

STRUCTURAL CONTEXT AND PATHWAYS TO DESISTANCE: RESEARCH IN SPAIN¹

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ABSTRACT

Some authors have argued that turning points and other pathways to desistance may be dependent on the context and therefore desistance scholars should pay attention to the structural dimension of desistance. Following this suggestion, this paper describes some structural aspects of the Spanish society -such as the high familism, the limited availability of unqualified male jobs, the discrimination face by immigrants and the selective rehabilitation role of the penitentiary system- that seem relevant to understand the pathways of desistance and persistence in this country. These pathways have been found in a research with incarcerated men conducted by the authors in Barcelona (Catalonia). Finally some practical and theoretical implications are discussed.

INTRODUCTION

The overview of desistance studies elaborated by Laub and Sampson (2001) set a challenge for future researchers; do the factors they highlighted as relevant to understanding desistance (attachment to a spouse, job stability and successful experience in the military) continue to be pathways to desistance in

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contemporary societies? Some authors have answered that the socio-economic context of the post-Second World War era was very different – with respect to opportunities of stable jobs and family formation - from the reality of post-industrial societies (Giordano, Cernkovich and Rudolph 2002). Others scholars have considered that the relevance of some institutions as turning points may depend on the social meaning and social policies related to them in each country. For example, in Scandinavian countries, some institutions that have not generally been considered as turning points may assume this function. This may happen with cohabitation, given that in these societies cohabitation is seen as an institution similar to marriage, or with paternity, given that policies devoted to sustain parents with children, may increase the positive influence on men of having children (Savolainen 2009). Extending this line of research, Farrall, Bottoms and Shapland (2010) explored the structural changes in modern UK that might have affected the possibilities of desistance: employment (less opportunities for non-qualified people), families and housing (delaying the age and reducing the possibilities of independence) and criminal policy (labelling offenders as risky persons and weakening the focus on reintegration).

Following Farrall *et al.* (2010), this paper aims to locate and understand pathways to desistance with a specific structural context (namely Spain). We first explain some features of contemporary Spain relevant for desistance. Then, we describe the research we have carried out in Barcelona from 2010 to 2012 with formerly-imprisoned men. Third, we approach some results of this research focusing on the relation between structural context and pathways to desistance. Finally we discuss some practical and theoretical implications of this research.

STRUCTURAL CONTEXT

There are four areas that may be considered to understand pathways to persistence and desistance in the context of our research in Spain: the labour market, the role of the family in welfare, recent migration trends and policies, and the rehabilitation model of the Spanish penitentiary system. We take each in turn.

Labour market

Regarding the labour market, Spain is characterized by high levels of precariousness. Important segments of the labour force are working in temporary employment and the informal economy. During economic crises, this part of the population has higher probabilities of being unemployed: according to Eurostat the rate of unemployment in Spain, historically higher than in the other European Union countries, has reached 26% in 2013 (35% for persons with the lower levels of education)². The job crisis has especially damaged traditional male settings such as the construction sector, one of the main sources of occupation for unqualified male workers. The population at risk of poverty has also reached one of the highest levels among the EU³. Thus, the formerly-imprisoned people that managed to re-enter society during these years, not only had to deal with their low skills and prison stigma but also encounter a scarce and precarious employment market. Ex-prisoners receive a monthly unemployment benefit for 18 months after release (irregular immigrants are excluded) but this payment (426€ in 2014) is not a living wage.

The chances of finding a stable job, associated with desistance (Sampson and Laub 1993; Uggen 2000), may be very limited for formerly-imprisoned persons in a scenario of high unemployment and precarious jobs aggravated due to economic crisis.

Family and Welfare

Esping-Andersen (1999) proposed a typology of three models of welfare state in industrial capitalist countries: the liberal, the social-democratic and the conservative-corporatist. Although there is a disagreement with respect to the inclusion of Southern European countries among the corporatist model of welfare or the existence of a fourth, Mediterranean, model (Ferrera 1996, Moreno 2001, Valiente 2010), there is no dispute about the relevance of the family for the welfare of individuals in Spain and in other Southern European countries. While the state has assumed some universalistic benefits – education, health and pensions- the development of other social policies is very limited in comparison with those countries with a social-democratic model. In this context, the transfer of material and emotional resources by other members

² Source: Eurostat, Labour Force Survey.

³ Source: Eurostat, Statistics on Income and Living Conditions.

of the family is very relevant in the provision of welfare to individuals (Moreno, 2001). In this context, family is an important source of informal support that may promote a process of desistance (Bottoms and Shapland 2011; Calverey, 2001; Shroeder, Giordano and Cernkovich 2010). Particularly, in a scenario of economic crisis with many people losing their jobs and homes, the provision of accommodation and money by the family can be very relevant for the resettlement of prisoners.

On the other hand, although the participation of women in the labour market has increased highly in the last fifty years, the culture of men as main breadwinners has not disappeared, as may be evidenced by the low female employment rate (54% in 2013) in comparison with the EU average (63% in 2013)⁴ and by their more relevant role caring the rest of the family members⁵. In the context of a male breadwinner culture, this welfare model may strain those former prisoners with families that lack resources to meet material needs.

Immigration trends and policies

During the first decade of the twentieth century Spain has experienced an important increase of immigrant population from non-UE countries, especially from Latin America and North Africa. According to 2011 Census of Population, non-UE nationals represent 9% of the total population in Spain. This proportion grows to 11% in more economically active regions as Catalonia. Most of this population has been occupied mainly in low-qualified and precarious jobs in sectors such as construction, agriculture, food service activities and domestic work. The economic crisis has mainly affected the precarious works occupied by immigrants and as a consequence the gap in the rate of employment between foreigners and nationals has increased: 46% v. 56% in 2013⁶. The social difficulties of the immigrant population that lack legal status in Spain are an special issue, being their chances of living reduced to unemployment or working in the informal economy. In this context, it has been claimed that the Spanish immigration policy does not promote the regular settlement of

⁴ Source: Eurostat, Labour Force Survey.

⁵ Source: Sweden Statistics, Harmonized European Time Use Survey. Across 15 European countries, Spain is the second country in which men devote less time to domestic work and is the fourth country in which the women devote more time to it.

⁶ Source: Eurostat, Labour Force Survey.

immigrants in equal conditions than the nationals and it has contributed to the discrimination and exclusion of this population (Cachón 2009). The disadvantages of the non-UE immigrant population may be also seen in their overrepresentation in prisons: in 2013 the proportion of non-EU prisoners in Catalan prisons was 38%⁷.

Therefore, any research on desistance in Spain should take into account some specific issues that affect the foreign population that has been convicted and imprisoned. The commitment of the first generation of immigrants with the settlement in the new country (Tonry 1997) may be related with a working identity that could facilitate the desistance process. The importance of ethnic identity has also been underlined to understand process of desistance of ethnic minorities in other countries (Calverley 2013)⁸. However, other factors related to immigration may operate in the opposite direction. On the one hand, having a criminal record bars from the residence permit (which is a condition to obtain a regular job) and this reduces the possibilities of desistance based in job settlement. On the other hand, some part of the imprisoned migrant population lacks the strong social bonds that may foster desistance.

Rehabilitation model

The rate of imprisonment in Spain has increased a 252% between 1980 and 2010⁹ and this change is partially due to punitivist policies adopted after the reintroduction of democracy in Spain (1978)¹⁰ with criminal law reforms that

⁷ Source: Catalan Statistical Institute, *Direcció General de Règim Penitenciari i Recursos*. The rate of foreign population in the prisons of the rest of Spain was 33% in 2012 (Secretaría General de Servicios Penitenciarios –data from the rest of Spain include all foreigners, UE and non UE).

⁸ Calverley (2013) explain how some Asian minorities within the UK share some values –such as the support to other members of the family, the value of forgiveness and the importance of religion- that favours the processes of desistance of members of these minorities. These values may not be present in other minorities and therefore: “....some communities may be better at fostering desistance than others” (189).

⁹ Source: Secretaría General de Instituciones Penitenciarias, *Numero de Internos en los Centros penitenciarios. Evolución semanal; Secretaria de Servicios Penitenciarios, Rehabilitación y Justicia Juvenil (Catalonia)*, Estadísticas semanales de población reclusa. *National Institute of Statistics (INE), for Spanish Population Figures*.

¹⁰ The military dictatorship established by Franco after the Spanish Civil War (1936-1939), lasted until the death of Franco (1975). The transition to democracy, based on a deal between the successors of the Franco Regime and the democratic opposition, brought to a general election in 1977 and to the approval of a new Constitution in 1978. The prison population at the end of the Dictatorship was really low for European standards and it changed dramatically afterwards. Some reasons may be suggested for this new trend: the concentration of the Franco Regime in the political offences, the economic crises of 1973, the increase of crime in the

have extended the length of the prison sentences (Cid and Larrauri 2009). In spite of this punitivism, Spain has maintained a penitentiary system that is formally based on the rehabilitation model (García-España and Díez- Ripollés 2012). This model is grounded on the idea that every person serving a prison sentence may have at some point of the sentence support for re-entry. According to this model rehabilitation starts in prison providing treatment of criminogenic needs. Once the prisoner is deemed to have completed treatment, a process of a transitional release into society is started with home leaves, followed by open regime – ideally working outside the prison and returning to prison at night - and finishing with parole (Cid 2005). This model of rehabilitation offers possibilities for cognitive transformation, one aspect that many authors have considered a crucial dimension in the desistance process (Giordano *et al.* 2002; Maruna 2001). Not only the provision of treatment inside prison may be relevant as a hook to provide narratives of change among prisoners (Giordano *et. al.* 2002) but also the stimulation for change can increase a feeling of self-efficacy that has been associated with a successful desistance (Maruna 2001). Furthermore, the intervention during the period of transitional release include elements – such as provision of work, involvement of the family and adequate level of supervision - that have been linked to a successful re-entry (Petersilia 2003; Travis 2005). However, the main problem with the Spanish rehabilitation model is that in practice not everyone benefits from it: in fact only approximately 40% of prisoners in Catalonia ended their sentences with a transitional release, with a 60% that are released at the expiration of the sentence (Cid and Tébar 2010). Prisoners excluded from the transitional release process are mainly those with longer criminal records, a part of the sentence served on remand, a larger record of disciplinary infractions, and few chances of benefiting from home leave while serving their sentence (Tébar 2006).

This lack of universality in the implementation of the rehabilitation model leads to a prison system that concentrates its efforts to promote desistance only on a part of the prison population whilst discarding the rest. The implementation of the rehabilitation model is a positive factor for desistance, but it may produce

seventies and eighties, related also with the explosion of drug consumption, and the lack of a reductionist policy in the dominant legal culture (some of these reasons are explored in Cid and Larrauri (1998, 2009).

negative contributions, even criminogenic, for those prisoners that this model is prone to exclude.

THE RESEARCH

As far as we know, no research on desistance has been conducted in Spain, or in other Southern European countries. In 2010 we began a research project, funded by the Spanish Government, focusing on identifying factors that lead to desistance after imprisonment.

The research population consists of men who were imprisoned for property offences and drug dealing in the province of Barcelona (Catalonia) whose sentences were set to expire between April and July 2010. From this population, a purposive sample was selected to include participants of different ages (because desistance pathways may differ between youths and adults). To ensure the presence of desisters and persisters in these diverse situations, the sample included men who were ending their sentences in both open and closed regimes, which is an effective predictor of recidivism in Catalonia (Capdevila and Ferrer 2009). In the first wave, we interviewed 67 men¹¹, 36 (54%) of whom we followed up with and reinterviewed during the period between one year and two years after the expiration of the prison sentence.

Table 1: Population and Sample characteristics

		Population (1)	Sample (T1)	Sample (T2)
Age at the expiration of the sentence (Range: 24-70)	Up to 26	17%	22%	25%
	27-34	33%	30%	31%
	35-44	30.0%	34%	33%
	Over 44	21%	13%	11%

¹¹ The sample was obtained in two stages. In the first one all the offenders in the province of Barcelona whose sentences were ending between April and May 2010 were asked by the penitentiary administration to participate in the research. In this stage 47 qualitative interviews were done. In the second stage, that targeted offenders to be released between June and October 2010, 20 additional interviews were done, focusing on those profiles and narratives less present in the first stage, in order to obtain a sufficient variety of narratives (desistance and persistence). In the second stage only offenders up to 35 years old that were in open regime and parole (that probably had a desistance narrative) were invited to participate in the research. Taking into consideration the two stages, consent rate reached 70%.

	Mean Age	36	36	35
Nationality	Spanish	58%	60%	72%
	Foreigner	42%	40%	28%
Offence	Property	60%	69%	83%
	Drug dealing	31%	25%	17%
	Property&drug dealing	9%	6%	0%
Type of release	Expiration of the sentence	55%	49%	53%
	Early release (open prison or parole)	45%	51%	47%
Imprisonment during adult life (2)		n/d	0.49	0.53(3)
Time employed during adult life (3)		n/d	0.36	0.36(3)
Recidivism rate(4)		n/d	24%	39%
N		330	67	36

(1) Male convicted for violent and non-violent property offences and drug-dealing offences in the province of Barcelona, expiring sentence between April and July 2010. (2) Proportion of calendar years in the adult life (since 18 years old) in which the participants have spent some time in prison. (3) Proportion of calendar years in the adult life (since 16 years old) in which the participants were working at least 6 months during the year. (4) Reincarceration for a new offence in 2 years after the expiration of the sentence.

The main instrument used in the research was the narrative interview. The first interview was intended to identify the biography and narrative of the participants at the final stage of their sentence. The interview had three sections: the person's background (neighbourhood, family, education, job, delinquency, drugs and imprisonment); the experience of the current prison sentence; and future perspectives after the expiration of the prison sentence. The second interview was aimed at exploring the trajectory of the participants after ending their prison sentences. Apart from the interviews, data on social background was obtained using a life-history calendar, and data on reincarceration during the two years after the expiration of the sentences was been provided by the Catalan Prison Service.

The analysis of the data obtained in the field work has been carried out, until now, with three different aims. The first study (Cid and Martí, 2012) was based on a qualitative analysis of the interviews at the first follow-up of the sample and was aimed at exploring the origin of the narratives of desistance and persistence that the individuals had in the final period of the expiration of the prison sentence. The second study (Martí and Cid, 2015) consisted on a mixed methodology –qualitative and quantitative-. The quantitative data was

obtained from life-history calendars and from a quantitative analysis of the interviews of the 67 participants in the first wave. The aim of the analysis was aimed at exploring the relation between family visits, desistance narrative and recidivism. The latest study (Cid and Martí, 2015) consisted on a qualitative analysis of the narratives of the 36 participants that have been followed-up and was oriented at exploring with of the theories considered –social control, cognitive transformation and social support- might be more apt to explain the pathways of desistance and persistence found in our sample.

In this paper we try to link the pathways of desistance and persistence described in the previous papers with the structural features of contemporary Spain.

Table 2 shows a quantitative description of the differences between participants that finished the second wave, classified as desisters and persisters. On the one hand the background of persisters (measured by the time imprisoned and time employed during adult life) is more problematic than that of desisters, although in both groups (persisters and desisters) there are persons with similar backgrounds which have followed different paths in relation to desistance. On the other hand, the circumstances during imprisonment and at release of desisters and persisters have been very different. Desisters are more prone to have showed a desistance narrative at the end of the prison sentence, to have been early released and to have counted on some social bond in the reentry to society. As explained in the following section, our research indicates that although there are different pathways that bring to desistance, the more prevalent one starts with the support that the person has received by relatives during imprisonment and at release, that combined with the support by the prison and parole system, has influenced the emergence of narratives of change that have brought to desistance.

Table 2. Differences between desisters and persisters in the sample

	Desisters (n= 21) (1)		Persisters (N=15) (1)	
	N	Percent	N	Percent
Age at expiration of sentence: median (min-max)	34.5 (range: 24-70)		31 (range: 24-43)	
Imprisonment during adult life: median (min-max) (2)	0.32 (0.17-1) (*)		0.69 (0.29-1)	
Time employed during adult life: median (min-max) (3)	0.51 (0-1) (*)		0.14 (0-0.64)	

Desistance narrative at first interview (4)	17	81%	2	13%
Early release (5)	16	76%	3	20%
Conventional family support (post-sentence) (6)	16	76%	3	20%
Conventional partner (post-sentence) (7)	10	48%	3	20%
Work/pension (post-sentence) (8)	6	29%	1	7%
At least one social bond in the post-sentence period (Conventional family support/Conventional partner/work or pension)	18	86%	4	27%

(1) Persisters: reincarceration for a new offence in the two years following the expiration of the sentence¹². (2) See definition in Table 1. (3) See definition in Table 1. (4) Breaking with offender identity and expressing self-efficacy in achieving conventional plans. (5) Expiring sentence in open regime (day parole) or on parole. (6) Instrumental and emotional support from parents or siblings, taking into account that the emotional support should include the support for the change. (7) Stable relationship with a partner that has supported the change of the participant. (8) Being employed most of the time after the expiration of the sentence (more than 50%) or receiving a life pension for being unable to work. (*) Data on 20 participants (one missing case).

PATHWAYS TO DESISTANCE AND PERSISTENCE: KEY POINTS

In this section we discuss some results of our research trying to underline how the pathways of desistance and persistence found in our study are related with the structural context we have previously described. Detailed results that support our discussion can be found in Cid and Martí (2012, 2015), and Martí and Cid (2015).

Turning points and returning points

The concept of a ‘turning point’ is central in explaining desistance in the “Age-graded theory of informal social control” developed by Laub and Sampson (Sampson and Laub 1993; Laub and Sampson 2003). Turning points mean, in this theoretical perspective, the participation of the person in new adult roles

¹² Using reincarceration as a measure of desistance may be problematic if some of the non-reincarcerated participants were offending and able to avoid incarceration. In two cases this was the case at the time of the second interview, but these two participants who reported reoffending were later incarcerated. With respect to the group of desisters we found two situations: most of them didn’t report any criminal offence since the expiration of the sentence; other participants reported some criminal offences (or other kinds of illegal behaviour) but, compared to their previous criminal careers, these offences were less serious and, in principle, not imprisonable offences.

(such as a good partner or stable job) that produce a stake in conformity and life routines that become incompatible with an offending lifestyle. In our sample, some desisters started their change as the result of a commitment with a new conventional partner and were imprisoned afterwards. But for most of them the change started in prison without the emergence of any turning point devised by Laub and Sampson. In these cases parents and partners were very supportive during imprisonment, they gave emotional and material support in their visits, and participants developed a feeling of a moral duty to compensate their family for all the suffering caused and all the support received. The causal mechanism of these “returning points” (Cid and Martí 2012) may be well understood within the framework of the social support theory (Cullen 1994), that makes understandable that ‘retuning’ points are processes that maintain change (Carlsson 2012). Receiving support generates feelings of reciprocity in the participants to fulfil the desire of the family and partners to see how the participant earns early release and carry a conventional life. The emergence of returning points required not only a supporting family during imprisonment¹³ but also a concern for the change of the participant¹⁴.

The results of our research with respect to turning points and ‘returning’ points –the fact that returning points consisting in change as a compensation for the support received are more prevalent than turning points, in which change is based in the acquisition of adult roles- should be read in the context of the study. First, the limited relevance of turning points in this research may be related with the fact that our participants spent a relevant part of their adult life in prison (see Table 1). This is, in part, due to a penal system with long sentences in the EU context that makes difficult the transition to adult roles. A second point relates to the salience of returning points in our study. This result goes in line with the finding that family support- both from original families of and from formed families- during imprisonment favours the formation of narratives of change (Visher and O’Connell 2012) and may reduce the chances of recidivism (Bales and Mears 2008; Cobbina, Huebner and Berg 2012). The

¹³ In Martí and Cid (2015) we show how family visits are one of the factors that account for desistance narrative in the first round of interviews.

¹⁴ Some participants received visits during imprisonment but did not develop a desistance narrative. In some cases the visits were from a partner not committed with the change of the participant; in other cases the participants regret that the family bond was weakened after a long period of imprisonment and they felt visits were not meaningful anymore.

high level of familism of the Spanish society, that is a factor that favours processes of desistance has also its limitations. In this sense we have observed not only that the emergence of narratives of change is difficult when the family does not play a conventional supportive role or is not able to meet the evidenced needs of the former imprisoned persons but also that the process of desistance may fail when the person feels frustrated by the lack of family resources (Martí and Cid, 2015). The idea that emerges from these findings is that social bonds are only able to promote change when both are able to promote support and when are prosocial (Giordano *et al.* 2002)¹⁵.

Masculinity and desistance

In a recent paper, Carlsson (2013) has argued that the idea of masculinity tends to favour delinquency during adolescence but also can promote desistance during the transition to adulthood. Offender behaviour that is explained as an expression of the idea of "being a man" during adolescence (Agnew 2006; Matza and Sykes 1961; Moffit 1993;) is socially perceived as incompatible with the idea of "being a man" in adulthood (Massoglia and Uggen 2010). As Gadd and Farrall (2004) showed there are different social discourses about the role of masculinity in which men may invest. The start of the desistance process is linked to a change in the perception of masculinity, in the sense of being capable to succeed to carry out tasks oriented to a conventional life. This new role can favour desistance not only for the reasons stated by the age-grade theory of informal social control (Sampson and Laub 1993 and Laub and Sampson 2003) but also because it is a way to express masculinity. Accordingly, pathways of persistence would be related to obstacles that former imprisoned males encountered to acquire masculine adult roles (Carlsson 2013).

The results of our research are partially coherent with this perspective. The distance of the participants with their offending lifestyle, usually labelled as

¹⁵ This idea was suggested by one of the anonymous reviewers of our paper. Finestone (1967) in his pioneer work of desistance of members of the Polish and Italian communities in the US showed that Italian families were more reintegrative than Polish families to returned prisoners but were less able to exercise control over their members. He suggested that rehabilitation policies for Italians should be based on the cooperation with families, but trying to isolate the person from de peer group.

a child-like behaviour, was one element of the desistance narratives. Some of these participants were successful in acquiring a full status of adulthood (economic independence and family formation) and have desisted in the follow-up. Then there are the participants that did not develop this identity change and have persisted at release.¹⁶ However, there is as well an intermediate category of participants that developed an identity change but were not able to achieve the adult status they were aspiring to. They were unemployed since release or lost the job they had during early release. Given this lack of economic independence, their emancipation projects have been delayed and they mostly live with their parents. Notwithstanding most of these participants have desisted in the follow-up period and their desistance is not fully accountable within the frameworks of the theories that are focused in the acquisition of an adult status – such as the age-graded theory of informal social control (Sampson and Laub 1993; Laub and Sampson 2003) or the gendered approach developed by Carlsson (2013). The reasons given by these participants to their desistance emphasize their own morality, the attachment to family and partners and the help received to overcome the strain of unemployment and lack of money¹⁷.

Our research confirms the value of the transition to adult roles (economic independence and family formation) and the new commitments produced as relevant factors and processes to understand desistance (Laub and Sampson, 2003; Massoglia and Uggen 2010, Carlsson 2013), but it suggests that the maintenance of social support may explain the stability of the desistance trajectories, despite adverse social circumstances that impede achieving masculine adult roles. This finding should be seen as a further evidence of the point made by other researchers (Giordano *et al.* 2002; Farrall *et al.* 2010; Schroeder *et al.* 2010; Bottoms and Shapland 2011), suggesting that in societies where stable work and family formation are hard to achieve for people

¹⁶ The narratives of these persistent participants are varied. In some cases the idea of masculinity is present –men have to bring money to home- but in most cases the justification of persistence is based on the perception that offending is the only option they have in life (Cid and Martí, 2015).

¹⁷ Healy (2014), in her research on Irish probationers, describes a typology of what she call “liminal desisters”, characterized by assuming a conventional identity but without having reached enough social capital –family, job- to sustain the new identity. The typology presented by Healy present similarities with the desisters in our sample that have not reached adult status. However, this class of desisters in our sample seemed more confident in avoiding a new offence than the liminal desisters of Healy’s research.

that have accumulated social disadvantage, other sources of desistance, like support from the family, may be more relevant. The familism of Spanish society in the context of an economic crisis that has had a special impact to the more disadvantaged part of the population seems relevant to understand these pathways to desistance¹⁸.

Immigration and desistance

Due to the high rates of immigrant populations in Spanish prisons, the initial sample of the research (see Table 1) had 40% of foreign participants. Although in the follow-up we have been much less successful with these participants, the follow-up sample of the present research contains some immigrants.

In the immigrant sub-population, there are two profiles (Cid and Martí 2012). The first one had an offending trajectory similar to most of the national participants: they were habitual offenders during adolescence in their country of origin or they have travelled alone to Spain as children and have been socialized in a criminogenic context. The second profile of immigrants came to Spain in adulthood, did not report either offending or abuse of drugs during childhood and adolescence, reported having been working in Spain after their arrival and had started to offend afterwards. The narratives of this second group of immigrant participants have a common element in denying an offender identity. In some cases they considered themselves 'innocents', they considered the offence as 'one mistake in life', or they justified the offences in terms of the exploitation to which they were submitted or the necessity to survive when they became unemployed. The differences between desisters and persisters in this profile were not based in the change of identity but in the self-

¹⁸ One anonymous reviewer of our paper considers that the concept of "returning" points extends rather than contradict the theory of Sampson and Laub. The reviewer indicates that, according to those authors, social bonds that are strong and of good quality facilitate desistance. We agree with the reviewer that child-parent bonds in adult life present similarities with social bonds stated as turning points such as good cohabitations and stable jobs. Attachment is one aspect present both in turning points and returning points as a mechanism that maintains change. However, we think that while in turning points is the structural position in which the person live which generates the transformation of the person, in returning points the change is due to the individual, who needs to build his own pathway to desistance (see Cid and Martí, 2015 for a wider development of this idea).

efficacy dimension, particularly in the confidence of getting a job at the end of the prison sentence.

What we have found in the follow-up of these late-starter immigrant participants that initiated a process of desistance is that they have experienced a very stressful situation of unemployment and lack of support at release in which desistance projects failed or had many chances to fail. These participants had built their desistance narratives on the confidence of getting a job after release that may be able to sustain their families. The incapability to achieve masculine roles seems to play a relevant role to account for the failure of their desistance projects.¹⁹

The paradox of the imprisoned adult immigrant population of this research is that although they may have a better background than the native population – late onset of offending, less criminogenic needs, a working identity- they have experienced greater obstacles to resettlement. Not only former imprisoned immigrants have weaker family networks than native population but they also suffered legal and social barriers to entry in the labour market. The discriminative context for this population in Spain should be also considered to understand the limited role that the transition to adult roles as a pathway to desistance has in this research.

Imprisonment and desistance

There is no theoretical agreement on the effect of imprisonment in desistance. According to the rational choice theory imprisonment is a negative event in the life of offenders that may produce a reflection on the “feared self” (Paternoster and Bushway 2009) and is associated with the “openness to change” that other researchers have outlined as the initial moment of the desistance process (Giordano *et al.* 2002). Other theories argue that imprisonment is associated with persistence because the labelling produced by imprisonment affects negatively the social bonds and reduce the stake in conformity (Sampson and

¹⁹ We have been able to follow three late-started immigrants that had a desistance narrative at first interview. Two of them had family and felt frustrated for not being able to support their children. In both cases the idea (approached in the previous section) of masculinity – that may bring to persistence when the person is unable to fulfil the conventional male role of the breadwinner - was confirmed. The third case was a single participant that made an effort to avoid offences that may bring him another time to prison and survived working in the informal economy and committed some small offences to obtain money.

Laub (1993, 1997). And social learning argues that the effects of imprisonment depend on whether the sentence was punitive or was aimed to challenge criminogenic needs (Andrews and Bonta 2003). Blumstein (2004) reasoned that probably the null effect found in some researches on the effects of imprisonment on recidivism was due to the fact that these theories play a different effect on each individual. However, a recent overview of the research on this issue reveals that the balance seems moderately in favour of the criminogenic effects of imprisonment (Nagin, Cullen and Jonson 2009; see also, Jolliffe and Hedderman 2012).

What we have found in our research seems to give credit to the idea of Blumstein about different effects of imprisonment according to the circumstances in which imprisonment is experienced. On the one hand we have the desisters. Most of them developed a process of a change of identity as a result of the support given by family during imprisonment. Imprisonment was not the catalysis of change, but some experiences during imprisonment played a role in the process of change, contributing to the feeling of self efficacy in most desisters. These participants tried to profit the opportunities given by the prison system in areas like education, work and treatment. At some moment of the sentence they earned early release and were able to maintain their desistance project and comply with the supervision requirements of open regime and parole. It seems that the progressive model or transition to society had some impact in the development of a feeling of self-efficacy with respect to the achievement of conventional plans. In contrast, we have the experience of imprisonment of the persistent participants. For most of them, imprisonment was not meaningful, only a punitive and probably criminogenic experience. Most of them did not engage in education or treatment and did not initiate any re-entry program²⁰.

The interaction between the familism of the Spanish society and the progressive character of the penitentiary system seems to have promoted pathways of desistance among one group of our participants. As mentioned

²⁰ We have indirect confirmation of the role of the progressive system in promoting desistance. From the qualitative analysis, we have evidence that the participation in rehabilitation and early release has contributed to the feeling of self efficacy that is one element of the desistance narratives. A quantitative analysis of the recidivism (based on incarceration) of the original sample (done in Martí and Cid 2015) confirms that the desistance narrative at the end of prison system is associated with recidivism.

before, participation in rehabilitation during imprisonment was one way to reciprocate for the family support received from partners. As one of the interviewees said when explaining his process of change “I’ll do it for me and for them [my parents]”. But at the same time this interaction may explain pathways of persistence among the participants that lacked this external support and didn’t take part in rehabilitation programs²¹.

We may conclude that we have a dual penitentiary policy: it supports process of change of these prisoners that have external support for change but inhibits change in those that lack external support that backs the desistance process.

CONCLUSIONS

As Farrall and colleagues (2014) state in their recent overview of their longitudinal research, one structural factor that affects desistance is the availability of legitimate identities in every context. One of the main results of our research is that the transition to adult roles of job stability and family formation, that it is one of the pathways of desistance most favoured by international research, is not very prevalent in our sample. This result should be related to a job market in which stability in low skilled jobs is disappearing. The recent economic crisis has worsened the situation transforming precarious work in unemployment and poverty. In this context the chances to achieve a stable job are very limited for people who have spent a relevant time of their life in prison. Moreover, finding a stable job can be even more difficult for immigrant population since they suffer legal and social barriers to re-entry and this may affect also their possibilities of emancipation²²

²¹ Our research does not sustain the idea of imprisonment as a “turning point”. Imprisonment was not a turning point in itself for most of the individuals of the sample. Most narratives of desistance emerged in response to the support that the participants received from the family during imprisonment. The way in which they experienced imprisonment –the support received by prison and parole officers, the participation in rehabilitation programs, the way of release– made a contribution in the development of narratives of change. Probably the progressive character of the Spanish prison system made easier the maintenance of change after release that has seen as a critical point in other researches (Soyer, 2014).

²² According to Agència Catalana de Joventut (Catalan Government), emancipated youth between 16 and 29 have decreased from 33% in 2007 to 27% in 2013.

The pathway to desistance more prevalent in our research – the family support that interacts with the penitentiary system to promote a process of change while serving the prison sentence and successful re-entry afterwards- seems also linked to the role of familism in Spanish society. The fact that Spanish families share a cultural duty to support other members of the family means that for a relevant part of prisoners may be available a pathway to desistance based in receiving support and given change as a compensation. However, this model of welfare has important limitations. Particularly it should be remarked, the discrimination posed on people that lack family support and the burden that can set to more disadvantaged families (Codd 2007). In these cases, males, influenced by male as a breadwinner culture, may feel frustrated for not having resources to sustain their families.

With respect to the policy implications of this research, there are two imprisoned minorities that should be given special attention in order to favour process of desistance: people that lack family able to provide conventional support (emotional and instrumental), and immigrants. The first group may receive less support during imprisonment and may be less motivated or less considered to take advantage of the resources offered by the prison system. This group could benefit from policies oriented to provide alternative sources of support. The second group suffers from the legal barriers to citizenship for having criminal record and could benefit from policies aimed at reducing the obstacles to work after the expiration of the sentence (Larrauri 2011).

Moving to the theoretical implications of the research, it should be said that, similar to the results of other longitudinal studies (Farrall *et al.* 2014), no single theory may be enough to understand the pathways of desistance and persistence of our sample. Some cases are well explained within the framework of the age-grade theory of informal social control (Sampson and Laub 1993, Laub and Sampson 2003), in others the cognitive transformation seems to precede the process of desistance (Giordano *et al.* 2002), but probably in most cases the conventional support has been the catalysis of a process of change (Cullen 1994). Our research is aimed at adding knowledge about desistance by emphasizing that a main causal process – the provision of conventional support that motivates the person to endeavour a process of change as a compensation for the support received- seems to lead to desistance. Other researchers have

found similar processes (Schroeder *et al.* 2010, Calverley 2011), that may enhance the importance of social support theory in the explanation of desistance.

Our final conclusion relates with what we think should be relevant areas of future research. Our first point concerns the importance on extending the research on the relation between social support and desistance. We think that most of the research in this area is based on family support, but we need to know whether other forms of support –such as formal support from the state or support from the community and in particular from the voluntary sector- may produce the same mechanisms than family support to foster desistance. This research is very relevant in order to inform reentry policies. Our second point, relates to the relation between imprisonment and desistance. On the basis of our research, we suggested that the different effects of imprisonment on the process of desistance of our participants may be due to an interaction between the familism of the Spanish society and the progressive character of the penitentiary system. Although we are aware of some researches oriented to reveal other mechanisms that link imprisonment with desistance and persistence, we think this is an area in need of more research and it will benefit from comparative research among different penitentiary systems. Finally, we think there is little research on the relation between immigration and desistance. Probably because it is a more difficult population to study, we think we know little about processes of desistance among immigrant population. Further studies on this area may reveal more about the identity of some ethnic minorities as a factor that foster desistance and also about the way in which the immigrant population is able to desist in a context in which suffers discrimination against the national population.

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