

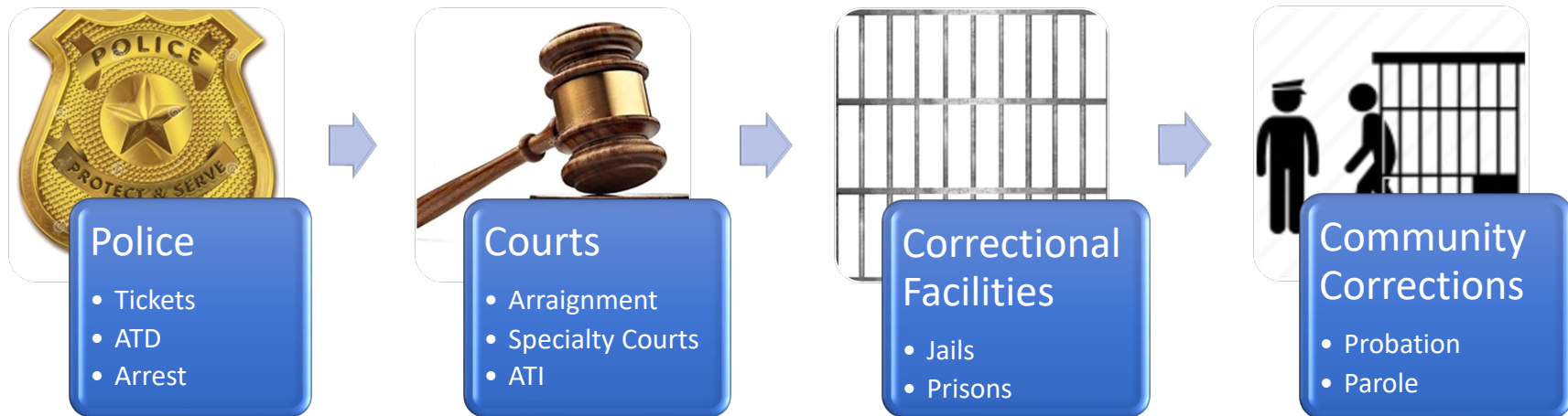
Heartbreak and Hope: Working within the criminal justice system to reduce harm

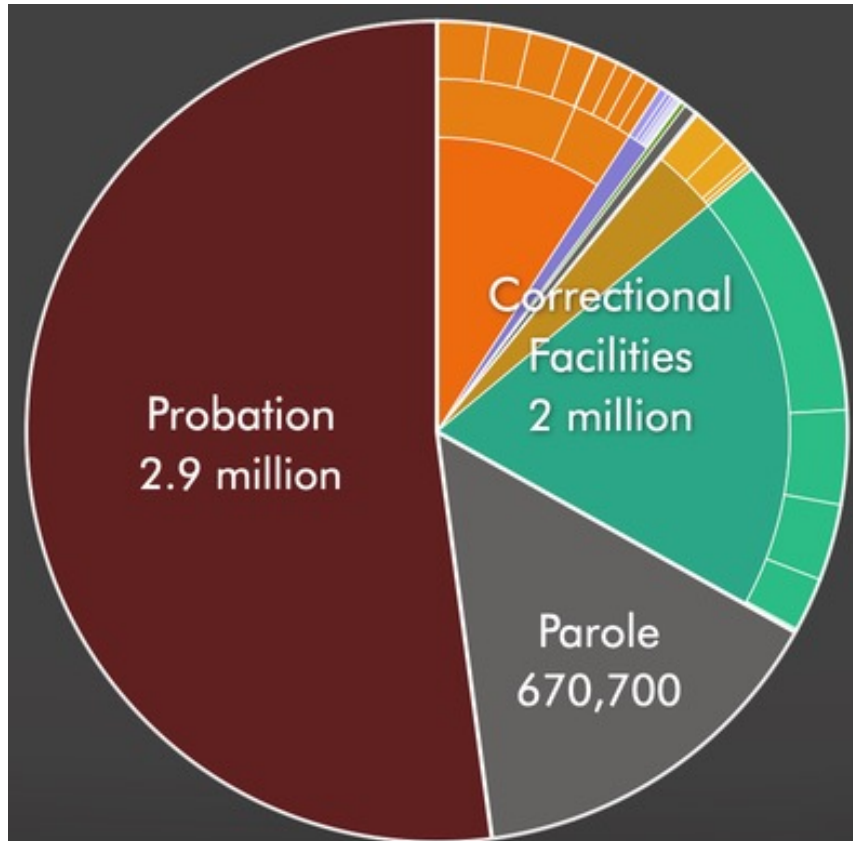
Elizabeth Ford, M.D.

Founder & Chair, Justice-Involved Behavioral Health Workgroup
Associate Professor of Clinical Psychiatry
Columbia University Vagelos College of Physicians and Surgeons
Adjunct Associate Professor of Psychiatry, NYU School of Medicine

May 14, 2025

United States Criminal Justice System





[Mass Incarceration: The Whole Pie 2025](#) | Prison Policy Initiative

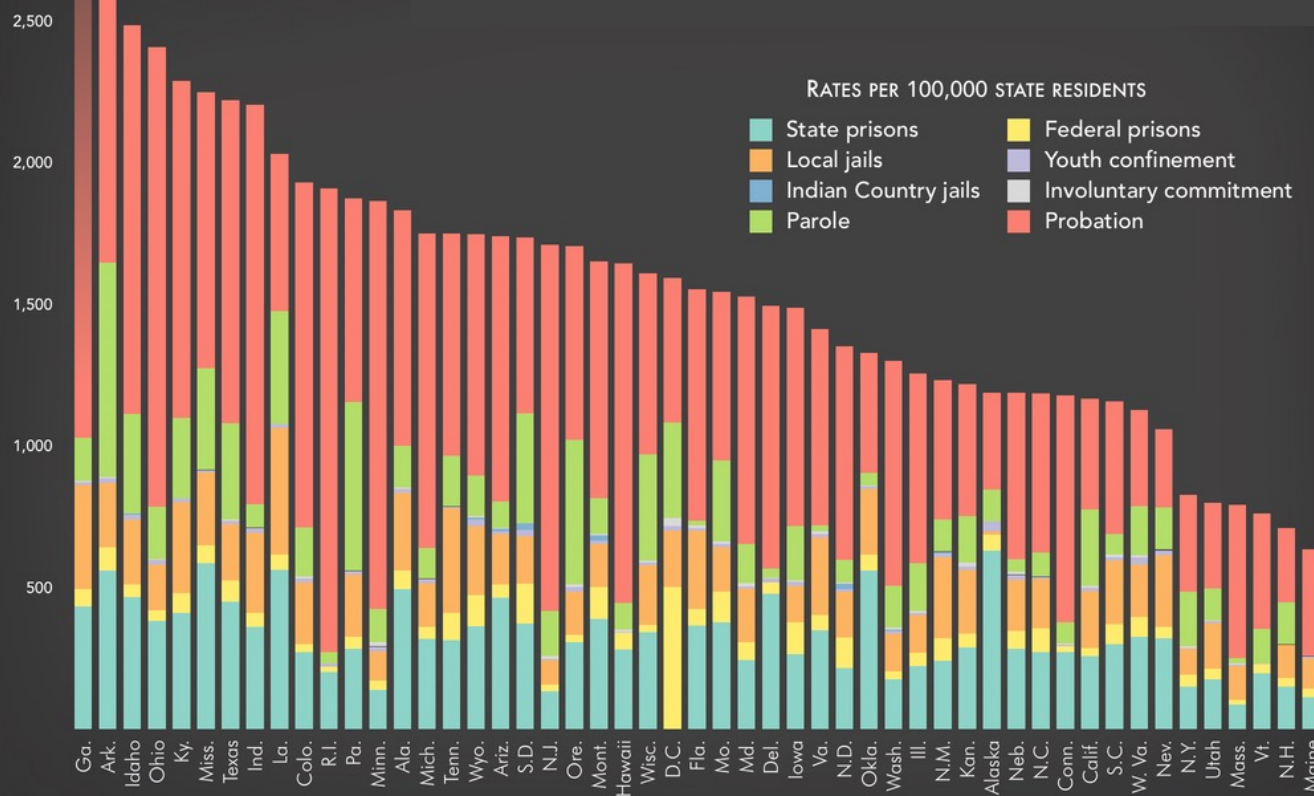
- *1 arrest every 3 seconds¹*
- *77 million adults in the U.S. with a criminal record²*
- *1 in 48 adults under some form of correctional supervision³*

¹<https://www.vera.org/publications/arrest-trends-every-three-seconds-landing/arrest-trends-every-three-seconds/findings>

²National Conference of State legislatures, 2023

³Buehler ED, Kluckow R. 2024. Correctional Populations in the United States, 2022 – Statistical Tables. US Bureau of Justice Statistics

Involuntary Criminal and Civil Confinement in the U.S.



For specific rates, data sources and methodology, see www.prisonpolicy.org/reports/correctionalcontrol2023.html

PRISON
POLICY INITIATIVE

Lifetime Likelihood of Imprisonment for U.S. Males Born in 2001



Source: Robey, J., Massoglia, M., & Light, M. (2023). A generational shift: Race and the declining lifetime risk of imprisonment. *Demography*, Appendix Table A6.

Black, Latinx, Indigenous, and other people of color disproportionately live in communities with elevated poverty rates; poor access to education, health care, employment, transportation; and concentrated policing activities

[More Work to Do, Columbia Justice Lab](#)

>60% of people are in jail because they cannot afford bail

[U.S. Commission on Civil Rights Releases Report: The Civil Rights Implications of Cash Bail | U.S. Commission on Civil Rights](#)

Being in jail increases risk of being convicted, being jailed again, homelessness, unemployment

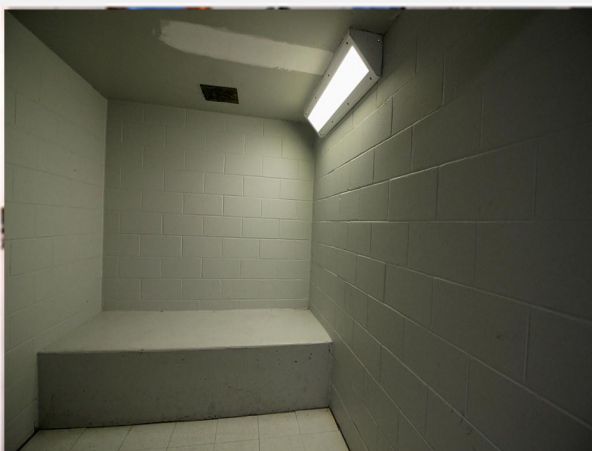
Health and Incarceration

- One year of incarceration reduces avg life expectancy by 2 years¹
 - *Having schizophrenia reduces life expectancy by 15 years*²
- Reported rates of serious mental illness in jails and prisons vary widely, from 14%-58%
 - *Regardless of range, prevalence higher than in the community*
- Higher rates of overdose (mostly opioid) after incarceration, compared to general community³
 - Overdose leading cause of mortality (33% compared to 2%)
 - 15.5 x higher for people released from jail
 - 28.3x higher for people released from prison
- Trauma and “Post-Incarceration Syndrome”

¹ Patterson, E. AJP 103(3), 2016

²Life expectancy and years of potential life lost in people with mental disorders: a systematic review and meta-analysis, Joe Kwun Nam et al., *eClinicalMedicine/Lancet*, Volume 65, 102294

³Hill K, et al. Postrelease Risk of Overdose and All-Cause Death Among Persons Released From Jail or Prison: Minnesota, March 2020-December 2021. *Am J Public Health*. 2024 Sep;114(9):913-922.





The incarceration environment

- Forced communities
- Chronic stress
- No privacy
- Isolation
- Loss of support(s)
- Suicidogenic
- Aggressogenic
- Solitary confinement

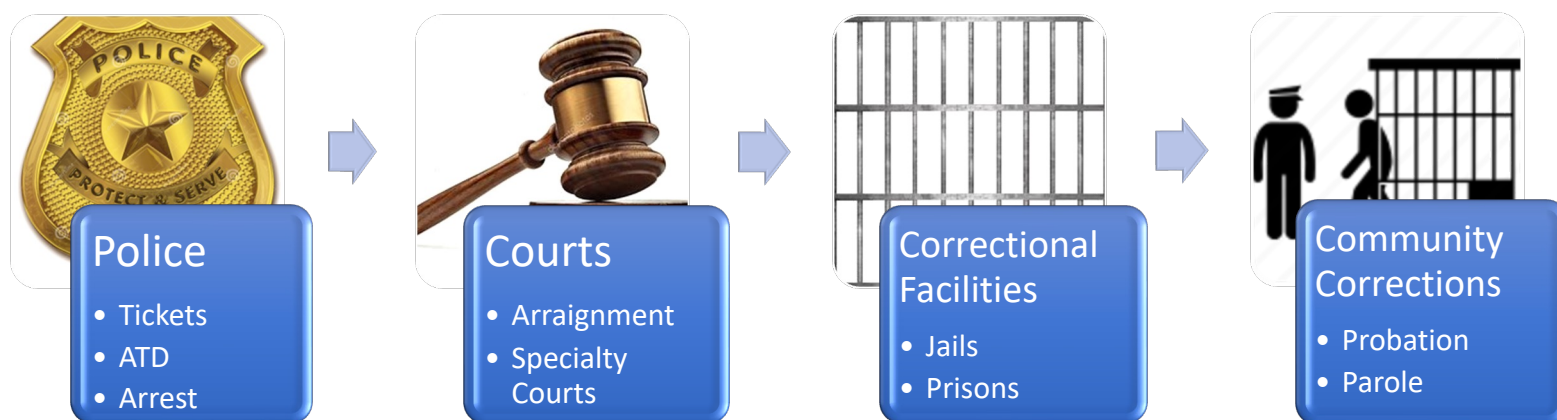
HOPELESSNESS

FEAR

REGRESSION

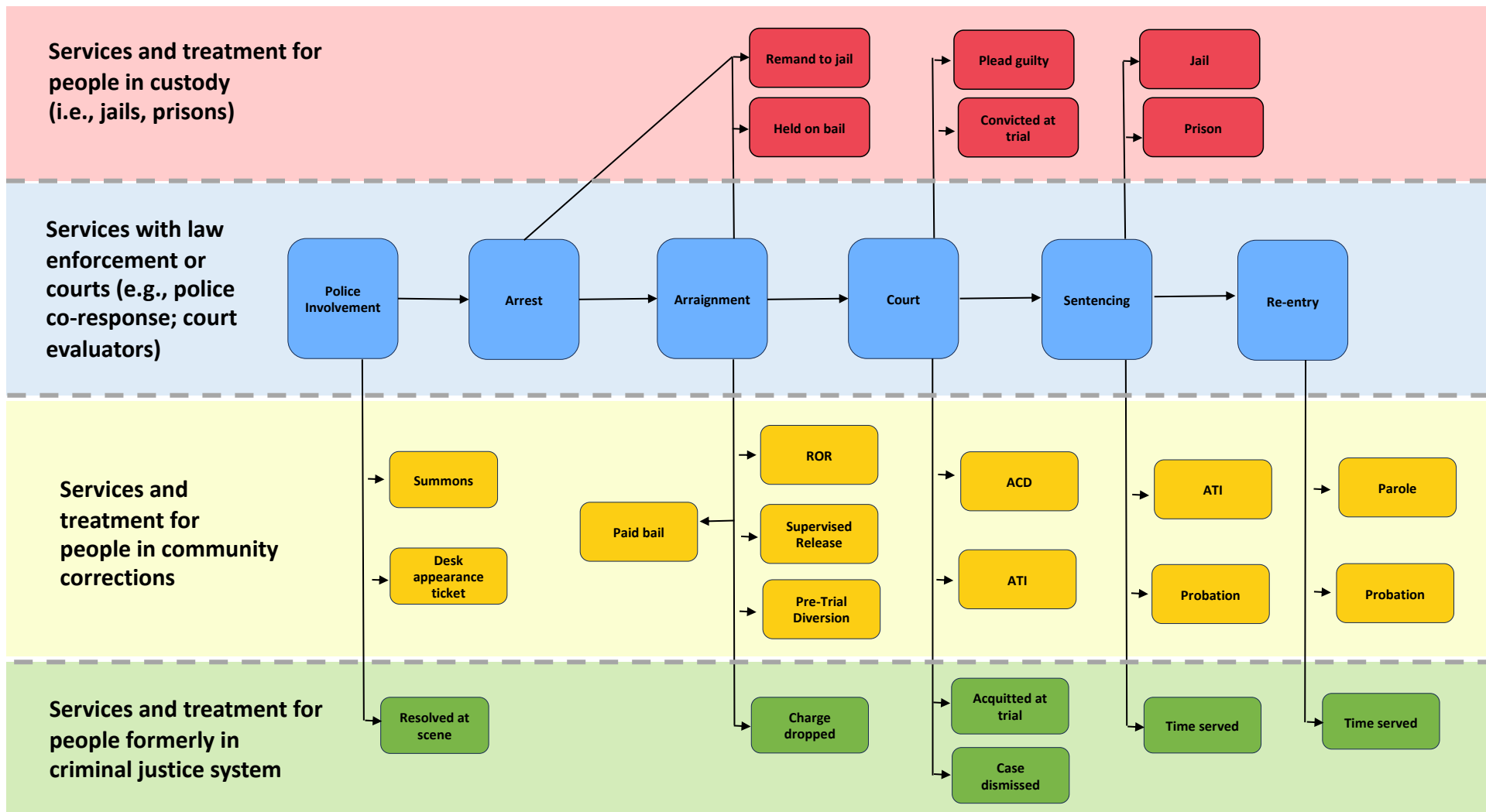
LEARNED HELPLESSNESS

“Serious mental illness” in the U.S. Criminal Justice System



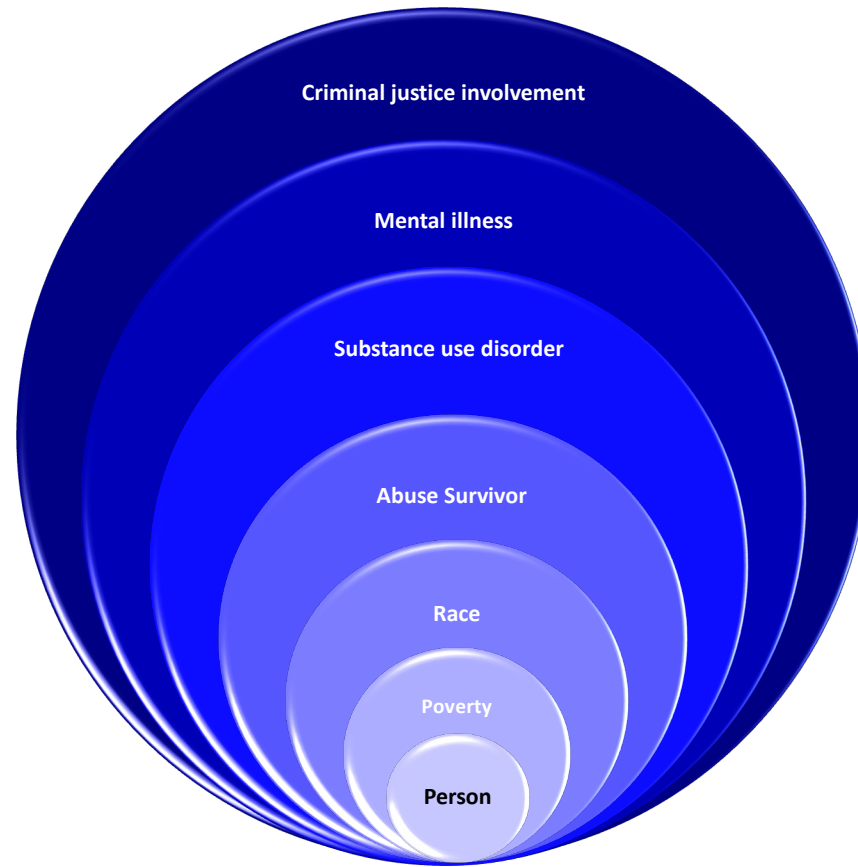
People with SMI have higher risk of:

- 911 calls
- Police involvement
- Pre-trial jail detention
- Court appearances
- Specialty courts
- Convictions
- Denial of probation
- Denial of parole
- Multiple incarcerations
- Longer sentences
- Technical violations
- Return to jail



STIGMA:

tool of exploitation,
devaluation and
domination within a
powered dynamic



Howell BA, et al. The Stigma of Criminal Legal Involvement and Health: a Conceptual Framework. J Urban Health. 2022 Feb;99(1):92-101.

Prisoner
Inmate
Criminal
Convict
Liar
Malingerer
Body
Perp
Offender
Felon

From lived
experience



Jose A. Perez, MPS

Project Manager, Children's Defense Fund;
poet; actor; activist

j.a.perezz422@gmail.com



The power of diagnosis

Under-diagnosis

Lack of access to needed treatment and services

Lack of protection from harm (systemic and individual)

Escalation of dangerous behavior to access care

Over-diagnosis

Exposure to unnecessary medication/treatment

Stigma, shame

Allocation of resources

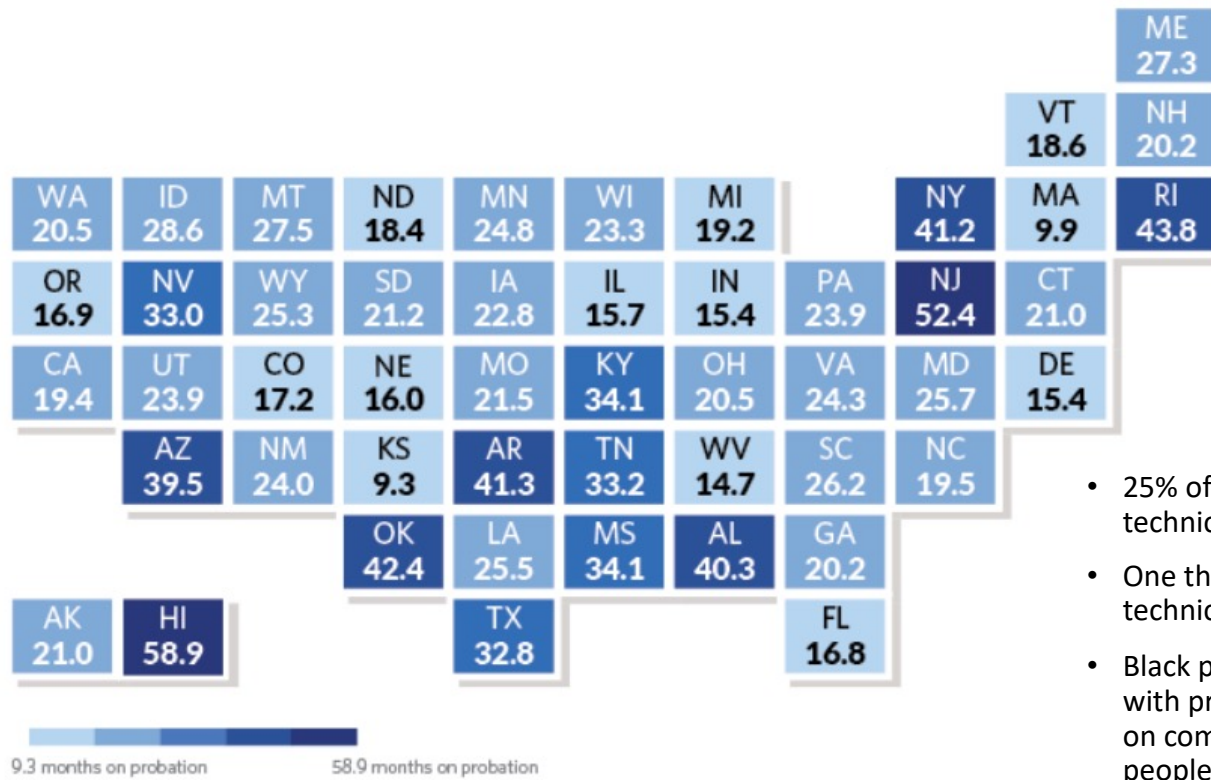
Weaponization of diagnosis

To justify depriving someone of care

To preserve the power differential

To identify a quick fix and remove the “problem”

Estimated average term of probation, in months, by state, 2018



- 25% of admissions to state prison are a result of technical violations
- One third of people in jail are there for technical violation
- Black people 50-100% more likely to be charged with probation or parole violations, and to stay on community supervision longer, than white people

Source: Bureau of Justice Statistics, "Annual Probation Survey" (2018)

© 2020 The Pew Charitable Trusts

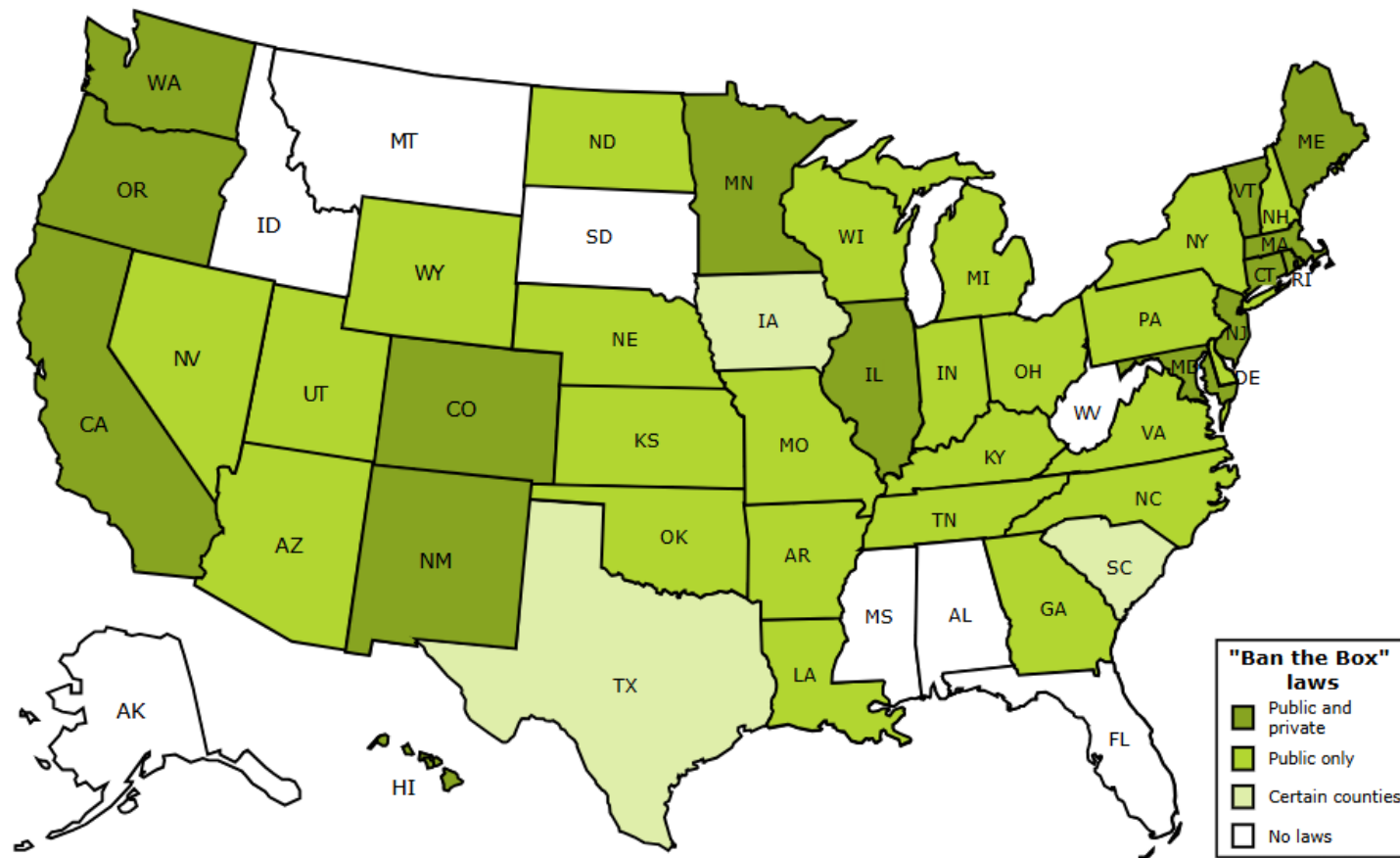
[Supervision Violations and Their Impact on Incarceration](#)
More Work to Do: Columbia Justice Lab Research Brief, 2020

Examples of conditions

- Reporting to probation or parole offices, often in-person, several x/week to once/month
- Paying supervision fees and fines, often without regard to the person's ability to pay;
- Finding and maintaining full-time employment, which can be difficult for various reasons, including:
 - Employers may not hire people with criminal records
 - Curfews may be too early to maintain competitive employment
 - Competing social, domestic, education needs
 - Additional supports needed because of illness
- Attending specific treatment programs
- Attending anger management courses
- Drug and alcohol tests, which the person on probation or parole is often required to pay for
- Not using drugs or alcohol
- Not entering bars
- Not possessing firearms or other dangerous weapons
- Electronic monitoring which the person on probation or parole sometimes must pay for
- Not changing employment or residence without permission
- Not associating with people who have a conviction record, including family and friend
- Not leaving the designated city/state without permission
- Not associating with persons who have criminal records
- Participating in transitional housing programs
- Paying restitution to victims in a timely manner

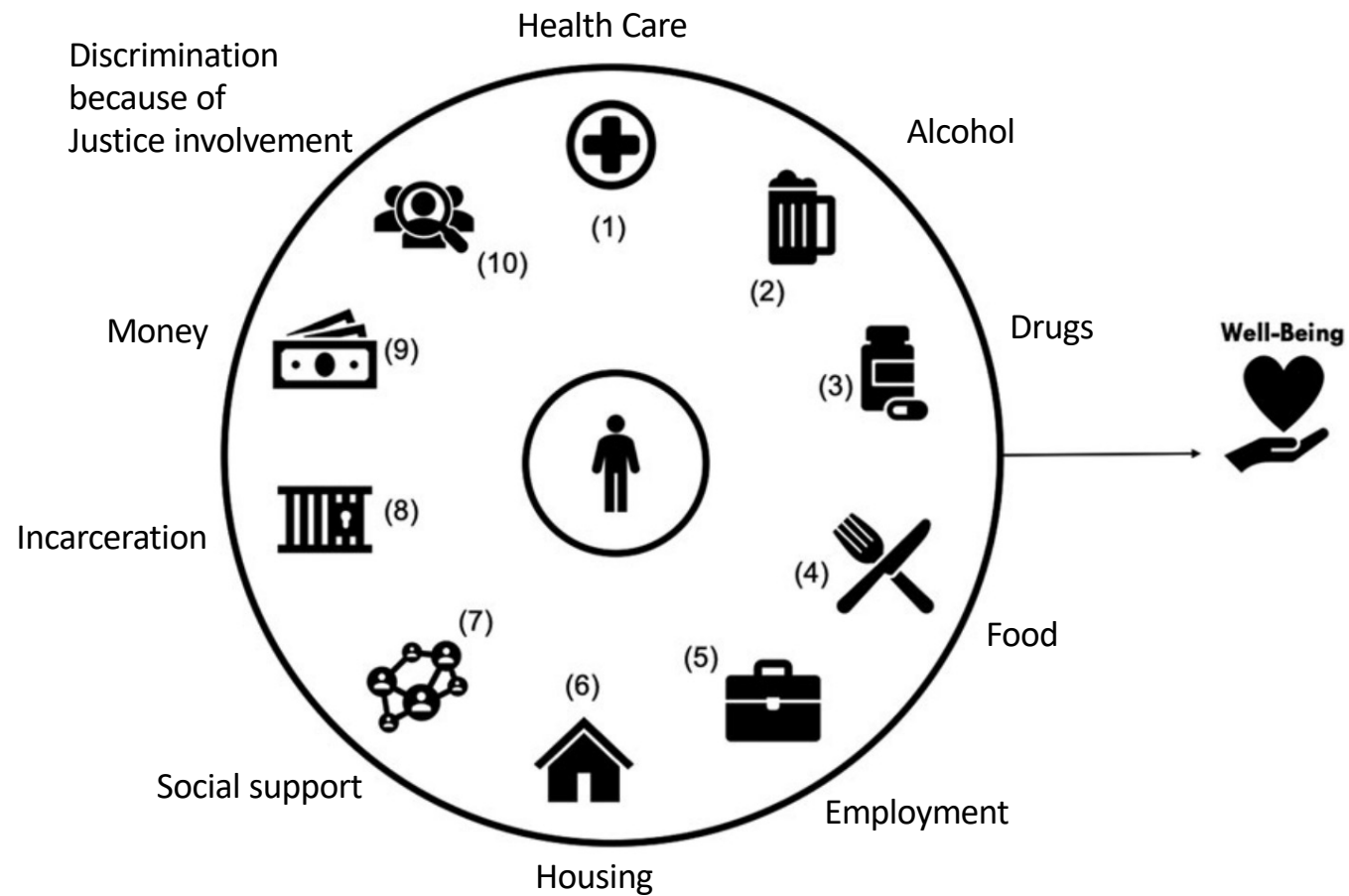
Employment laws for justice-involved applicants

- Fair Chance to Compete for Jobs of 2019
 - Federal agencies (or agencies receiving federal funds) may not inquire into an applicant's criminal history until a conditional offer has been made
 - Exceptions for "business necessity"
 - Certain convictions disqualify people from banking and transportation jobs, as well as state-licensed jobs in healthcare and education
- Fair Credit Reporting Act (FCRA) requires 3rd party to do criminal background checks (aka "consumer report"), and obtain consent to access the findings
- States and counties vary



[Ban-the-Box-Fair-Chance-State-and-Local-Guide-Oct-2021.pdf](#)

[Ban the Box Law: An Ultimate Guide for Small Businesses](#)



Psychosocial challenges upon re-entry

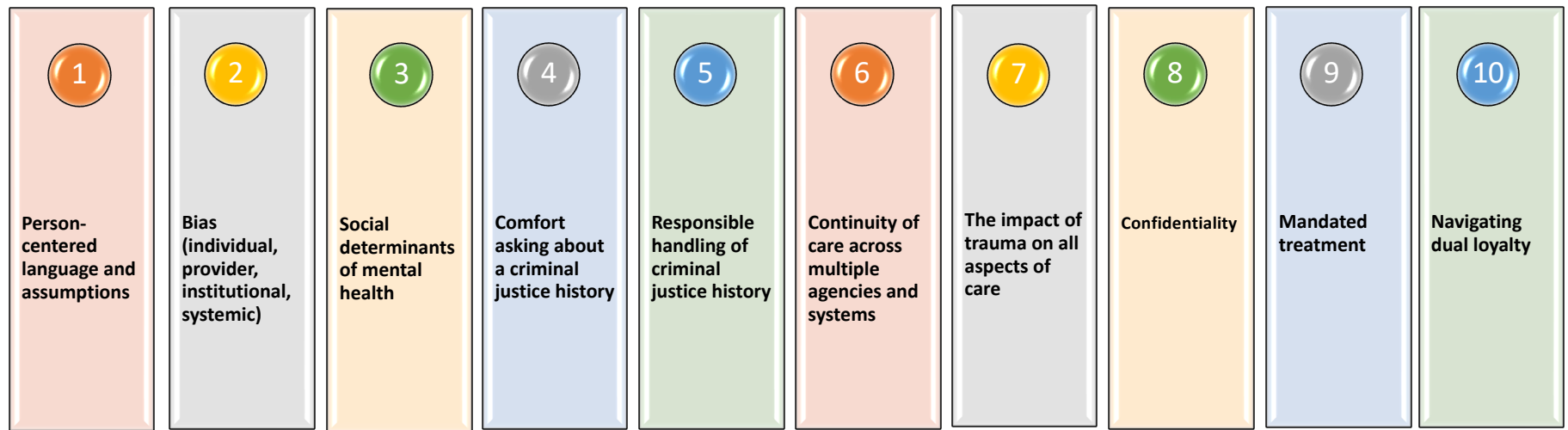
- Lack of practice living in the “outside” world
 - Autonomy, independence and choice
 - Sociocultural and technological changes since incarceration
 - Trust (or not) in systems of support, especially if services are mandated
 - Feelings (or not) of safety
- Internal shame and external stigma, including from service providers who generally have little training about working with people who are justice-involved
- The “top 3” needs of returning citizens, according to Alex Anderson¹
 - Tell one’s story to reclaim their humanity and purpose
 - Re-connect to one’s community
 - Gain control and agency over one’s life

¹RE-ENTRY THEATER OF HARLEM

How can IPS/employment help?

1. Develop training and education strategies for service-providers to improve engagement with clients who have criminal justice histories
2. In-reach into courts, local jails, and state prisons
3. Hire people with lived criminal justice experience on IPS teams

Principles/Themes working with Justice-Involved Persons



Dual Loyalty

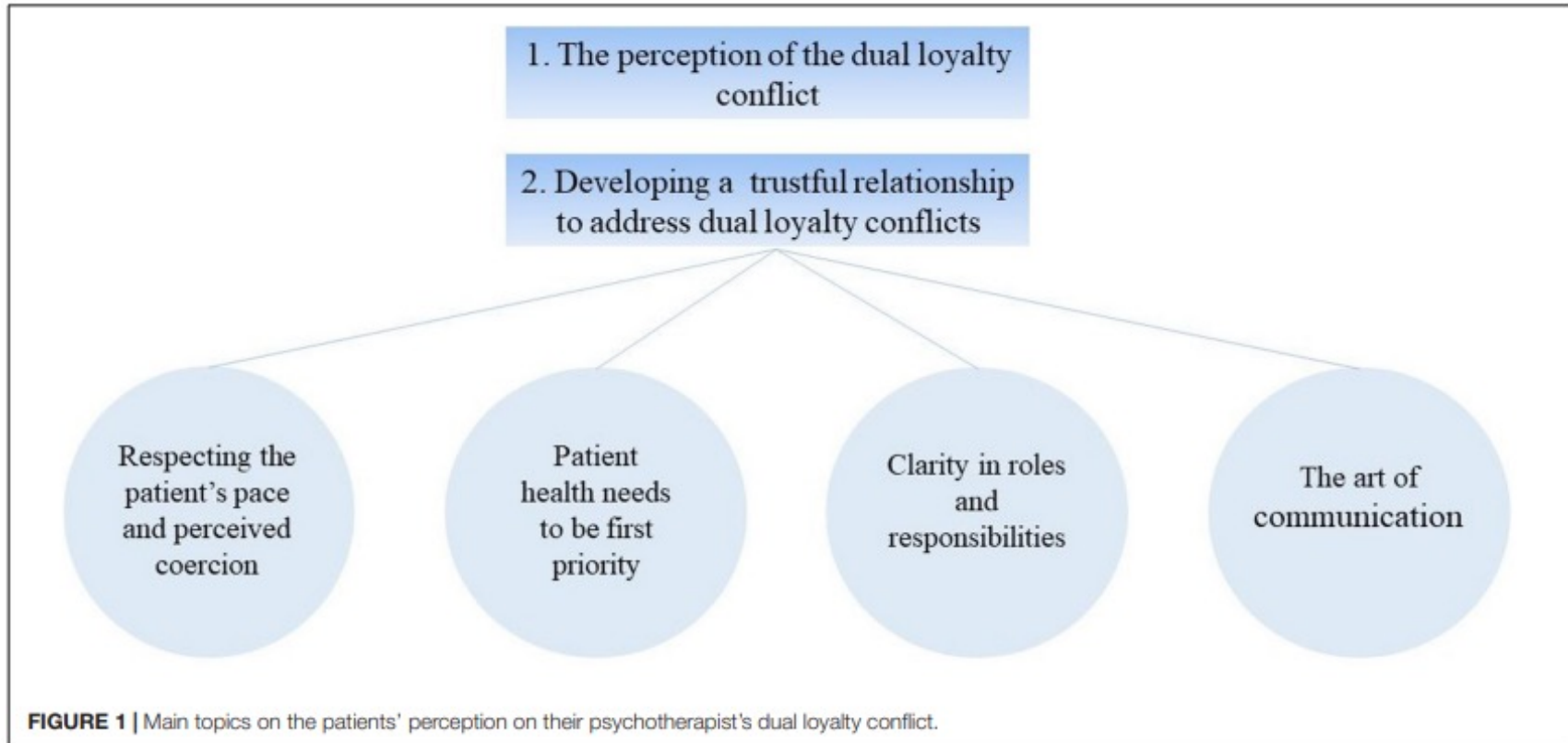
Dual loyalty is the potential conflict between clinicians' duties to their patients and their obligations to their employers [or established authority figures]. Acting in the patient's best interest is the most fundamental tenet of medical ethics, yet systems often put pressures on health professionals which make it hard for them to perform their jobs ethically.



Physicians for
Human Rights

“Dual loyalty—the impact of the security setting on the health mission—is a central challenge for health providers in [criminal justice] settings.”

Glowa-Kollisch, et al, 2015. Data-Driven Human Rights: Using Dual Loyalty Trainings to Promote the Care of Vulnerable Patients in Jail
Health and Human Rights, 17(1)

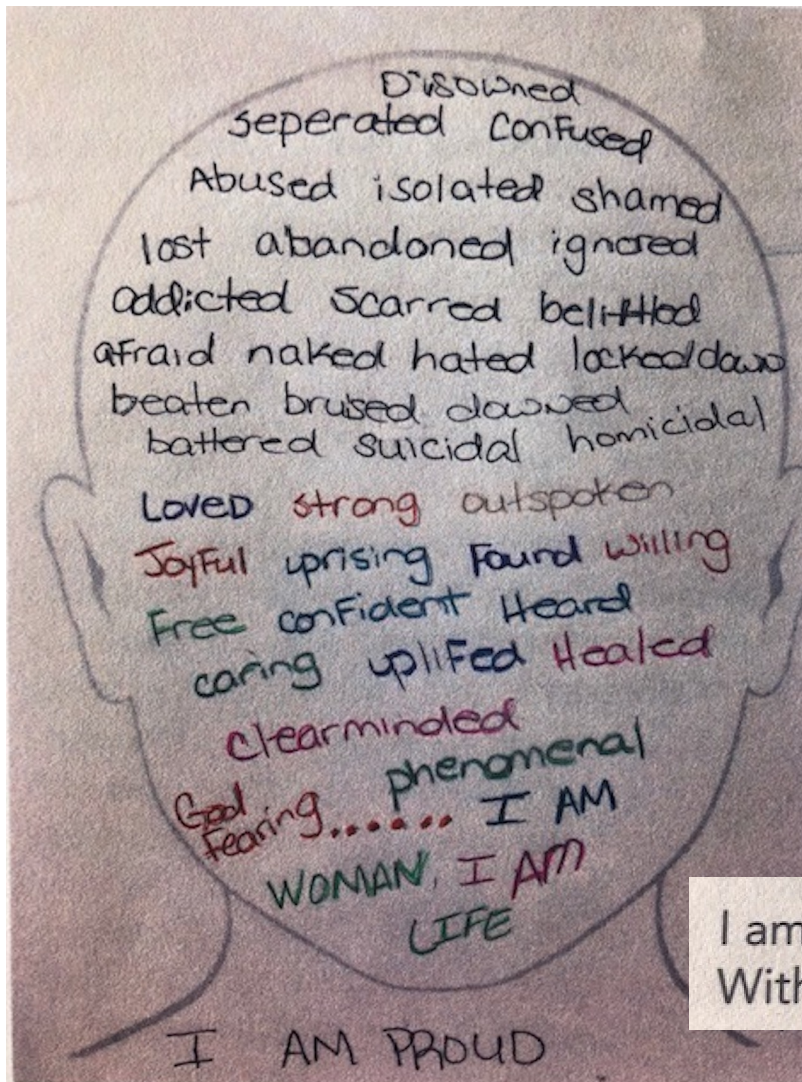


Responsibly asking about criminal justice history

- Listen to, rather than assume, the life experiences of the person you are trying to help. Be curious
- Ask for clarification when needed
- Ask only questions that will inform your assessment
 - NOTE: Without training, it is hard to know what you need to know
- Avoid phrases like “I know” and “I understand” if you have not been through the situation yourself
- Be aware of your tone, word choice, and body language
 - NOTE: People who have been confined against their will learn quickly how to assess honesty, humility, fear, and disrespect
- Be mindful of your privilege
- Ask later in the interview/session

People rise
(and fall) to
expectations





Post-traumatic resilience

Respect for survival

I am made of these things which make me proud.
Without struggle there is no progress.

IPS Principles = Successful Re-Entry Principles



Competitive Employment



Systematic Job Development



Rapid Job Search



Integrated Services



Benefits Planning



Zero Exclusion



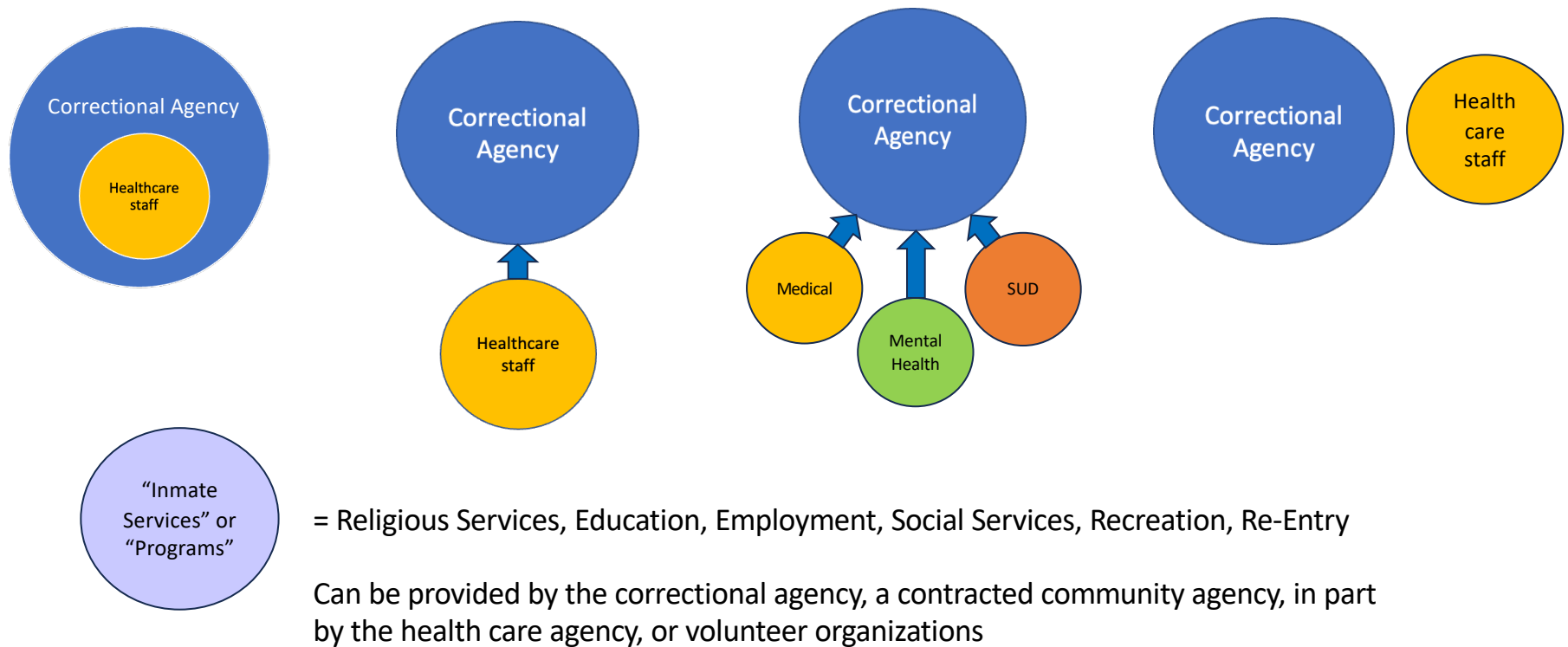
Time-Unlimited Supports

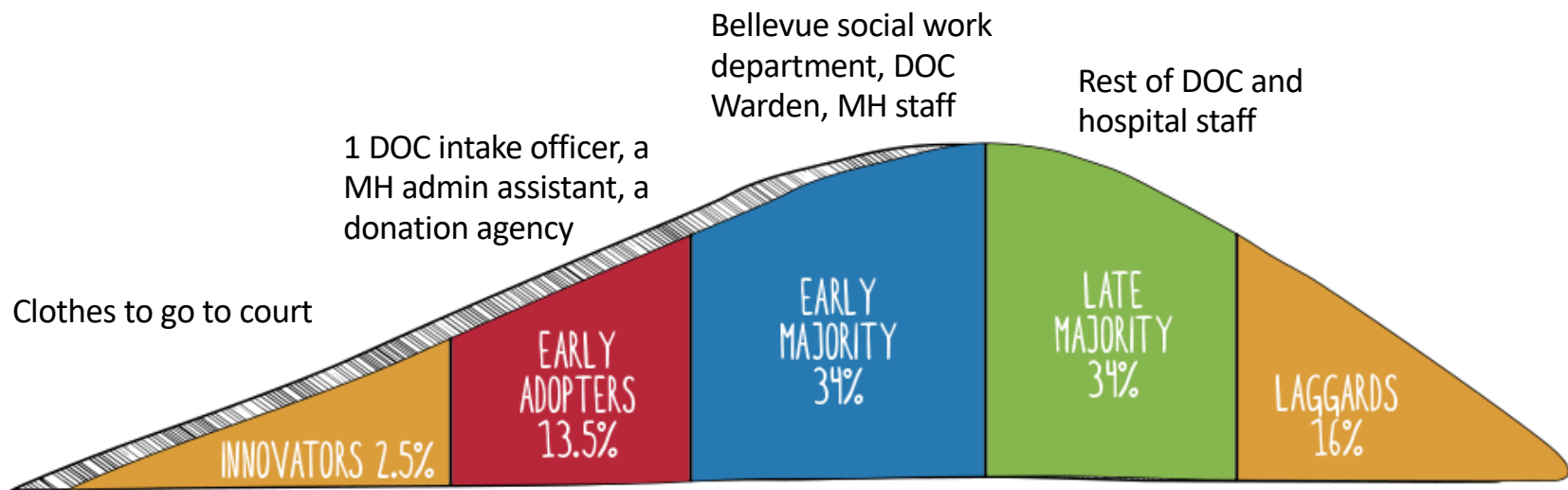


Worker Preferences

[What is IPS? – The IPS Employment Center](#)

In-reach to jails/prisons depends on how the facility runs, knowing its priorities, and connecting with the right person





How can IPS help reduce mass incarceration, particularly for those with mental illness?



- Employment reduces all the above
 - Especially competitive employment
 - Especially employment that a person desires and/or does not invoke shame
- Employ people on IPS teams with lived criminal justice experience
 - Invaluable engagement
 - Additional considerations/supports may be needed

PORT (Point of Re-entry and Transition) Program

- Hospital-based primary care clinics designed to meet healthcare and social support needs upon re-entry from NYC jails
 - Entire clinical team geared toward person-centered approach
 - Flexible appointments + walk-in hours
 - Community health workers with lived CJ experience who serve as peer navigators, especially with respect to the social determinants of health (including employment)
 - Emergency “PORT” line
 - Connections to other hospital-based and community services for rapid referral

Advocating for change

The background of the slide features a light blue gradient. At the bottom, there is a horizontal line of barbed wire. Above the wire, several birds are depicted in flight, scattered across the upper half of the slide. The birds are simple, dark grey silhouettes with wings spread, suggesting a sense of movement and freedom.

- Know and respect your audience
- Develop relationships
- Engage liaisons as needed between the systems/agencies/communities
- Do your research (e.g., communities, stakeholders, agencies, government)
- Identify shared goals across systems
- Use your authority as a patient/client advocate
- Patience and grit
- Do what you say you are going to do (or explain why you didn't)



JUSTICE INVOLVED BEHAVIORAL HEALTH

[Home](#) | [Justice Involved Behavioral Health](#)

THANK YOU!

ef2694@cumc.columbia.edu