about rehabilitation and the treatment of people convicted of crime in favor of more punitive responses to crime at the onset of the era of mass incarceration is cited as a major cause of the end of social work’s more intimate union with criminal justice. The aim here is to call attention to social work’s agreed upon ethical responsibilities to the broader society in an effort to encourage a renewed social work involvement in so-called criminal justice matters. It is believed that a return to social work’s core values will facilitate rethinking about carceral matters in the context of a broader social agenda related to the enhancement of “living conditions conducive to the fulfillment of basic human needs” and the promotion of “social, economic, political, and cultural values and institutions that are compatible with the realization of social justice” (National Association of Social Workers, 2008). The author suggests that that return needs first to take place in social work learning establishments.

Keywords: criminal justice, social justice, social work, social work education

An Old and Intimate Relationship

Social work and so-called “criminal justice” were made for each other. The two belong together given the core values and principles of social work summarized in the preamble of the National Association of Social Workers Code of Ethics (2008).

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The primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and *empowerment of people who are vulnerable, oppressed, and living in poverty*. A historic and defining feature of social work is the profession's focus on individual wellbeing in a social context and the wellbeing of society. *Fundamental to social work is attention to the environmental forces that create, contribute to, and address problems in living* (emphasis added).

A good number of justice involved individuals are among the most vulnerable, oppressed, and marginalized people in our society. They commonly battle with poverty, hunger, physical and mental health issues, housing, addictions and more (Scheyett, Pettus-Davis, McCarter & Brigham, 2012). Criminologists have suggested that there is an association between certain types of crime, particularly street crime, and the condition of the social environment commonly found in societies plagued by widespread inequality (Stahler, Mennis, Belenko, Welsh, Hiller, & Zajac, 2013; Kawachi, Kennedy, & Wilkinson, 1999).

Today the US imprisons more people per 100,000 than any other country in the world including China (Walmsley, 2011). As many as 7 million adults are under correctional supervision in the US either housed in state and federal prisons or local jails, or are being supervised by a probation or parole agency (Glaze & Herberman, 2013). Current data show that persons of color make up about 29% of the US population, while among all people confined to a state or federal prison; two out of three are persons of color. Moreover, incarceration rates for non-Hispanic Black and Hispanic male and female adults of all ages have consistently outpaced their White counterparts (Carson & Sabol, 2012; Humes, Jones & Ramirez, 2011; Sabol, West & Cooper, 2010). Furthermore, the bulk of those incarcerated are from impoverished urban communities (Wacquant, 2010; Western & Wildeman, 2008).

Given these findings and their social, racial, economic justice implications, a close and detailed reading of the Social Workers Code of Ethics' preamble and the Code in its entirety suggest that contemporary social work should be wholly engaged with criminal justice issues and have an influential and prominent position in every place in the criminal justice field.

The intersection between modern day social work and criminal justice matters has historical roots dating back to the 19th century, particularly as it relates to poor youth running afoul of the law and or so called “juvenile” justice (Reamer, 2004; Brownell & Roberts, 2002). Then the aim was to divert young people from the harms of the adult criminal justice system, address their needs and work to “rescue” them from a life of crime (Zimring, 2000). Today social work professionals working in the field are commonly called forensic social workers or correctional social workers. Much of their work seeks to balance public safety needs, the law and rights of individuals including victims and perpetrators of crime (Brownell & Roberts, 2002). In the early years, social work was about helping individuals while understanding that (criminal, delinquent and other) “behavior was, to a great extent, a function of structural and environmental forces that needed to be addressed” (Reamer, 2004, p 216) without ignoring individual culpability. Moreover, contemporary course work related to human behavior and the social environment, including those offered social work students, suggests that social conditions and vulnerabilities related to crime often include factors beyond individual control, for example, economic, social and environmental inequality, racism and more (Zastrow & Kirst-Ashman, 2007).

In the last four decades, the old intimate relationship between social work and criminal justice has ceased to exist. Research offers a host of reasons explaining the breakup between the professions particularly as the 1960s ended and the 1970s began. This period is generally linked with the early stages of the era of mass incarceration. Reamer (2004) cites changes in public sentiment about rehabilitation in favor of more punitive responses to those convicted of crime as a major cause of the break-up. This change in attitude likely resulted from the rise in conservatism and the demise of the welfare state, an apparatus originally designed to confront poverty, hunger, poor health, housing and other issues that was ushered in during the Reagan-Bush-Clinton era (DiNitto, 2010; Baskerville, 2008).

Piquing our Consciousness

Prior to the era of mass incarceration, the welfare state and the welfare system were the principal methods of state control of those marginalized in the US capitalist system because of socio-economic inequality linked to class and race (White, 2005).

The rise in incarceration during this era signaled a shift in the state's methods of control to the criminal justice system, such that it had become the primary "institution of social control oriented to the management of dysfunctions inherent in capitalist society - unemployment, poverty, and the like" (White, 2005, p. 786). There are likely other reasons for the split and there are a substantial number of reasons that may offer hope for a rekindled relationship, all of which may not be fully explored here. The aim here is to call attention to social work's agreed upon ethical responsibilities to the broader society in an effort to encourage a renewed social work involvement in so-called criminal justice matters that manifest an understanding of structural and environmental forces at play and an intention to address these while simultaneously attending to individual needs. It is a call to address so-called criminal justice within a framework beyond notions of fairness such that justice work and justice workers cease to labor in silos and, alternately, work in a collective atmosphere focusing upon the good of all rather than a few (Novak, 2000).

It is believed that an emphasis on social work's core values will facilitate rethinking about carceral matters in the context of a broader social agenda related to the enhancement of "living conditions conducive to the fulfillment of basic human needs" and the promotion of "social, economic, political, and cultural values and institutions that are compatible with the realization of" a good that benefits the many rather than a few (NASW, 2008). In this sense, Social Work's Code of Ethics should be used as inspiration for the development of practice models, advocacy and activism around carceral issues (Austin, 2014). For many social workers, the values of the Code – acting as one with the most vulnerable to address social problem and bring about changes, respecting the dignity of all, and others - are often first learned and or are developed in their Master of Social Work (MSW) programs (Mizrahi & Dodd, 2013).

Even so, a number of scholars suggest that MSW students have few opportunities to explore interest in criminal justice within Council on Social Work Education (CSWE)-accredited masters of social work degree programs (Epperson, Roberts, Ivanoff, Tripodi, & Gilmer, 2013; Scheyett, et al., 2012; Reamer, 2004).

In a survey of CSWE-accredited programs Epperson and his colleagues (2013, p. 104) found that "(l)ess than 5% of MSW programs offered a concentration in a justice-related field . . . (and that) only six MSW-granting institutions had dual/joint degree programs in criminal justice or criminology."

In another recent survey of the top 100 MSW programs “the most frequently offered criminal justice courses were those on general social work and criminal justice (33%), juvenile justice (30%), and corrections/incarceration (22%)” (Scheyett, et al., 2012, p. 441-442).

On the other hand, MSW field placements in “criminal justice” settings are not uncommon. Scheyett and her colleagues (2012, p. 446) found that the most common field placements “were in community settings (adult community corrections, behavioral health courts, and juvenile programs of intensive community supervision).” However, MSW students with interest in criminal justice are likely to learn and develop identities in environments with values and ethics incongruent with those espoused in social work because the offerings in this regard are so sparse (Epperson, et al., 2013; Scheyett, et al., 2012, Reamer, 2004). As a result, social work’s influence in the field is, in effect, rather limited. A commitment to explaining social work’s core values to all social work students that includes a *de novo* emphasis on social work’s person-in-environment approach and the promotion of social justice goals may renew a broader commitment to these ideals whether they manifest an interest in criminal justice issues (van Soest, 1996). If the interest is there, it is likely to increase social work’s influence and relevancy in so-called criminal justice as a result of a commitment to these ideals.

A number of scholars view social work’s person-in-environment approach or p-i-e perspective as an important feature that distinguishes it from other professions and disciplines which, by and large, are either person-centered (like psychology) or focused upon structural issues (e.g. sociology) (Mizrahi & Dodd, 2013; Weiss-Gal, 2008; Sewpaul & Jones, 2005; Hare, 2004; Ramsay, 2003; Rogge & Cox, 2002; Kondrat, 2002). Arguably, the p-i-e approach provides additional evidence of how social work is situated to address justice issues; it has a tendency to be inclusive of both perspectives in its methods.

However, Rogge and Cox’s (2002) extensive literature review suggest that there is no agreed upon meaning, interpretation, or method of implementing a person-in-environment approach primarily because there are varying fields of practice (e.g. aging, criminal justice, mental health, etc.) and functions (administrative capacity, teaching, research, clinical/direct practice, etc.) in social work where conflicting meanings and practices play out.

Others suggest that the historical tension *within* social work related to its perceived function – social reform versus individual treatment – have made any agreement about p-i-e difficult as well (Abramovitz, 1998; Haynes, 1998; Wyers, 1991). Consequently, 21st century social work lacks a coherent understanding within the boundaries of its discipline that is influencing its inter-disciplinary interactions, in this instance, with justice issues. There will be no effort to resolve these differences here. However, if nothing else, I imagine a person-in-environment approach inclusive of activism and advocacy aimed at social reform, societal transformation or changes in social environments that adversely affect individuals, lest social work fail to remain true to its pro-reform mandates (Abramovitz, 1998; Haynes, 1998). Furthermore, it must include, as Kondrat (2002, p. 446) suggests, the notion that individuals are active agents co-constructing and recreating their social environments “and its structures – conforming, resisting, challenging, persisting, surviving, and transforming – (which is) a critical, activist concept of person.” If social work is to be engaged in the process of empowerment as it relates to those affected by adverse environments, if it is to facilitate their active involvement in changing those environments rather than merely treating people in them or encouraging adaptations to environments in need of being transformed, this understanding - individual as active agent- may not be overlooked (Reeser, & Epstein, 1990). Shying away from these concepts and this social responsibility would suggest a clear siding with the status quo by letting unjust factors external to the individual go unchallenged and prevent a multi-level approach to practice that is true to the social work mission (Abramovitz, 1998).

Social workers must simultaneously operate in multiple spheres if they are to be true to their calling and the social work mission, that is, on individual, organizational and community levels. Those in the field must constantly ask whose side they are on, whose interest are they to protect or further, and they must be concerned about the wellbeing of all in society, with “particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty” (NASW, 2008).

If inequality and the resultant criminogenic factors associated with it (poverty, unemployment, hunger, poor performing schools, etc.) have no positive social benefit, if making intolerable situations tolerable or adjusting people and programs (Abramovitz, 1998, p. 512) to intolerable conditions is not a goal of social work, then additional interventions, strategies, approaches are clearly needed that do not pathologize those made to endure pathological situations, many of which breed crime.

The social workers' ethical responsibilities to the broader society requires advocacy and activism that "promote(s) the general welfare of society, from local to global levels, and the development of people, their communities, and their environments. . . that are compatible with the realization of social justice" (NASW, 2008). These broad ideas must be rehearsed and not forgotten as the future comes into view and we rethink the role of social work and (criminal) justice matters (Haynes, 1998).

Rethinking Criminal Justice Within Social Work

The oft-repeated Chinese proverb that the longest journey begins with the first step quietly encourages us to begin the process where we are present. In my mind this suggests that the first steps down this path of rethinking criminal justice within social work must begin in the halls of academia. To postpone surrendering to values that are incompatible with those social work is committed to, social worker educators must insure that future social workers graduate with a social justice agenda that manifest an understanding of structural and environmental forces at play with an intention to address these concerns while attending to individual needs. During my own doctoral studies in Social Welfare at The Graduate Center of CUNY and The Silberman School of Social Work at Hunter College, my own professors directed me down this path while challenging me to choose sides. Among others, Dr. Mimi Abramovitz specifically called for the inclusion of educational content to be provided social work students that was in-keeping with social work's mission and values and that was directed toward work on "behalf of individual and social change" (Abramovitz, 1993). More than two decades ago, Abramovitz (1993, p. 6) supported the idea of:

(e)ducating social workers for individual, institutional, and structural change . . . (a) to prevent social work from becoming a handmaiden of the increasingly conservative status quo, (b) to assure the quality of life needed for healthy individual development, (c) to properly prepare social workers who choose to practice "politically," and (d) to assist social workers who may be moved or called upon to promote social change, even when this is not their primary professional role.

The political battles within social work and those around justice issues are parallel.

It is apparent that much of today's crime policies have been influenced by conservatives and or neoliberals that locate the causes of crime in individual decision making and proclivities or propensities toward evil (Ren, Zhao & Lovrich, 2008; Hannity, 2005; Beckett, 2000). Beckett (2000, p. 28) suggests that conservatives promote the:

. . . view that poverty and crime are freely chosen by dangerous and underserving individuals "looking for the easy way out" . . . (identifying) the "culture of welfare" as an important cause of "social pathologies" – especially crime, delinquency, and drug addiction. (They) identify "permissiveness" as the causes of crime-related problems and imply the need to adopt policies that would enhance social control rather than social welfare.

These views must be summarily dismissed. On the other hand, a more liberal view is likely to trace the causes of crime to environmental factors or social causes like poverty, inequality in educational opportunities and unemployment (Kauzlarich, Barlow, & Barlow, 2009; Garland, 2001; Lakoff, 2001). In a review of President Lyndon B. Johnson's Commission on Law Enforcement and the Administration of Justice, liberal notions on the causes of crime were evidenced when it reported that (Hayward, 2001, p. 126) :

The underlying problems (of crime) are ones that the criminal justice system can do little about. . . . Unless society does take concerted action to change the general conditions and attitudes that are associated with crime, not improvement in law enforcement and administration of justice . . . will be of much avail. . . . Warring on poverty, inadequate housing and unemployment, is warring on crime. A civil rights law is a law against crime. Money for schools is money against crime. Medical, psychiatric, and family-counseling services are services against crime.

In my mind our current state of affairs results, in part, from social workers' inability to live up to its own ideals and values included in the NASW' code when dealing with justice matters:

Social workers should facilitate informed participation by the public in shaping social policies and institutions (Standard 6.02)

Social workers should be aware of the impact of the political arena on practice and should advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice. (Standard 6.04 [a]).

Social workers should act to expand choice and opportunity for all people, with special regard for vulnerable, disadvantaged, oppressed, and exploited people and groups. (Standard 6.04 [b]).

Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical disability. (Standard 6.04 [d]).

An honest examination of these principles and values should readily inform what social workers may do as elected officials, organizers, lobbyists, service providers, advocates and reformers, administrators and supervisors, researchers and evaluators within contexts generally associated with criminal justice (police, corrections and the judiciary), and in relationship to economic, social and environmental inequality, racism, etc., often associated with crime and crime policy (Zastrow & Kirst-Ashman, 2007; Reamer, 2004, Abramovitz, 1993). If social workers are not educating students to become change agents and to be clear about whose side they are on, social work will not be viewed as a catalyst for justice and will forfeit the opportunity to be a key player in the so-called criminal justice field. Instead, social work will just be yet another instrument of social control.

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