4-2019

Goals, Outcomes, and Efficacy of Music Programming in Prisons

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Senior Honor Scholar Thesis
submitted in partial fulfillment
of the requirements for the DePauw
University Honor Scholar Program

DePauw University
April 2019

HONR 401E
Prof. Eliza Brown, Sponsor
Prof. Derek Ford, Reader
Prof. Alicia Suarez, Reader
Spring 2019

Acknowledgements

I would like to begin by expressing my sincere gratitude to Dr. Eliza Brown for her willingness to work on this project with me. She gave me permission to explore but was available to problem solve when things went wrong. She helped me escape my to-do lists and timelines and follow where the literature was leading me. And she was unwaveringly supportive, kind, and patient when it was not always deserved.

Dr. Alicia Suarez provided incredibly valuable perspective on what was and was not possible for this project. Though it was not directly applied to this final project, she gave deeply valuable input on how to plan a sociological study, complete an IRB request, and conduct interviews. These skills will most certainly be beneficial for future endeavors.

Direction given by Dr. Derek Ford was the reason I was able to write the literature review that I completed. He helped me find holes and gaps in my understanding of the prison system and provided sources that were thought-provoking and interesting. Importantly, Dr. Ford constantly refocused this process on my educational journey and affirmed that sometimes a more narrow scope is okay.

Dr. Kelsey Kauffman was one of my initial inspirations for becoming interested in prison work. I remain thankful for her early input on this project and her unwavering commitment to this cause.

Amy Welch and Kevin Moore are owed myriad appreciation for all they do for the Honor Scholar Program. Thanks for giving us permission to always be intellectually curious learners.

Finally, gratitude it due to KJ for being the best of motivators and the worst of procrastinators but always constantly supportive.

Goals, Outcomes, and Efficacy of Music Programming in Prisons

Liam Byrnes

Myriad historical factors have caused the United States to maintain the highest prison population in the world by both sheer numbers and proportionality to population. Despite making up a mere 5% of the total world population, the U.S. has the distinction of incarcerating 21% of the world's prisoners.[1] This translates to over 2.2 million people imprisoned nationwide, and 1 in every 37 adults living under some form of correctional supervision.[2] The high rates of incarceration mean massive amounts of spending required for the process of building and maintaining prisons. A single year of nationwide prison expenditures cost $81 billion, and "spending on prisons and jails has increased at triple the rate of spending on Pre-K-12 public education in the last thirty years."[3] Staggering statistics such as these play an important role in framing the realities of our current era of mass incarceration in the United States. They also raise questions about how the penal system reached this point and what the stated and actual purposes of prisons are.

The earliest iterations of the modern United States prison system originated not in the United States, but in Europe. A papal prison in Rome and the prion at Ghent in Belgium (1704 and 1773, respectively) signified the first documented attempts at "cellular separation of inmates" and a labor system intended to inspire reformation of the inmates in the world.[4] Prior to this prison model, the primary mechanisms for punishing people deemed criminal by society

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[1] NAACP, "Criminal Justice Fact Sheet," https://www.naacp.org/criminal-justice-fact-sheet/.

[2] Ibid.

[3] Ibid.

[4] Harry Elmer Barnes, "Historical Origins of the Prison System in America," *Journal of Criminal Law and Criminology* 12, no. 3 (1921): 42-43.

were either monetary fines or corporal punishment.[5] In fact, in both Europe and America in the 18th century, imprisonment was far from normal; except for political or religious offenders and debtors, imprisonment was highly unusual.[6] Incarceration was seen as a shift away from the barbarism and violence of corporal and capital punishment that plagued the penal system prior to the late 18th century.[7]

The Quakers of New Jersey and Pennsylvania were driving forces behind this switch.[8] They convinced lawmakers that imprisonment should be prioritized over corporal punishment and also lobbied for an integration between prisons and workhouses. The result was a normalization of imprisonment as a punishment and an emphasis on hard labor being foundational to the carceral experience. Though the prison complex has expanded far beyond the scope that the Quakers could have imagined, their push in the transition away from physical punishment and abuse was seen as progressive for the time.

The move towards incarceration in the late 18th century was a deliberate and good-faith attempt to move away from the British legal system that many of the colonists viewed as susceptible to manipulation, corruption and inequity.[9] In writing the United States Constitution, the Framers wrote four of the first ten constitutional amendments to explicitly protect the treatment of both the accused and convicted from governmental abuse (at least if you were a land-owning white man). Such steps (though initially quite limited in scope) garnered the

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[5] Ibid., 37.

[6] Ibid., 36.

[7] Mary Stohr and Anthony Walsh, *Corrections: From Research, to Policy, to Practice*, (SAGE Publications, 2017), 56.

[8] Barnes, "Historical Origins of the Prison System in America," 37.

[9] James Cullen, "The History of Mass Incarceration," *Brennan Center for Justice*, July 20, 2018, https://www.brennancenter.org/blog/history-mass-incarceration.

attention of many throughout the world, including French sociologist Alexis de Tocqueville who in 1831 observed that the prisons and penitentiaries of the United States were "attempting to administer humane and proportional punishment in a way France, and the rest of Europe, were not."[10] Yet despite the good intentions of early prison policy makers, distinctions between stated goals and actual outcomes of prisons and jails soon emerged. This gap highlighted important questions about what the purpose of these carceral institutions was in the first place on a practical, theoretical, and philosophical level.

The initial vision of early prison reformers was intended to be uniform punishments for instances of lawbreaking or insubordination that were equal for all people.[11] Yet as populations expanded, states needed a way to handle instances of lawbreaking in larger urban areas that could not be settled on a personal level.[12] Enlightenment thought presented a possible solution to both these needs. This philosophy promoted the notion of the "perfectibility of human society" that lead to intensive religious and character improvement activities in prisons at the time.[13] Though this stated aim gave prisons a clear vision and directive, there is some evidence to suggest that these aims may have been mere justification for the hard labor these early prisons required. Many institutions at the time had to meet hefty fiscal responsibilities and were expected to be entirely self-sustaining.[14]

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[10] Ibid.

[11] Roger-Pol Droit, "Michael Foucault, on the Role of Prisons," *New York Times*, August 5, 1975, http://movies2.nytimes.com/books/00/12/17/specials/foucault-prisons.html.

[12] Livia Gershon, "Why Do We Have Prisons in the United States?," *JSTOR Daily*, April 4, 2018, https://daily.jstor.org/why-do-we-have-prisons-in-the-united-states/.

[13] Jim Rice, "'This Province, so Meanly and Thinly Inhabited': Punishing Maryland's Criminals, 1681-1850," *Journal of the Early Republic* 19, no. 1 (1999): 16.

[14] Gershon, "Why Do We Have Prisons in the United States?."

This more practical reading of the early prison system seems to fit well with philosopher Michel Foucault's theory that the primary purpose of prisons is economic and political profit. He cites this reality as a reason for the rapid expansion of the prison-industrial complex.[15] It is important here to touch on the physical nature of prisons. Foucault theorizes that "prison means a rigorous regulation of space" that is seen in the constant surveillance and observation of these institutions.[16] Such oppression and invasion of privacy is grounded in the assumption that the act of imprisoning another human being plays a social role, in this case, the othering of inmates as "delinquent."[17] It becomes easy to justify the chipping away of rights and privacies guaranteed by the Constitution in the name of rehabilitation and reform when such a distinction is made. As a result of this, the penal system evolved as a mechanism for the maintenance of social order in the onset of the 20th century.[18]

The stated purpose of the penal system remained constant for much of the early 20th century. However, a huge shift occurred in the 70s in the way the criminal justice system was framed and used. Nixon's rhetoric of a "war on drugs" and being "tough on crime," ushered in an era when prisons were seen as a strong deterrent and punitive tool.[19] Though Nixon began this movement, it was Reagan's policies that nearly doubled the national prison population during his

[15] Droit, "Michael Foucault, on the Role of Prisons."
[16] Ibid.
[17] Ibid.
[18] Talal al-Khatib, "Doing Time: A History of US Prisons," *Seeker*, July 21, 2015, https://www.seeker.com/doing-time-a-history-of-us-prisons-1770031128.html.
[19] Cullen, "The History of Mass Incarceration."

term.[20] Indeed, from 1978-2003, the state and federal prison occupancies ballooned from 350,000 to 1.5 million.[21]

Specific policy measures such as mandatory minimum sentences or "three-strikes" laws all contributed to the vast increases of people who were under government correctional control. Mandatory minimums were a key feature of changes to the federal drug laws in 1986. As part of the Anti-Drug Abuse Act, judges were forced to give a specific minimum prison sentence to a defendant on the charges brought forward by prosecutors.[22] Gone was a judge's usual ability to exercise discretion and apply unique sentences based on the circumstances of the alleged incident or the history of the individual. Instead, prosecutors could leverage charges in order to negotiate a guilty plea, a phenomenon that occurred 95% during that era and continues in the present.[23] The mandatory minimums for different types of drugs were far from the uniform and equal punishments sought by early prison reformers. Instead, disproportionate penalties for crack cocaine, for example, were directly targeted to have a severe impact on people of color.[24]

Three-strikes laws like the one implemented in California in 1994 meant that defendants facing their third criminal conviction faced mandatory sentences of 25 years to life. With most parole applications being denied or overridden, this essentially meant third-time offenders were

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[20] Ibid.
[21] al-Khatib, "Doing Time: A History of US Prisons."
[22] Criminal Justice Policy Foundation, "Mandatory Minimums and Sentencing Reform," https://www.cjpf.org/mandatory-minimums/.
[23] Ibid.
[24] Dahleen Glanton, "Race, the Crack Epidemic and the Effect on Today's Opioid Crisis," *Chicago Tribune*, August 21, 2017, https://www.chicagotribune.com/news/columnists/glanton/ct-opioid-epidemic-dahleen-glanton-met-20170815-column.html.

locked up and had to watch the key be thrown away.[25] The result was people receiving life sentences for possessing absurdly small amounts of drugs, stealing a piece of pizza, or shoplifting a pair of socks.[26] The resulting increase in incarcerated people became too much for California's system, and caused massive overcrowding and financial strain to the system. Even more damaging to justice were the political consequences of this era. District attorneys and prosecutors became deeply concerned about the potential of being seen as weak on crime, a fear that often drove them towards harsher consequences and sentences.[27]

The policy shifts of this era created an uptick in incarcerated people far beyond what existing prisons were able to cope with. Thus, a number of capitalists saw an opportunity and began a private prison market. The first for-profit prison in the United States opened in 1984 in Tennessee. This model quickly caught on, and it was soon joined by 66 more facilities nationwide within a mere six-year stretch.[28] Since this early development, private prison corporations have developed into lucrative industry; in 2010, the revenues of the two largest private prison corporations totaled $2.9 billion. In addition to alleviating an overcrowding burden, policymakers claimed that private prisons created a smaller tax burden than publicly run facilities. However, research since then has largely disproved this notion. Research in Arizona (which has a largely privatized prison system) found that incarcerated people in state-run facilities rarely cost more than those in for-profit prisons. In fact, some people housed in for-

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[25] Matt Taibbi, "Cruel and Unusual Punishment: The Shame of Three Strikes Laws," *Rolling Stone*, March 27, 2013, https://www.rollingstone.com/politics/politics-news/cruel-and-unusual-punishment-the-shame-of-three-strikes-laws-92042/.

[26] Ibid.

[27] Ibid.

[28] Tara Joy, "The Problem with Private Prisons," *Justice Policy Institute*, February 2, 2018, http://www.justicepolicy.org/news/12006.

profit institutions actually cost the state as much as $1,600 more per year.[29] Eugene Puryear

contends that "the real way to relieve the tax burden is to radically change the criminal justice

system and end mass incarceration."[30]

Private prisons present increased opportunities for corruption while providing less

security than their state-run counterparts. Because private prisons operate on a for-profit model,

there are high incentives to keep their prisons full at all times. This has led many corporations to

seek morally and legally dubious ways to ensure that happens. In 2009, two Pennsylvania judges

were found guilty of a "Kids for Cash" scandal in which they sentenced juveniles to one of two

private juvenile detention centers at alarmingly high rates. Minors with small offenses like

shoplifting DVDs or failing to appear at court hearings they didn't know about found themselves

serving time while the judges got paid by the private corporations.[31] The attempts to maximize

profits in private prisons also means that private prison employees get paid even less than their

counterparts working for the government.[32] As a result, there is high employee turnover in

prisons and security is decreased. Even someone who has little concern for the treatment of

incarcerated people in private prisons should be wary of the potential public impacts of their

cost-saving measures.

A final, pernicious layer to the activities of private prisons I their involvement in

lobbying and their perpetuation of a mass incarceration nation. Private prisons have no real

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[29] Joy, "The Problem with Private Prisons."
[30] Eugene Puryear, *Shackled and Chained: Mass Incarceration in Capitalist America*, (PSL Publications: 2013), 12.
[31] Joy, "The Problem with Private Prisons."
[32] Ibid.

reason or incentive to rehabilitate or treat prisoners.[33] Their profit margins depend on the

perpetuation of so-called criminality. Thus, they invest heavily in politicians and policies that

will help them maintain their prison populations. Obama's Justice Department began scaling

back and ultimately eliminating the use of private prisons, so private prison corporations looked

for a candidate who would be more supportive of their policies. GEO Group, the second largest

private prison corporation found that in Donald Trump.[34] They were one of the few publicly

traded companies to openly contribute to both his campaign and his inauguration committee.

They were rewarded for their lobbying efforts with an attorney general in Jeff Sessions who

reversed Obama's discontinuation of private prisons less than a year after it was established.[35]

Prison privatization even impacts one of the most contentious issues of our current

political climate: immigration policy. 49% of people detained by ICE are sent to private prisons,

so they have huge incentives to want to continue that flow of detainees.[36] Thus, when major

immigration reform policies came to Congress in 2013, CCA and GEO Group funded lobbying

efforts to kill the bills.[37] This eliminated a path to citizenship for over 11 million undocumented

people and ensured that private prisons would continue to have a steady flow of congressional

funding.

Mandatory minimums, mass incarceration, and prison privatization created a scenario the

Founders likely would have lamented given their aversion to the government having too much

power. However, recent policy shifts do suggest a changing attitude and policy approach to mass

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[33] Farah Mohammed, "The Problem with Privatizing Prisons," *JSTOR Daily*, May 15, 2017, https://daily.jstor.org/the-problem-with-privatizing-prisons/.
[34] Ibid.
[35] Joy, "The Problem with Private Prisons."
[36] Puryear, *Shackled and Chained*, 11.
[37] Ibid., 12.

incarceration. The presidencies of both George W. Bush and Barack Obama ushered in a "Smart on Crime" era, directly in contrast to the "Tough on Crime" era of their predecessors.[38] Increased investments in prison re-entry programs, modified sentencing guidelines, and increased federal pardons and commutations have helped to shrink the overall prison population in the United States by 10%.[39] However, the data and policies that suggest this is largely from the Obama era.

Yet the shift does not extend uniformly across racial lines. Instead, people of color face massive disparities in the ways and frequency in which they are arrested, charged, prosecuted, and sentenced by the justice system in comparison with white Americans in similar situations. In considering our whole population in the United States, people of color make up about 37% of the total population, but they make up 67% of our prison population.[40] This reality dates back to America's deeply troubled history with slavery. Though slaves were eventually emancipated through the 13th amendment, arresting Black people (most often for petty crimes) and sentencing them to unpaid labor was still commonplace throughout the South.[41] This trend resulted in the forced migration of over one million Black Americans by removing them from urban centers and out to rural prisons.[42]

During the Jim Crow Era, mass incarceration of Blacks was actually not a pervasive trend. Instead, laws and customs supported a system that "kept the majority of Blacks tied to the

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[38] Arit John, "A Timeline of the Rise and Fall of 'Tough on Crime' Drug Sentencing," *The Atlantic*, April 22, 2014, https://www.theatlantic.com/politics/ archive/2014/04/a-timeline-of-the-rise-and-fall-of-tough-on-crime-drug-sentencing/360983/.

[39] Ibid.

[40] The Sentencing Project, "Criminal Justice Facts," https://www.sentencing project.org/criminal-justice-facts/.

[41] al-Khatib, "Doing Time: A History of US Prisons."

[42] Mechthild Nagel, "Prisons as Diasporic Sites: Liberatory Voices from the Diaspora of Confinement," http://web.cortland.edu/nagelm/papers_for_web/ prisondiaspora.pdf.

land in a serf-like existence or forced to seek the least desirable employment in industry, mining

and service-sector work."[43] So-called convict-lease systems also rose in prominence from the

moment Black Americans were emancipated into the 1920s. Convicted people (almost always

black) were given to private corporations on "lease" from the government. The workers

themselves got no pay, but it was a rather lucrative arrangement for both the government and the

private industries.[44] This system has developed and evolved up to the present. Today, all federal

prisoners are required to do some sort of work, often times for government contractors. Yet

incarcerated people in this system only make between $0.23 and $1.15 per hour, showing that

legacies of the convict-lease system are still alive and well today.[45]

What was perhaps most troubling about this trend of forced labor and movement of Black

Americans was the rationale for doing so. Many lawmakers assumed that Black people were

essentially incapable of being "reformed," so they discouraged courts from sentencing them to

prisons where they could have opportunity to engage in healthy programming or even prison-

based labor.[46] Instead, the cycle of oppression established through slavery continued to manifest.

Further, a criminal record resulting from an unfair justice system continues to oppress Black

people even if they are released, as they have increased statistical improbabilities for job

placements, affordable housing, and entitlement access.[47] Alexander says the policies were

described and rationalized in "race-neutral" ways to adapt to a society and political climate that

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[43] Puryear, *Shackled and Chained*, 43.
[44] Ibid.
[45] Ibid., 14.
[46] Rice, "'This Province, so Meanly and Thinly Inhabited,'" 35.
[47] NAACP, "Criminal Justice Fact Sheet."

at least feigned an appearance of being less racist.[48] Yet the result was still the same: a continuation of Jim Crow Era policies and restrictions on communities of color.

Alexander argues that the War on Drugs had the effect of creating multitudes of minorities with "second-class citizenship."[49] This label derives from the consequences beyond incarceration that one receives when given a felony conviction: "Once a person is labeled a felon, he or she is ushered into a parallel universe in which discrimination, stigma, and exclusion are perfectly legal, and privileges of citizenship such as voting and jury service are off-limits."[50] All of this can happen from a non-violent, small possession of recreational drugs. Thus, Alexander frames the problem as being more than just one of mass incarceration; it also includes the severe consequences that are not included in the initial sentences. Dealing with these disparities and inequities continues to be the most important issue all policymakers must consider when contending with the history of prisons and their place in defining the goals of incarceration today.

It is also worth elaborating upon the current status quo of what prison conditions are like and how the people forced to endure with the negative conditions are disproportionately people of color. Across the board, prisons in the United States are facing massive overcrowding. Unsurprisingly, the surge in prison populations correlated with the War on Drugs and more aggressive sentencing guidelines. The overcrowding problem persists across all levels and types of prions. In 2010, the Federal Bureau of Prisons was operating at 36% over capacity.[51] This problem applies to state prisons as well. In Illinois, 25 of 28 state prisons are at capacity.

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[48] Michelle Alexander, *The New Jim Crow*, (The New Press: 2012), 58.
[49] Ibid., 94.
[50] Ibid., 94.
[51] Puryear, *Shackled and Chained*, 17.

Ironically, the Lincoln prison, named after the man who signed the Emancipation Proclamation, houses 943 incarcerated persons while it was only designed for 500.[52] Overcrowding is problematic as it increases both health and safety risks to incarcerated people.

In large part due to prison overcrowding, the World Health Organization estimates the rates of infectious diseases like HIV/AIDS and TB are much higher in prisons than the rest of the population in most countries.[53] The close proximity of incarcerated folks and the lack of sanitation in prison settings are both contributing factors to this phenomenon. Additionally, little is invested into the nutritional well-being of people who are incarcerated. Across the board, state and federal prisons often make prison food budgets one of the first line items to be cut when money gets tight.[54] As a result, minimal nutritional standards if any are met. For example, Virginia and Georgia only serve two meals a day on weekends, and incarcerated people in Tennessee reported losing double digit pounds due to lack of nutritional standards being met in prisons.[55]

There is also a pervasive issue of a lack of general safety in prisons that endangers lives on a daily basis. When massive overcrowding is coupled with understaffed correctional officer positions, the result is a deliberate inability to protect incarcerated people from themselves and one another. Just in the past month, a Department of Justice report on the Alabama prison system found that incarcerated folks in the system endured some of the highest rates of homicide and

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[52] Ibid.
[53] Penal Reform International, "Key Facts," https://www.penalreform.org/priorities/prison-conditions/key-facts/.
[54] Puryear, *Shackled and Chained*, 21.
[55] Ibid.

rape in the country.[56] Remember that all of this is occurring in what is supposed to be the controlled setting of a prison. The scathing report found that attempts to reduce overcrowding were ineffective and that officials showed a "flagrant disregard" for the rights and safety of incarcerated people.[57] The report also noted a lack of sanitary living conditions. One investigator saw open sewage on a pathway to the facility while another investigator grew ill from toxic fumes during the investigation.[58] Troublingly, the report also cited a rampant sexual assault problem that occurred in "dormitories, cells, recreation areas, the infirmary, bathrooms, and showers at all hours of the day and night."[59]

One further reality of prisons and how discipline is administered is the frequent administration of solitary confinement as a punitive measure. When this occurs, the incarcerated person is prohibited from socialization with others and deliberately kept in the dark about what is happening culturally, politically and socially in both the prison and the world.[60] Solitary confinement typically entails imprisonment for 22-24 hours a day with the possibility of an hour of recreation time. The use of solitary confinement was actually virtually eliminated from U.S. prisons in 1890 when the Supreme Court ruled that it "led to mental deterioration and resulted in no rehabilitation of those incarcerated."[61] Yet the practice was revived as a ramification of the War on Drugs in the 1980s and 1990s and the practice of solitary confinement has continued to

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[56] Katie Benner and Shaila Dewan, "Alabama's Gruesome Prisons: Report Finds Rape and Murder at All Hours," *New York Times*, April 3, 2019, https://www.nytimes.com/2019/04/03/us/alabama-prisons-doj-investigation.html.

[57] Ibid.

[58] Ibid.

[59] Ibid.

[60] Puryear, *Shackled and Chained*, 21.

[61] Princeton SPEAR, "Facts About Solitary Confinement," http://princetonspear.com/7x9-fact-sheet.

grow by 42% between 1995 and 2005.[62] In fact, 25,000 people are currently housed in supermax prisons which contain almost exclusively solitary cells.

The sharp increase in the frequency of solitary confinement is not done without knowledge how harmful the practice can be; since the early 1800s, studies about the potential harm of this form of isolation have existed. More recent studies like a 2011 examination conducted by the Council of Europe deemed that even 14 consecutive days in solitary confinement can be injurious.[63] One observer of a California *youth* prison commented: "The general living conditions were, in my opinion, oppressive and punitive—certainly not conducive to treatment and rehabilitation."[64] Such an analysis begs questions regarding the fundamental purpose of prisons and what services they can or should offer to people who are incarcerated within their walls.

The question of how all incarcerated people should be treated and what (if any) programming they should be offered remains a persistent question today. Many prisons offer opportunities for engagement, learning, and/or employment to incarcerated people while they are in prison, but some feel that services like these should not be offered. Though simplistic in its binary structure, the discussion often has been reduced to what function a prison sentence should serve: a retributive punishment or an opportunity to rehabilitate. Much like other controversial policy issues, this issue has seen rampant pendulum swings in public opinion and policy focus.

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[62] Alison Shames, Jessa Wilcox, and Ram Subramanian, "Solitary Confinement: Common Misconceptions and Emerging Safe Alternatives," *Vera Institute of Justice*, May, 2015, https://www.vera.org/publications/solitary-confinement-common-misconceptions-and-emerging-safe-alternatives.

[63] Puryear, *Shackled and Chained*, 23.

[64] Ibid., 25.

Renewed attention on the rehabilitation vs. retribution debate fell right in the middle of the heated rhetoric and policy changes began by Nixon and Reagan in the 70s and early 80s.

The use of the word "rehabilitation" can be loaded and problematic. In the beginning of this paper, that term will be used with some regularity given its frequent use in discussions about approach for the criminal justice and penal systems. Even a critic of these types of programs, Robert Martinson, alludes to the problematic connotations of this term when he says:

> Our present treatment programs are based on a theory of crime as a 'disease'---that is to say, as something foreign and abnormal in the individual which can presumably be cured. This theory may well be flawed, in that it overlooks---indeed, denies---both the normality of crime in society and the personal normality of a very large proportion of offenders, criminals who are merely responding to the facts and conditions of our society (49).[65]

Indeed, inherent in the language of rehabilitation is the implication of incarcerated people needing to be fixed or cured. Such a perspective is flawed since not all people who are incarcerated are guilty or broken. After all, what is deemed criminal and the methods in which violations are enforced are largely dependent on individual societies. Further, there are some cases where an individual's only crime may be something like drug use.[66] What this actually looks like for individual communities varies widely and thus is likely impractical on a systemic level. When taken in light of the cycles of oppression that demonize and disproportionately incarcerate historically marginalized groups in America, the language of rehabilitation is even more problematic.

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[65] Robert Martinson, "What Works: Questions and Answers about Prison Reform," *The Public Interest*, 1974, https://www.pbpp.pa.gov/research_statistics/Documents/Martinson-What%20Works%201974.pdf.
[66] Alexander, *The New Jim Crow*, 94.

For much of the early 20th century, the favored approach in the rehabilitation vs. retribution debate was rehabilitative and included prison programming and investing in offenders. This trend was largely due to the accepted notion that investing in prisoners and recognizing their humanity had positive and utilitarian societal impacts.[67] Though there was little evidence to support this claim, this mentality persisted for nearly seven decades. One reason for this overarching mindset was religious (in this case, primarily Christian) ideals of reconciliation and redemption. Zebulon Brockway cites a "law of love" that compelled Christians and non-Christians alike involved in the criminal justice system to seek out opportunities to reform criminals and their problematic behaviors.[68]

In 1975, Robert Martinson's oft-cited and controversial study, "What Works? Questions and Answers about Prison Reform" made a hard push in the direction of retributive punishment in strong alignment with the "Tough on Crime" rhetoric of the time. Martinson's study was not published in a vacuum; rather, the cultural and societal factors surrounding crime and punishment were also changing in the 1970s. From 1963-1973, rates of murder, assault, and burglary increased twofold while robberies occurred at triple their previous rate.[69] Such a dramatic increase in the frequency of crime led many people to new attitudes and perspectives about how perpetrators of crimes should be prosecuted and punished. Indeed, a sheer increase in

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[67] Francis T. Cullen and Paul Gendreau, "From Nothing Works to What Works: Changing Professional Ideology in the 21st Century," *The Prison Journal* 81, Issue 3: 114.

[68] Zebulon Reed Brockway, "The Ideal of a True Prison System for a State," *Journal of Correctional Education* 45, no. 2 (1995): 68.

[69] Jerome Miller, "Criminology," *Washington Post*, April 23, 1989, https://www.washingtonpost.com/archive/opinions/1989/04/23/criminology/3e8fb430-9195-4f07-b7e2-c97a970c96fe/?utm_term=.c4cdbc1dfadb.

victims of crimes alone created a larger pool of people hungry for revenge and retribution as opposed to thoughtful rehabilitation.

It was grounded in this reality that Martinson released his piece to the world. What he ultimately published was a survey of 231 studies on rehabilitative prison programs and their efficacy. Martinson's measure of a program's success was solely its impact on reducing the recidivism rates of participants, which he claims is "the phenomenon which reflects most directly how well our present treatment programs are performing the task of rehabilitation".[70] There are, of course, many other ways that the outcomes of prison programming can be planned for, measured, and evaluated, many of which will be covered later in this paper. Some examples include impact on behavior, increases in self-concept and self-awareness, or educational achievement. Yet it is worth noting the narrowness of Martinson's definition here. Using his framework, Martinson ultimately concluded that "with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism".[71]

Perhaps due to the increase in crime and a rapid search for who or what to blame, national media sources were quick to jump on and report Martinson's findings. As can happen when a nuanced and complex study is reported for mass consumption, Martinson's findings were diluted to a simple: "Nothing Works!"[72] As this message spread, many citizens began to internalize it and shift away from the goodness they saw in investing in prisoners. Such a shift was also reflected in policymakers. Though Martinson only released one more paper on the

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[70] Robert Martinson, "What Works?," 24.
[71] Ibid., 25.
[72] Miller, "Criminology."

topic, his work would become the foundational influencer on how criminal justice policy was structured for the next half-century.

The shift toward retributive policies was largely grounded in arguments centered around their efficacy as a deterrent. A common belief at the time was in a theory that prison sentences functioned as a "Scared Straight" model, particularly for first-time offenders.[73] Another argument was that the scariness of prison life, combined with an increase in frighteningly long sentences, would serve as a preemptive deterrent to all people in society.[74] Many people remained steadfast in the belief that even if prison time does not work as an effective deterrent, it should still remain as a way to merely inflict punishment. As former Pennsylvania Attorney General and Governor Dick Thornburgh said, "Do the crime, you do the time."[75] This perhaps is the clearest result of the general perspective shift on criminal justice that formed as a result of increased crime rates.

Yet many people, including Jerome Miller in 1989, were not so quick to accept the findings and policy implications of Martinson's report. A thorough look at the sources Martinson included in his report showed that many cited programs were deeply underfunded or understaffed. Further, some of the studies compared were so different (i.e. group counseling and education programs) that it was difficult to draw direct comparisons between the two categorizations.[76] As more studies came out with updated research (Martinson's spanned back 30 years from his publication date in 1975) and more sound methodology, increased doubt was cast

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[73] Ibid.

[74] Cullen and Gendreau, "From Nothing Works to What Works," 113.

[75] Miller, "Criminology."

[76] Cullen and Gendreau, "From Nothing Works to What Works," 125.

on the bold proclamations laid out by Martinson. Yet much of the damage, particularly from a policy perspective, was already done and would not be reversed for quite some time.

In addition to some potential flaws in Martinson's work, there are other forces driving the conversation today back towards examining the efficacy of rehabilitative programming. First, crime rates and homicides have trended downward since the spike in the 60s and 70s.[77] Without the growing body of agitated and affected victims of crimes seeking retribution and justice, lawmakers are more able to examine the efficacy of rehabilitative programming without fear of extreme pushback and uproar from their constituents. Perhaps more importantly, statistics of a different kind have shown Americans the need for solution-building surrounding the particular issue of recidivism. According to a 2011 report from the Institute of Higher Education, nearly 7 in 10 formerly incarcerated people will commit a new crime.[78] The reality that 95 out of every 100 incarcerated people will rejoin society, can lead many people to feel an increasing need to evaluate the programming incarcerated people are exposed to and how it impacts their behaviors and propensity to commit future crimes upon their release.

Evaluating Efficacy and Measures of Success

Before discussing the myriad types of programs that are offered in prisons, it is important to have a framework within which to evaluate their efficacy and how they reach their goals. There are many factors to consider when attempting to evaluate an engagement opportunity within the prison system, as well as some barriers that limit effective evaluation. Most of these

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[77] Crime and Justice Atlas, "Historical Data," 2000, http://www.jrsa.org/projects/Historical.pdf.

[78] Laura E. Gorgol and Brian A. Sponsler, "Unlocking Potential: Results of a National Survey of Postsecondary Education in State Prisons," *Institute for Higher Education Policy*, May, 2011, http://www.ihep.org/research/publications/unlocking-potential-results-national-survey-postsecondary-education-state?id=143.

challenges derive from the fact that there are multiple parties involved in both the data collection and data reporting process. Each party involved may have a differing agenda for what they hope a given program will achieve and why they want it to do so. Professor Amy Lerman from the University of California Berkeley provided many helpful reminders and best practices for this reporting process in her 2018 presentation at the National Conference on Higher Education in Prison.

Lerman first asked why it is necessary to evaluate prison programs.[79] After all, participants and facilitators are often left with positive feelings after participating in programming and see apparently resultant benefits in their own lives. However, such feelings do little to inspire continued support among prison administrators, funders, and governments. Instead, the goal typically is to make an undisputed pitch to these decisionmakers: this prison program works. "Works" is almost always defined as "producing a measurable drop in recidivism rates."[80] Prison administrators often require that a program shows tangible and measurable results. A real impact on recidivism rates is one of the most highly sought-after forms of said results. This phenomenon likely traces back to the landmark Martinson report, which made prison programs feel a need to justify their effectiveness at combatting recidivism rates. Especially considering how long the Martinson report shaped public policy and perception, the strong focus on recidivism is understandable.

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[79] Amy Lerman, "Challenges and Opportunities for Researching Prison Higher Education: Lessons Learned from the Prison University Project Evaluation," Lecture, National Conference on Higher Education in Prison, Indianapolis, IN, November 9, 2018.

[80] Lee Bernstein, "What Works?: Reform and Repression in Prison Programs," *America is the Prison: The Arts and Politic in Prison in the 1970s*, University of North Carolina Press, 2010: 77.

The desire to prove clear outcomes focused on recidivism reduction and cost-efficiency may please prison administrators and lawmakers but can create challenges for instructors and incarcerated people. Many of the people putting on or participating in the programming have collective goals that extend beyond recidivism reduction, including ones that are best measured qualitatively. This ultimately leads to a desire by program facilitators to find a way of simultaneously finding fulfilling projects that still meet the external goals of decisionmakers:

> Often working simultaneously within and against the dictates of a repressive structure, they found ways to shape courses of study and cultural programming that could pass muster with prison authorities while remaining relevant to the inmates. Thus, if they were forced to describe educational and cultural programs to people who saw them as meaningful only within the rehabilitative function of prisons, they could also judge for themselves if they were relevant to their own interests and needs.[81]

This practice of deception suggests not only a dual purpose for facilitators engaging in prison programming in the first place, but also the need for a dual means of gauging efficacy and value from a given project for all parties involved. This shows the challenges of pleasing multiple parties. Finding a sweet spot in which instructors, participants, and administrators are all pleased with the stated goals and demonstrated outcomes proves to be an ongoing challenge in the search for effective programs.

Another barrier to effective collection and communication of data about prison programs is the distinction between qualitative and quantitative data.[82] Data points such as recidivism rates and the financial burden alleviated for the state are quantitative data and tend to be more compelling to decision-makers. Yet quantitative data can often reduce complex narratives to a single dot on a graph. Such an occurrence is not only minimizing to people who have already had

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[81] Ibid., 81-82.
[82] Lerman, "Challenges and Opportunities for Researching."

little agency over their own story during their time incarcerated, but it also can fail to paint a fuller and more complete picture than numbers alone are able to about the struggles and challenges of living in a cruel prison system.

One way to mitigate this potential gap is to use both forms of data. Using a specially designed questionnaire, Brewster found an effective way to present quantitative data on categories that may be more personally meaningful than recidivism rates to participants, especially while they are incarcerated.[83] He employs a Life Effectiveness Questionnaire (LEQ) which measures time management, social competence, achievement motivation, intellectual flexibility, emotional control, active initiative, and self-confidence. For each of these categories, numerical values are assigned by the participant and averaged by the researchers. Importantly, Brewster also gathered pure qualitative data for his study as well by conducting personal interviews and observing the programs that the participants were involved in. Combining this data with the quantitative data from the LEQ gave him a much more complete picture of the experiences of the people within the program, and how it might impact them both during and after their incarceration. By measuring factors with both types of data, we can see what actually may cause recidivism rates to decrease instead of just predicting that they will. Using a model like Brewster's is one potential solution to some of the challenges that arise when only one type of data is collected and shared.

Active involvement of incarcerated individuals is essential to evaluation and data collection processes to ensure they capture the true experiences of those they impact and give

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[83] Larry Brewster, "The Impact of Prison Arts Programs on Inmate Attitudes and Behavior: A Quantitative Evaluation," *Justice Policy Journal* 11, no. 2 (2014).

incarcerated more agency over their time in prison. Lerman suggests that one model to use in this

process is participatory assessment.[84] Rather than a list of questions written by instructors or

prison administrators being sent out to participants of a given program, participatory assessment

invites incarcerated people to be a part of the research process. This model has seen success on a

global scale, with the World Bank increasingly using participatory assessment to involve the

perspectives of the impoverished in their research and granting processes.[85] In that context,

individuals and communities stricken by poverty share their perspective regarding their

"realities, needs, and priorities".[86] The underlying premise is that even those with socioeconomic

challenges have worthiness and value that is highlighted when they are involved in the research.

Elevating incarcerated people in this way seems vital as well, especially when it comes to a data

collection and sharing process that will influence whether or not the programs they participate in

will remain or change.

Part of the great success of participatory assessment using the World Bank model is that

is gives clear answers to two questions: who should determine "indicators of success," and

whose reality should count?[87] Prior to models that incorporated the voices of the poor, the World

Bank and its outside researchers imposed what they thought was best for communities without

regard for what the specific needs actually were. Now, they are instead finding how the

perspective and voices of the poor can inform every decision that they make. Such a model has

great promise for prison programming evaluation as well. Though administrators and instructors

[84] Lerman, "Challenges and Opportunities for Researching."

[85] Caroline Robb, "Can the Poor Influence Policy?," *Directions in Development*, February, 1998, http://documents.worldbank.org/curated/en/367261468285046345/ pdf/multi-page.pdf.

[86] Ibid., 14.

[87] Robb, "Can the Poor Influence Policy?," 16.

may have good intentions for what a program will accomplish and what problem it will solve, not involving the perspectives of incarcerated people limits effectiveness. In practice, participatory assessment in prisons includes open-ended interviews that provide ample room for input and personal experience.[88] Increased implementation of the participatory assessment model will strengthen the efficacy of program evaluation.

Lerman believes that people who evaluate prison programs too often conflate investigations into the efficacy of the process with examinations of outcomes.[89] From her perspective, a clear distinction can be made between the two terms. Process evaluations include important structural analyses like critically analyzing stated learning outcomes and creating course and curriculum maps in an educational or music program. These steps are important to clarify and improve procedures and presentation, but in isolation, are not indicative of outcomes. There are questions about whether the programs are actually achieving what they think they are achieving. What these goals are can vary by program and will likely look different if an intentional participatory assessment process has occurred. Some examples may include an increased knowledge of skills, increased well-being, and enhanced professional networks and social ties. Keeping the evaluation process and outcomes separate is important to ensure that each is being evaluated effectively.

Multiple barriers make accurate data collection a challenge in prisons. The first is a distinction between *feelings* of built skills and actual built skills among participants.[90] For example, if someone is involved in a math program for a semester, they may feel as if they have

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[88] Lerman, "Challenges and Opportunities for Researching."
[89] Ibid.
[90] Lerman, "Challenges and Opportunities for Researching."

become significantly better mathematicians in the given timeframe. Yet test results and their actual math skills may not always reflect that. This raises an important question: do such perceptions of increased skill-building still have value even if not reflected in tangible results? An argument can certainly be made for the affirmative case, especially in regard to increased self-confidence and self-concept. However, something beyond a pre- and post-course math exam is required to capture such improvements.

Maud Hickey created a model to put this into practice. In the music program she studied in a juvenile detention center, she asked participants in a longitudinal study what their experience was like, not testing whether they had increased their musical knowledge or capacity:

> The focus was on the music experience itself and to learn from the youth about their experience. What did they learn? What challenged them? If they enjoyed it, what were the reasons? And then, how do the findings align with the self-determination and PYD (positive youth development) constructs of autonomy, competence, and relatedness?[91]

By keeping the focus on the lived experience of youth in the program, Hickey avoids the debate between perceived or actual skill. Instead, she frames the evaluation solely around the perceptions of the participants. Not only does this follow a participatory assessment model, but it also provides a method of articulating and quantifying the "positive feelings" that instructors and participants often develop in these types of programs. This approach is open to criticism for not being quantitative enough and may not be as highly valued by program administrators and lawmakers as much as recidivism-based evidence.

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[91] Maud Hickey, "'We all Come Together to Learn About Music': A Qualitative Analysis of a 5-Year Music Program in a Juvenile Detention Facility," *International Journal of Offender Therapy and Comparative Criminology* 62, Issue 13 (2018).

Another potential barrier is the power dynamics inherent in any prison situation due to its system and structure. These may manifest in different ways based on location, but participants and instructors alike may have ulterior motives for conducting the evaluation process in a certain way.[92] For example, program administrators or funders may put limits on what type of evaluation is done, how and if its reported, and what impact the results have on the program. An instructor for a given program may desire to conduct a longer-term longitudinal study, but the funding source may not be willing to sign off on that type of research. Power dynamics may also be at play between program participants and instructors. This most often appears as a potential social desirability bias. Grimm describes this phenomenon as "the tendency of research subjects to give socially desirable responses instead of choosing responses that are reflective of their true feelings."[93] In prison program evaluation, this could look like a participant ranking their experience more favorably because they want to make the instructor happy or want the program to continue even if they did not have a truly positive experience. Grimm suggests the inclusion of a socially desirable scale in any surveys administered to mitigate any potential bias.[94]

Lerman suggests ways in which surveys are structured that may limit the accuracy of data collected using them.[95] She provides some best-practices advice such as avoiding leading questions in surveys and preventing any assumptions in the questions. Also, it is essential to consider the timing of any potential surveys that are administered. Lerman says that, when

[92] Lerman, "Challenges and Opportunities for Researching."
[93] Pamela Grimm, "Social Desirability Bias," *Wiley Online Library*, December 15, 2010, https://onlinelibrary.wiley.com/doi/abs/10.1002/9781444316568.wiem02057.
[94] Ibid.
[95] Lerman, "Challenges and Opportunities for Researching."

possible, longitudinal studies are always most effective at capturing valuable and accurate data whereas short-term studies may not paint as complete a picture.

A final important barrier to accurate data collection is making the distinction between correlation and causation. Though they may seem self-explanatory, the Australian Bureau of Statistics provides some helpful definitions of what each entail. Correlation "describes the size and direction of a relationship between two or more variables" while causation "indicates that one event is the result of the occurrence of the other event (i.e. cause and effect).[96] Many of the statistics surrounding prison programming efficacy (especially surrounding recidivism) are explaining correlations, not proving a direct causal relationship. This is significant in the context of prison advocacy work because funders and lawmakers want to see proof that it is programming specifically that is causing lowered recidivism rates, not just a coincidental correlation. The Australian Bureau of Statistics suggests that the best way to prove causation it to have a set control group.[97] This can be more difficult to do in the context of a prison program, but some of the case studies below do present ways to implement this advice. However, control groups such as this can enter ethical grey areas, as they most often involve studying individuals who did not gain entry to a program and are not receiving benefits from it.

Even if a program is able to overcome many of the barriers to effective data collection, challenges still remain regarding the data reporting process. Many studies are incorporating strategies highlighted above, but stray outside what wardens and lawmakers are looking for. Unless framed and contextualized correctly, a thoughtfully done qualitative participatory

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[96] Australian Bureau of Statistics, "Statistical Language- Correlation and Causation," http://www.abs.gov.au/websitedbs/a3121120.nsf/home/ statistical+language+-+correlation+and+causation.

[97] Ibid.

assessment may not be compelling to decisionmakers if it does not highlight recidivism impacts. In many ways, it becomes a challenge of knowing one's audience and ensuring that evaluations are structured in a way that will be persuasive to decisionmakers. Yet these decisions happen on a case-by-case basis. The larger issue of convincing lawmakers and the public on a national scale of the efficacy of prison programming remains. Even if some programs are producing results, they may not paint a universal picture of worthiness:

> The uneven effectiveness of rehabilitative personnel in a single program made it difficult to judge the program's impact. Some people just seemed to be better at it than others. Those running programs faced increasing pressure to demonstrate measurable results in order to meet the demands of public and private funders.[98]

A more universal consensus either inspired by effective prison programming or changing political rhetoric is necessary to continuously combat preconceived notions inspired by Martinson that are still broadly held across the country.

Types of Programming

Myriad types of prison programs have developed that vary in goals and outcomes. Though programming in prisons existed long before his presidency, President Barack Obama made the reduction of a phenomenon called "warehousing" an important policy goal of his "Smart on Crime" criminal justice reform platform.[99] Warehousing refers to the phenomenon of prisoners being merely incarcerated and stocked away without any access to programming or interaction. Obama specified that such efforts were primarily directed at non-violent offenders, but the intent was clear: incarcerated people need opportunities to learn and engage during their

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[98] Bernstein, "What Works?," 80.
[99] Joshua Gillin, "Obama Altered Prison Landscape through Sentencing and Commutations," Miami Herald, January 10, 2017, https://www.miamiherald.com/ news/politics-government/article125500294.html.

sentences in order to better have a second chance at life post-incarceration. Before and since this directive, many facilitators and organizers brainstormed the most effective types of programming to plan and pitch to prison administrations and wardens. The goals and types of programming conceived were largely dependent on what sort of evaluative framework was being employed. For example, programs seeking to improve the self-concept of participants had different ideas in their approach and evaluative measures than a vocational skills program hoping to connect participants with culinary jobs post-incarceration. Many important programs exist today in areas ranging from writing to college coursework to animal therapy training.

This paper will focus primarily on music-based programs and the ways in which they are conceived and evaluated. Even programs that share music as their emphasis vary widely in terms of stated goals and evaluative measures. It is worthwhile to explore these programs for both their successes and shortcomings. The framework through which one completes such an evaluation can be seen as a somewhat subjective process. Yet these case studies will seek to provide objective analyses of the highlighted programs based off of the intent of the facilitators, the experience of the participants, and research on the program. Engaging in this type of study is essential for not only learning more about programs that are seeking to do good work, but also to explore where continued improvements may exist. Such an analysis is done with the hope of improving the efficacy with which music programs in prisons are evaluated. Doing so will only further each program's ability to justify itself to funders and prison administrators, and, more importantly, increase the impact it has on its participants.

Musicambia

One prominent music program in the prisons is Musicambia. Founded by violist Nathan Schram, this program serves incarcerated people in both Sing Sing and Rikers Island Correctional Facilities. There are currently a number of developing Musicambia programs both domestically and internationally.[100]

Facilities and Particular Population

It is prudent to briefly note a distinction between the two main facilities Musicambia operates in. Sing Sing, located in upstate New York on the Hudson River, holds about 1,700 people and has a long reputation of housing some of the more infamous New York criminals. Though once known for its particular willingness to execute its occupants (its electric chair, "Old Sparky," put 614 people to death), Sing Sing has seen a shift towards programming that promotes "rehabilitation."[101] Uniquely, since 1996, the prison has been a strong proponent of arts programs in the prison.

Conversely, Rikers Island is a jail. Though many differences exist between prisons and jails, one of the main distinctions is who is held at the facilities. While prisons typically house incarcerated people who are convicted of crimes and serving longer sentences, jails house folks who have smaller sentences or have yet to be convicted of a crime at all.[102] Indeed, at Rikers Island, 4 out of 5 people have yet to be convicted of a crime and are "presumptively innocent"

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[100] Musicambia, "Vision, Mission, El Sistema," http://musicambia.org/homepage-slider-light/about/.

[101] Leah Hollingsworth, "New York State Prison Program Musicambia Unlocks the Power of Music," *Strings Magazine*, June 1, 2015, http://stringsmagazine.com/new-york-state-prison-program-musicambia-unlocks-the-power-of-music/.

[102] Prison Fellowship, "FAQ: Jail vs. Prison," https://www.prisonfellowship.org/resources/training-resources/in-prison/faq-jail-prison/.

according to our criminal justice system.[103] Yet many people still end up spending years at Rikers Island. The court system is quite backlogged, and some litigation is complex and takes time; however, most people who have yet to be convicted of a crime and spend a significant amount of time in Rikers do so because of one of two factors: poverty and institutional racism. 55% of those jailed at Rikers are Black while another 34% are Latino.[104] When people are unable to afford their bail, they are subjected to time at an institution like Rikers. Historically marginalized communities and those without legal access or resources become victims of a system that favors those with wealth and privilege. The end result is legally innocent people spending significant time behind bars in often unsanitary and unsafe conditions.

This distinction is relevant to the discussion of Musicambia. One cannot complete a thorough evaluation of both programs without the context of knowing that two very different populations are being served in each facility. Whether a participant is convicted of a crime or merely awaiting trial can have significant implications for how a program can and should be structured. Further, evaluating outcomes of prisoners both in terms of propensity to return to a jail or prison and skills gained will look very different depending on where someone is in the legal process.

History and Goals

Program founder Nathan Schram cites his experience performing as a professional violist at Riker's Island as the impetus for developing the Musicambia Program. Reflecting on a performance with a Carnegie Hall chamber ensemble at the institution, Schram said "I felt like

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[103] Darren Walker, "Lessons from Rikers Island," *The Atlantic*, May 9, 2017, https://www.theatlantic.com/politics/archive/2017/05/rikers-island/525858/.

[104] Walker, "Lessons from Rikers Island."

this was the most useful my music had ever been," he recalls. "I realized that these people really *need* music, more than anyone else I'd ever played for."[105] Beyond his own performance experience, the Venezuelan El Sistema model appears to have strongly influenced the development of this stateside program. Among other things, the model posits that musical ensembles are models of a functional community and society. Thus, while music classes in the program may ostensibly be about improving musical performance, music theory, and ear training, the facilitators also have broader stated goals of "building supportive comminutes where incarcerated individuals can build human connections, engage in learning, and rebuild their lives."[106]

Nathan Schram was the first American given access to witness the El Sistema model in Venezuelan prisons.[107] After seeing the programs firsthand in Venezuela, Schram received encouragement from Eric Booth, a leader in the U.S. El Sistema movement, to start bringing music to incarcerated people stateside. The name Musicambia blends the Spanish words "musica" and "cambia" to create the shared meaning of "music change."[108] It was created with the hope of allowing people who are incarcerated to develop a new skill while improving their sense of self and their overall lifestyle by providing an outlet for creative expression.[109] The

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[105] Hollingsworth, "New York State Prison Program."
[106] Musicambia, "Vision, Mission, El Sistema," http://musicambia.org/homepage-slider-light/about/.
[107] Hollingsworth, "New York State Prison Program."
[108] Matt Stein, "Music Program Inspires Creativity in Prison Reform," *The Miscellany News*, February 3, 2016, http://miscellanynews.org/2016/02/03/arts/music-program-inspires-creativity-in-prison-reform/.
[109] Ibid.

initial pilot of the Musicambia program planned for 16 participants but received interest from 28 people and Schram could not bring himself to refuse admittance to anyone.[110]

Program Design

Participants in the Musicambia program are provided with instruments and receive both individual and group instruction. Visits are scheduled at each Musicambia site several times a month, and each visit is broken up into sections. In the first one, participants develop their baseline musicianship with classes in theory, ear training, and practical music reading. Then, breakout sessions are held in each student's self-selected instrumental major. In this second session, individual and small-group instruction occurs on their chosen instrument. Finally, every visit concludes with a final session dedicated to large group collaboration and jam sessions.[111]

Both the program facilitators and participants of Musicambia are aware that a few visits a month are far from sufficient to develop a high level of musical technique of proficiency. Thus, individual and consistent practice is emphasized throughout the program. To support this process, Sing Sing allows people to practice an instrument in their cell. Additionally, many participants seek out additional musical outlets through the program. Some participants explore composition projects and use their fellow participants to trial and read-through their pieces. In other cases, prominent guests like Joyce DiDonato will assist with this workshopping process.[112]

Funding

Musicambia has estimated annual costs of about $80,000, including costs associated with instruments, teacher salaries, security checks and clearances, administrative fees, transportation,

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[110] Hollingsworth, "New York State Prison Program."
[111] Hollingsworth, "New York State Prison Program."
[112] Ibid.

music costs, and research and development fees.[113] The largest donor pool to the program and its equipment appears to be individual donations. Two Indiegogo campaigns helped to fund the initial capital for the program. Since the launch, Nathan Schram and his team have maintained an extensive email listserv of past and potential donors. They inform supporters of program updates, upcoming events, and opportunities to donate. A culminating annual fundraising event is their Musicambia Gala. Typically held in New York City, each Gala features many opportunities for giving and features live performances by both alumni and faculty of the Sing Sing Musicambia Program.[114]

Musicambia does also receive some state funding. In 2017, New York Governor Andrew M. Cuomo awarded them a $13,000 per year grant payable for 3 years.[115] The funding comes through the New York State Council on the Arts, but the selection by the Governor is certainly significant. It indicates investment in the program from an important policymaker who can influence decisionmakers on the prison administration and Department of Corrections level about the worthiness and value of investment in a program.

Qualitative Experience

Both participants and observers comment on the surprising level of normalcy that occurs in the physical prison space during Musicambia sessions. One visitor to the program, Leah Hollingsworth commented after her visit:

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[113] Nathan Schram, "Musicambia: Music as Social Change in Incarcerated Communities," *Indiegogo*, https://www.indiegogo.com/projects/musicambia-music-as-social-change-in-incarcerated-communities#/.

[114] Musicambia, "2019 Gala Tickets," http://musicambia.org/2019-gala-tickets/.

[115] Musicambia, "New York State Council on the Arts Grant Award," October 20, 2017, http://musicambia.org/new-york-state-council-on-the-arts-grant-award/.

The men exchange high-fives and fist bumps and the only thing that really stands out from the hundreds of other rehearsals I've observed is that the musicians are wearing prison uniforms. Not a guard is in sight in the crowded room (they are stationed in the hallways), and while the windows are frosted and barred, the rehearsal space doesn't seem so different from many New York City public school classrooms.[116]

The apparent autonomy and *relative* freedom that participants in the program receive appears to be one of the biggest draws to the program. Though there was already a strong level of interest for the pilot program, the interest has only increased as other incarcerated folks at Musicambia sites see the different environment, notice behavioral changes in the participants, and hear them practicing in their cells. One participant who preferred to only be called Joe said:

Other men see the camaraderie we have now—the friendships, the smiles, the positive energy, the way we talk about the program and the way we seek each other out and support each other—they see us walking and talking with people we wouldn't normally be walking and talking with—and they want in. They see how music is changing us[117]

The trickling influence of the Musicambia program has appeared to be one of the ways it has stayed relevant and prioritized in its two main sites. Though not an explicitly articulated goal of the program, the environment it creates and that the prison administration allows for seems to be one of its most impactful features.

Evaluation Measures

Musicambia operates under that working assumption that its participants are in need of rehabilitation.[118] Some of the potentially problematic elements of operating on this baseline assumption were addressed earlier in the paper. The way that assumption manifests in Musicambia specifically is through evaluative measures. Informed by the facilitators' belief of a

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[116] Hollingsworth, "New York State Prison Program."
[117] Hollingsworth, "New York State Prison Program."
[118] Musicambia, "History," http://musicambia.org/about-clone/.

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need for healing and fixing (either due to their alleged crime or their trauma incurred within the prison system), measures of success center around individual growth, new skills acquired, social and musical growth and evidence of community building.[119] A longer term vision for the program is to evaluate its impact on recidivism. Especially considering the high-profile nature of the two primary prisons in which they operate, a focus on what wardens and policymakers are known to like (lowered recidivism rates and improved cost-efficiency) makes sense. If they see the programs actually reducing the rates of repeat offenses, they are more likely to continue supporting such programs.

All too often, the voices of participants are excluded from the evaluative conversation regarding program efficacy. Musicambia highlights student testimonials on their website and marketing materials. These personal narratives show alignment with many of the stated goals of Musicambia, but also highlight individual variance present:

> To be able to come together and collaborate and work together and bring smiles to each other's faces, it's unlike anything else that goes on here . . . It's difficult to go back to your cell after a Musicambia day, a day that feels more 'normal' because you can have conversations and express yourself and feel supported and safe. We don't do that anywhere else.
> -Jason, Musicambia student[120]

Jason's testimonial aligns in many ways with the goals of community building within the program. Yet it does show that the program functions as a form of escapism from the day-to-day life in prison and does not necessarily promote community building throughout the prison as a whole. It is a nuanced difference, but it does highlight that the reasons incarcerated people engage with a program may not always be the same as those who plan and operate it. A separate

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[119] Musicambia, "Vision, Mission, El Sistema."
[120] Musicambia, "Testimonials," http://musicambia.org/testimonials/.

testimonial highlights the potential strengths of music-based programming in the prisons. A different Jason writes that "music is something that comes deep from my soul, a way of communicating that is better for me than talking. In music, the strong emotions of my inner world come out. I feel lighter, not tight and anxious and depressed like I did before. I feel closer to the true me."[121] His sharing may highlight some of the ways in which evaluating music programs may differ from other types of programming in prisons. None of the emotions Jason writes about are easily quantifiable or directly translatable to recidivism reduction or tangible skills. Yet his voice and experience still have immense value.

Critical Analysis

Musicambia appears to be doing meaningful work for incarcerated people at the facilities in which it operates. It has consistently operated in two high-profile correctional facilities and has plans to further expand to many other states. Its ability to continuously operate with a relative lack of data supporting its efficacy may be attributable to a few things. First, the program is still relatively new. Many prison programs do get a bit of a grace period before they are expected to justify their worth and existence. Musicambia was only launched in 2014, so it is still in its early progression as a program. Further, the program appears to be in good favor with the administrations of the correctional facilities in which it operates. Though hard data about recidivism rates are unavailable for the program, both participants and observers have commented on the noticeable behavior changes of those involved.

One final reason that Musicambia continues to persist despite not having tons of efficacy data is for its uniqueness relative to other programs. There are few prison reform movements and

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[121] Naradzay, "Learning Violin Helped Me Survive Prison."

models that so effectively combine the desire to change participants with creative expression. Schram explains, "This way of prison reform is more grass roots and not focused on being political. It can mainly prove that there's a way to build pride and community amongst the incarcerated people and administration by reminding everyone of their humanity."[122] Though it appears unconvincing that such an attempt to dismantle the norms of the current prison system are at least somewhat political, Schram's organization does toe the line of activism and art in a way the is appealing as opposed to off-putting to prison officials.

As mentioned above, the word is still out on whether Musicambia directly impacts recidivism rates. Sing Sing in particular does have an established history with arts programs having a noticeable impact on recidivism, another potential reason for Musicambia getting a fair shot to be established.[123] However, it is still a testament to Musicambia's success so far that administrators and policymakers value what is already happening in the program. One of the biggest reasons this type of prison programming gets cut is due to the costs it has. By seeking crowdfunded and private donations, Musicambia avoids creating substantial financial burden on the actual institutions. It appears that little is needed by way of additional security for the program, so costs are saved there as well. Finally, if the behavior changes are as noticeable as they appear in the testimonials, significant prison resources are saved in administrative costs to administer punishments and adjudicate disciplinary hearings. By potentially being a net cost-saver as opposed to a financial burden, Musicambia has appeared to have already found a unique way to justify its worth.

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[122] Stein, "Music Program Inspires Creativity in Prison Reform."
[123] Hollingsworth, "New York State Prison Program."

Musicambia has appeared to avoid the quantitative versus qualitative barrier that some programs run into when evaluating efficacy. Though further justifying its value does not seem necessary for the program in the status quo, there may be some utility to exploring the implementation of something similar to Brewster's Life Effectiveness Questionnaire. Investing in a mix of both quantitative and qualitative data like this could have great value to the program. Musicambia already claims to see strong positive improvement of participants in terms of self-confidence, emotional control, time management, and motivation. Implementing an LEQ evaluation could provide a numerical way to track that data before, during, and after people participate in their program. This sort of longitudinal data could be immensely important prior to any sort of recidivism information is available but also as a way to provide a compelling picture of efficacy beyond just whether or not people in the program are more likely to reoffend.

Musicambia has done a better job than most programs at implemented student feedback and testimonials into the narrative of the program's success. Though not at the level of Lerman's participatory assessment model, the focus on student stories throughout Musicambia's website suggests great progress in this regard. The student narratives provide so much more context and information than quantitative and subjective data alone would. Further implementation of elements of the participatory assessment model could strengthen the program. Letting participants have a say in how efficacy is measured seems particularly relevant in the creative and inclusive environment Musicambia fosters.

An area of concern for Musicambia is its focus on changing its participants in a rehabilitative way. This emphasis creates the expectation of an inherently flawed nature in those who sign up for the program. Nathan Schram covers for this a little bit by saying that the very act

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of becoming a musician inherently changes and improves any one. This may be true, but the frequent use of rehabilitative language throughout the program description does seem to suggest a desire to change people particularly because they are in need of being reformed and improved upon. The Musicambia program further fails to account for the differences between the two main facilities it operates in. While using rehabilitative language in the context of a prison like Sing Sing still has problematic implications, applying a desire to rehabilitate to people who have not even been convicted of a crime like in Rikers is especially egregious. That is certainly not to say that Musicambia shouldn't serve people who are in jails. It does, however, mean that perhaps a different set of foci, program structures, and stated goals are necessary depending on where the music program takes place. For example, jail programs might focus more on a shorter curriculum that contains one-time workshops on things like composition, musical expression, or a specific music genre. Long-term instrument learning may not work as well in a jail setting.

Creating a situation in which participants, policymakers, facilitators, and observers all agree that meaningful connection and curriculum are present is no small feat. Musicambia ultimately uses music in an intentional way to create a positive experience for incarcerated people. Participant Jason sums it up well when he says: "Music is something that comes deep from my soul, a way of communicating that is better for me than talking. In music, the strong emotions of my inner world come out. I feel lighter, not tight and anxious and depressed like I did before. I feel closer to the true me."[124]

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[124] Naradzay, "Learning Violin Helped Me Survive Prison."

Oakdale Community Choir

The Oakdale Community Choir is a collaborative prison choir program that takes place at the Iowa Medical Classification Center in Coralville, IA. Spearheaded by choir director Mary Cohen, this ensemble gives annual concerts and directly engages the community.

Facilities and Particular Population

The Iowa Medical Classification Center (IMCC) is known colloquially as the Oakdale prison.[125] It is a medium security prison that has 22 housing units for a total of 706 beds.[126] It is a public prison, so it lacks some of the incentive structures that private prisons have to keep every bed full. The IMCC is a unlike any other prison in the state of Iowa because it is the initial point of contact and reception for every man who is sentenced to serve a prison sentence in the state. They also are the only facility in the state with a "licensed, inpatient mental health unit" and a unit designed specifically for incarcerated men who have special needs.[127]

Though not always prescriptive for the way a prison operates or chooses programming, the IMCC has mission and vision statements that place a particularly keen focus on programming that aids in effective reentry for participants. The IMCC's mission statement states its goal is to "advance successful offender reentry to protect the public, staff and offenders from victimization." The vision statement discusses a desire to provide "excellence in classification, medical and mental health, security, treatment and successful reentry through evidence-based

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[125] Rob Dillard, "Oakdale Prisoners Find Their Voice Community Choir," *Iowa Public Radio*, May 3, 2018, https://www.radioiowa.com/2018/05/03/oakdale-prisoners-find-their-voice-in-community-choir/.

[126] Iowa Medical and Classification Center, "Prison Overview/History," http://oakdaleprison.com/background.php.

[127] Ibid.

practices."[128] Both of these statements share a goal that appears to extend beyond a purely retributive lens as proposed by Martinson. Similarly to Jerome Miller, those who crafted the IMCC statements place an emphasis on the ability to treat or "rehabilitate" incarcerated people with hopes of making them into contributing members of society. It is important to also note the language of "evidence-based practices" in the vision statement.[129] This distinction will be important in looking at the evaluative measures of this choral program.

The Oakdale Community Choir Program serves incarcerated men assigned to IMCC who do not have particular restrictions to their units. The program serves more than just the approximately 30 incarcerated men who opt-in to the program; men and women from the surrounding community are invited to be members of the choir as well. Choir director Mary Cohen terms the former group of incarcerated men "inside singers" or "insiders" while she calls the volunteer men and women from the community "outside singers" or "outsiders."[130] The outside singers who are invited to participate are asked to show an interest in learning about the local prison system and broader systemic issues that are plaguing the system on the state and national level.[131]

Most choirs in some way form their own sense of a musical community that comes from familiarity, shared vision, and so forth. The Oakdale Community Choir is unique in that it creates a community that quite literally could not exist without the program: insiders and outsiders would be prevented from coming together were it not for the existence of this program to bridge

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[128] Iowa Medical and Classification Center, "Vision, Mission, Values, Goals," http://oakdaleprison.com/core.php.
[129] IMCC, "Vision, Mission, Values, Goals."
[130] Oakdale Community Choir, "About Us," http://oakdalechoir.lib.uiowa.edu/.
[131] Ibid.

the gap between incarcerated people and their surrounding community members.[132] The unique community does, however, have three constituencies to serve, which can present challenges. The inside singers, outside singers, and the combined group can simultaneously have different needs both musically and otherwise. It creates a burden on Mary Cohen or whoever is leading the choir to be sensitive to multiple community needs at once.

History and Goals

The South African concept of "Ubuntu" provides the operational framework for the Oakdale Community Choir. "Ubuntu" means "a person is a person through other people."[133] This framework of connectivity already begins to explain why this choral program so deliberately engages with different types of constituencies. More specifically, the "Ubuntu" framework results in a program seeking to "empower participants…build companionship rooted in sharing one's self and responding to others, gain confidence that each one can contribute to a greater good, and learn to honor oneself individually and as a community."[134] Ultimately, the program is structured around a goal of connectivity not just for the socialization it brings, but also for the skills that can derive from increased exposure to people from varied backgrounds.

Another guiding principle for the Oakdale Community Choir is a belief in the power of restorative justice. A unique extension to the retribution or rehabilitation debate, restorative justice seeks to right wrongs, mitigate harms, and build community.[135] The Oakdale Choir is

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[132] Mary L. Cohen and Marissa Silverman, "Personal Growth through Music: Oakdale Prison's Community Choir and Community Music for Homeless Populations in New York City," in *Community Music Today*, ed. Kari K. Veblen, Stephen J. Messenger, Marissa Silverman and David J. Elliot (Lanham: R&L Education, 2013), 192.

[133] Oakdale Community Choir, "About Us."

[134] Cohen and Silverman, "Personal Growth through Music," 190.

[135] Ibid., 189-90.

structured to be an exemplar of restorative practice by creating a self-proclaimed "community of caring."[136] This ultimately allows for collaboration through the medium of choral art. In designing the program, Mary Cohen saw an opportunity for a community choir to show how individuals can unite to "create a product more beautiful than any of them could do individually."[137] Both Cohen and the prison administration agree that the power of collective action is an important skill for incarcerated people to build prior to reentry into society.

The Oakdale Choir is well-supported by the current warden of IMCC, James McKinney. Echoing the mission and value statements of the institution, McKinney thinks the role of his prison is to help ensure public safety by planning for the post-incarceration life of the 93% of incarcerated Iowans who will be released.[138] Both Mary Cohen and James McKinney believe the collaboration and teamwork needed to achieve a cohesive choral sound are similar to the cooperative skills incarcerated people need to thrive in their personal and professional lives post-incarceration.[139]

Program Design

The Oakdale Community Choir is structured in a manner that brings both the inside singers and the outside singers together to form their shared ensemble on a regular basis. On a near weekly basis since its founding in 2009, the choir has met at the gym in the IMCC for a rehearsal under the direction of founder Mary Cohen.[140] The ratio of insiders to outsiders is typically about 50:50. Some inside singers are tasked with setting up the rehearsal space each

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[136] Oakdale Community Choir, "About Us."
[137] Cohen and Silverman, "Personal Growth through Music," 195.
[138] Dillard, "Oakdale Prisoners Find Their Voice Community Choir."
[139] Cohen and Silverman, "Personal Growth through Music," 195.
[140] Oakdale Community Choir, "About Us."

week, and each weekly rehearsal lasts for about an hour and a half.[141] Each rehearsal starts and ends with what Cohen terms "anchoring songs."[142] These also bookend each concert for the ensemble and are meant to be familiar and unifying melodies with text that has personal meaning to the singers. Though time in the facility is limited, Cohen does make an effort to allow time for some social mingling and small-talk between the insiders and outsiders.

A more structured way the program design seeks to facilitate meaningful connection between the community members and the incarcerated singers is through a writing component. This extension is optional to all participants, and typically about half of the members choose to participate.[143] Cohen provides guiding prompts each week that then get exchanged among inside singers and outside singers. The goal of the writing component is typically to increase understanding between the two groups and deconstruct stereotypes, but it also has some pragmatic utility as a way for Cohen to gauge musical challenges faced by participants. In response to written feedback that some participants were struggling to understand musical notation, she began adding "musical tidbits," to writing prompts and the choral newsletter.[144]

The choir typically presents two public concerts per year in the prison gym around a specific theme.[145] The ensemble performs one of the concerts for other incarcerated people at the IMCC and one of the performances for guests from the public. In an effort to further build internal community, a recording of the concert is sent to family and friends of the inside

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[141] Cohen and Silverman, "Personal Growth through Music," 191.
[142] Ibid.
[143] Ibid., 194.
[144] Ibid.
[145] Oakdale Community Choir, "About Us."

singers.[146] The concerts typically contain diverse repertoire and intentional artistic collaboration.

A recent concert included selections from Beethoven's opera Fidelio and a recording of that

performance will be played at a Manhattan production of the same show.[147] Beyond choral

performance, the program also provides opportunities for composition and songwriting. Over the

lifetime of the program, over 90 original pieces have been composed, many of which are

featured in the choral concerts.[148]

Funding

Limited published information exists to show what resources are necessary to fund the

Oakdale Community Choir and who provides them. There are some indicators that might explain

this lack of clarity. First, there is much evidence to support that there are relatively few costs

associated with the program due to its largely volunteer nature. No outsiders are paid for

participating, and it seems that even Mary Cohen and the rehearsal accompanist may be

providing their services without a fee. Further, the program is strengthened by being associated

with a major university. Mary Cohen serves as a professor at the University of Iowa, and the

website for the program has indicators of university affiliation which suggests possible financial

support for the program.[149] Finally, the program boasts myriad community partnerships,

including with the Iowa Department of Corrections Victim Services and restorative justice

programs.[150] These connections may not only be sources of granting or revenue; they also give

the program an increased sense of legitimacy to the community. The website and promotional

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[146] Oakdale Community Choir, "About Us."
[147] Dillard, "Oakdale Prisoners Find Their Voice Community Choir."
[148] Oakdale Community Choir, "About Us."
[149] Ibid.
[150] Ibid.

materials for the community choir do not provide any sort of clear way for individuals who are interested in financially supporting the program to do so.[151] There is no evidence of crowdfunding (except for a documentary film made about the program) nor grassroots fundraising.

Qualitative Experience

The unique setup of the prison program involving many different groups of people allows for the Oakdale Community Choir to have a broad impact. Sometimes the social benefits for insiders in the program do not derive from large gestures or extended conversation. One inside singer described that "even one word spoken to him from an outside singer is meaningful to him" and that his relationship with outside singers is analogous to "family—when one is absent, they are missed."[152] For some incarcerated people, the benefit of the program derives from the realization that they are still capable of having normal conversation over a shared interest despite years behind bars. A different inside singer expressed that the community choir helped him "feel worthy in the eyes of people [he] admired" as well as providing "a sense of self-gratification."[153]

The reactions to the choir extend beyond just the inside singers. One community member who was not a member of the outside singers said:

> I have been to prisons in the system hundreds of times as part of my work, and I
> have to say this is the first time in 35 years I have seen anything in the system that

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[151] Oakdale Community Choir, "About Us."

[152] Cohen and Silverman, "Personal Growth through Music," 190.

[153] Mary L. Cohen, "Harmony within the Walls: Perceptions of Worthiness and Competence in a Community Prison Choir," *International Journal of Music Education* 30, no. 1 (2012): 52, https://doi.org/10.1177/0255761411431394.

inspired me. I was particularly moved by the decision to sing songs composed by the 'inside' members of the choir.[154]

Such a response shows the dramatic impact even one concert can have on changing perspectives and stereotypes. While the insiders and outsiders work deliberately through extended socialization and writing exercises to deconstruct difference, some audience members and observers experience the value of such a program through even brief exposure.

Evaluation Measures

Prior to starting the Oakdale Community Choir, Mary Cohen spent years conceptualizing the prison choir space while studying at Kansas University and directing a small prison choir.[155] She was well-supported by the music education faculty and music therapy departments at KU, which allowed her to think philosophically about what a successful prison choral program would look like and then supported that philosophy with a fully developed curriculum. This preparatory period also allowed her to consider how she wanted her program to be evaluated and measured.[156] As she moved her theoretical ideas into practice, she did not forget the extensive studying and research she did. The result was a well-developed study into various metrics about her program's efficacy.

Cohen conducted an expansive study on her inaugural class of participants in the Oakdale Choir. Her goal was to evaluate how the attitudes of the outsiders changed towards the insiders throughout the course of a 12-week program while also measuring changes in the inside singers' self-reported perceptions of social competence.[157] Cohen's study contained both quantitative and

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[154] Oakdale Community Choir, "About Us."
[155] Cohen and Silverman, "Personal Growth through Music," 190.
[156] Ibid., 191.
[157] Cohen, "Harmony within the Walls," 49.

qualitative data. In the literature review, Lerman cautions about the potential shortcomings of both types of data and Brewster proposes an alternative approach in LEQ to numerically evaluate traditionally qualitative data. Cohen's approach was to use a quantitative method to evaluate the outside singers' attitudes towards the incarcerated people before and after the 12-week course.[158] To both the outsiders and insiders, she then presented a series of 7 open-ended questions about the effect of the experience and how it impacted each group's life, perspectives, and relationships.[159]

Using this combination of data types, she found that the choir ultimately had a net positive effect on the way that the outsiders viewed the insiders after the initial 12-week program. For both groups, central themes of self-gratification and relationships with others emerged as the most frequent benefits experienced.[160] A further breakdown of the inside singer data revealed that self-gratification for incarcerated people manifested as improved "self-confidence, enjoyment, self-expression and a realization that they can contribute positively to the outside world."[161]

Both the quantitative and qualitative data from Cohen's initial research into the efficacy of the Oakdale Community Choir are focused on outcomes beyond recidivism reduction. Cohen was able to persuade the prison's leadership that improvements in incarcerated men's self-gratification (and its subcategories) is actually an effective step in preparing them for reentry, as their prison mission and vision statement mandate. Recall that the prison vision statement made

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158 Ibid., 50.
159 Ibid.
160 Ibid.
161 Ibid.

particular note of wanting "evidence-based practices."[162] That desire may explain Cohen's decision to immediately run research on her program instead of waiting until she had piloted it a few times.

One approach to continue to provide even more accurate evidence would be for Cohen to run a longitudinal study across many of the same quantitative and qualitative lines. Amy Lerman says that a longitudinal study is the most effective way to gather accurate data.[163] Mary Cohen is also in a position where she has the type of continuity with both her program and its participants where such data could be quite accessible (she's in her tenth year of running the same program). No current longitudinal study on the Oakdale Choir could be found, but it is possible that such results simply have not been published yet.

Critical Analysis

The Oakdale Community Choir has well-considered curriculum and pedagogy that result in effective program goals and measurements of efficacy. Many factors suggest why the choral program has continued to be supported by the prison administration and received interest from community members and incarcerated people alike. The strengths begin with intentional community involvement. Cohen knew early on that one of her goals was to bridge the gap between the community members and incarcerated people to form a community that is only possible through her program. She found a way to ensure that outside volunteers would be recruited and have a sustained interest in the success of the program. A further benefit of the choral program is the institutional partners it has developed, particularly with a major university.

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[162] Iowa Medical and Classification Center, "Vision, Mission, Values, Goals."
[163] Lerman, "Challenges and Opportunities for Researching."

Such partnerships have provided Cohen with the financial, administrative, and research support necessary to run a continuously successful program.

Another unique element of the way this program analyzes its success is by not overemphasizing recidivism rates as the exclusive measure of success of a prison program. Such a stance allowed Cohen to conduct research into other (just as worthy) measures of the skills learned and successes achieved within her program. This freedom would not be possible were it not for the relatively progressive approach of the warden at IMCC. He reframes the recidivism question and says that perhaps prisons should focus less on that specific statistic and focus more on increasing their "returning citizen rate."[164] He has explained that this entails "many layers, including supporting victims, healing harms, and rebuilding relationships and communities."[165] By hinting at some of the same restorative justice language the choral program was founded on, he reveals his willingness to engage with alternative solutions to treating incarcerated people and best prepare them for reentry into society.

Finally, it is clear that Mary Cohen's leadership has largely contributed to improved outcomes for program participants. Her music pedagogy background has resulted in a program that is focused on the experience of the participants. Yet she also has the humility to adjust to feedback and improve the program as demonstrated by her additions to the curriculum after reading some written regarding music terminology challenges. Her willingness to stay with the same program for over a decade not only has helped the program grow, but it has also increased opportunities for enhanced outcome and efficacy measurements. Cohen also been a tireless

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[164] Mary Cohen, "Choir Delved into Deep Waters During Season," *Iowa City Press-Citizen*, June 1, 2016, https://www.press-citizen.com/story/opinion/contributors/guest-editorials/2016/06/01/ choir-delved-into-deep-waters-during-season/85252254/.
[165] Ibid.

advocate for the program locally, writing a column about the program and upcoming concerts in a local paper and taking advantage of university connections.

Still, some questions remain about aspects of Cohen's approach with the Oakdale Community Choir. One of the key components of the program is community involvement, which ostensibly seems like a well-intentioned idea. Yet this decision means that the program serves other groups beyond just incarcerated people. Cohen describes clear positive impacts for the community members who are involved with the choir. One community participant said, "It [the choir] gave me a new perspective on being grateful for the things in my life. Now I see my ability to come and go as I please as a privilege."[166] The participant correctly identifies their privilege, but their statement does raise questions about who the program is actually serving. Is the program really focused on serving incarcerated men, or is it more focused on helping community members see past their implicit biases? The latter has value, but not if it comes at the expense of incarcerated people having less resources focused on them.

Another curious aspect of the program's structure is the decision to make clear distinctions between the inside singers/insiders and the outside singers/outsiders. For a program so focused on collaboration and unity, such a distinction based off incarcerated status does not seem helpful. It is not difficult to imagine an incarcerated person being discouraged that they are singled out by their status frequently in rehearsals. It is quite possible that there are logistical or security constraints for why this is necessary, but Cohen's frequent use of this terminology in her academic writing about the program is seemingly a bit contrary to her program goals.

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[166] Cohen, "Harmony within the Walls," 51.

One participant (an "insider") in the program identifies a potential issue in the performance practice of the choral program that is actually detrimental to personal growth, development, and self-gratification:

> The biggest downside to the choir, as far as I'm concerned, is that I see men who are in prison basically because of behaviors dictated by overinflated egos continue to feed their self-centeredness. I see this because it is something that I have to combat in myself…Encouraging someone to step up and perform may be forcing them out of a shell of shyness or self-pity. It may also, in his mind, validate his belief that he is better than those around him. It's a swampy mess that I think needs to be in the back of our minds.[167]

This incarcerated person self-identifies a way in which the structure of the choir has a potentially negative impact on the headspace of participants. This singular observation should not be used as a justification that the program is a complete failure or has significant flaws. It should, however, be another data point that Cohen is able to use to plan curriculum in the future and work towards continual improvement. Ultimately, the sign of a truly successful and sustainable music program is one that is willing to continuously take feedback and evolve based on data, evidence, and feedback. Sometimes, a program may have strayed from its initial goals or lost sight of serving incarcerated people in the most effective and meaningful ways.

Comparative Analysis

The two case studies featured in this paper do not represent all types of music programming that exist. Both do, however, feature very different types of programs that have differing sets of assumptions, goals, values, and pedagogical techniques. Each program excels at some aspects better than others, and neither is perfect. Both programs fall short on the issue of demographics, populations served, and attempts to combat structural racism within the system.

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[167] Cohen, "Harmony within the Walls," 51.

They both appear to exclusively serve incarcerated men. More men are incarcerated nationwide than women, and the facilities that these case studies work in are exclusively male correctional facilities. However, in reviewing broader literature on the programs that exist, there does seem to be much less research and description of female prisons and the programs that exist for incarcerated women.

Little is also done in either case study to directly confront racial disparities in the prison system. Though Musicambia may have some opportunities for identity exploration and expression through their songwriting and composition curriculum, it is tough to see any sort of focus on racial justice in any of their publicly available materials. Confronting racial and social injustices may be a perfect topic for Musicambia facilitators to address in their curriculum specifically for jails, where many of the people incarcerated are people who have not been convicted of a crime and are victims of a system that is stacked against them. The Oakdale Community Choir's issue with race is more of a representation issue. Though these statistics may have changed, Cohen's initial cohort of choral musicians only had 2 incarcerated Black men and 100% of their community participants identified as White.[168] Context certainly is important here, as the IMCC is located in rural Iowa where there are different racial demographics. However, the choir demographics do not mirror the demographics of the prison a whole. Cohen concedes this could be due to unappealing literature selected or ineffective recruitment efforts for incarcerated Black men.[169] Hopefully, Cohen has addressed this issue and modified her program's strategic approach to seek a more representative choir.

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[168] Cohen, "Harmony within the Walls," 49.
[169] Cohen, "Harmony within the Walls," 49.

Another point of comparison between the two case studies is their funding model. Both programs are fortunate in that they have a major institutional partner. The Oakdale Choir collaborates with the University of Iowa and various other community partners while Musicambia has the support of the Governor and many of its facilitators have ties to Carnegie Hall. These major partnerships open up more programming possibilities and can also provide valuable capital to launch research projects into efficacy. These endeavors can be challenging undertakings if someone without an extensive prison research background like Mary Cohen happens to be running your program. Increased research proving efficacy improves the likelihood of further permission to run the program, so initial funding and capital from a major partner can be vital to the sustainment of these programs.

Both programs operate in the sphere of public prisons, so these programs do not see some of the ills of prison privatization. However, that may mean that prison programs like Musicambia and the Oakdale Choir are not as present for people who really need them as victims of the brutal private prison culture. One other key distinction on funding comes from the fact that Musicambia's staff is paid whereas the Oakdale Choir facilitators are volunteer only. This certainly saves the latter organization significant funding to be spent in other areas of their work, however, it may reduce the quality of musicianship that the incarcerated people get exposed to. While altruistic volunteerism is helpful for music programs, it does not always equate to the best musical experience for the participants.

Both programs seem to have a successful model for publicity. Each program has a founder who remains the public face of the organization in Nathan Schram and Mary Cohen, respectively. Having a visible figure to represent the organizations seems to have utility beyond

just promoting the individuals. Rather than seeking fame or status, both figures have used their visibility to advocate for their program and its continued existence. Nathan Schram uses his experiences and writings to update donors on the happenings of Musicambia and can use his position to network with major policymakers like the Governor. Mary Cohen has used her role within the organization to spread information about the program to the local community and provide academic research to the broader prison advocacy community. The work of both "public faces" has seemed to serve as a net benefit without taking away too much attention from the population being served: incarcerated people.

A major point of distinction between the two programs is how they seek to reduce mass incarceration. Both programs would almost certainly say that reducing this trend is one of their goals, but they have very different approaches to doing so. Nathan Schram and Musicambia focus on trying to reduce recidivism. In an approach that hearkens back to the Enlightenment view of prisons as a way to perfect human society, Musicambia seeks to treat and heal incarcerated people through the power of music and the El Sistema model. The Oakdale Choir, however, focuses relatively little on reducing recidivism and focuses heavy resources on improving the reentry experience through restorative justice. There is likely crossover in both approaches, but the Oakdale Choir model seems to play less into the problematic stereotype that everyone who is incarcerated needs to be fixed or cured in some way. Both organizations do an effective job of avoiding exploitation of their participants, and neither even comes close to being a prison-lease system where the facilitators profit off concerts or work of incarcerated people.

Conclusion

Project Limitations

There were some aspects of this project that were unable to be fully realized due to myriad limitations. It is natural for all projects to shift and develop as new information is gathered and new lines of inquiry are discovered. In this case, there were some barriers prevented some avenues for the project. One vision of this project included doing personal interviews with formerly incarcerated people about their experiences with musical programming. However, the IRB process proved to be a bit restrictive especially for an undergraduate with my minimal level of field experience. Further, some challenge was anticipated in successfully finding enough people who fit that demographic and would be willing to speak about their experiences.

Another issue in researching prison programs is that there are oftentimes limits to what a program is able to do and what information gets shared out. Some critiques of the case studies mentioned here may be shared by the program facilitators, but they may be unable to change a policy or practice due to a prison rule or an uncooperative prison administrator. There are also cases where research into a program has to be approved by a prison administrator before it can be released. This phenomenon could have potentially skewed the data that was available for the project.

A final limitation was the writer's use of his committee. While every committee operates differently and has unique relationships, the author does hold some regret for not tapping into the expertise of the committee members as much as possible, especially in the second semester. It is,

of course, a busy season of life, but that did unfortunately create a self-imposed limitation on his ability to solicit and receive feedback on this project.

Future Inquiry

There is ample room for continued investigation into music programming in the prison system and how it can most effectively serve the needs of incarcerated people. Ideally, researchers will continue to look at how these programs can also combat the ills of mass incarceration and the rampant disparities within the system. All such research should consider how to ensure the voice and narratives of incarcerated people continue to drive the conversation. Much of the contemporary literature and this very paper try to prioritize and elevate personal testimonials and qualitative experiences of incarcerated people. This trend should continue, so that developments in curriculum and pedagogy are inspired by the people who the programs are (ideally) designed for.

A gap in the literature seems to be an absence of very many longitudinal studies. There are many barriers that can make these challenging to conduct, but researchers and advocates who are in positions like Mary Cohen should not miss opportunities to engage with this helpful form of research.

A final important consideration for all future research is the question of how data and results are applied across different types of programs. Researchers in this area would waste much time if they only took the results of their studies as applicable to their program. Is there a way to take some of Mary Cohen's insightful discoveries regarding the qualitative and quantitative effects of a choral program and apply it to a prison literacy program? Is there at least a

universally applicable takeaway from her framework and assumptions? Even finding ways of doing smaller cross-applications can save valuable research funds in this area.

Final Thoughts

This paper has provided an overview of some of the major historical and policy events that have shaped the formations of U.S. prisons and led to our system today. Unfortunately, our system is still plagued with issues, injustices, and imbalances. The way we design and maintain our prisons makes a statement about the way we as a society feel about incarcerated people and their humanity. Much in the status quo suggests that many people still do not feel that treatment should improve. However, one of the primary purposes of this paper was to highlight that the way we set up music programming in the prisons can be representative of a higher value on the humanity and worthiness of incarcerated people. Each case study here and so many other worthwhile programs are working to provide helpful skills, social opportunities, and services to incarcerated people who are struggling in an inherently flawed system. Though each program has varying definitions of success and has individual shortcomings, the net impact of these programs is certainly positive. People only evaluate something if they think it is worth improving and investing in. Music programming is worth the continued investment as it works to use music as a conduit for better outcomes for all incarcerated people.

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