Today, the U.S. finds itself at a pivotal point in criminal justice history. In a 2015 article, Alex Altman and Maya Rhodan of TIME.com dispatched the details of unprecedented bipartisan efforts to reform the criminal justice system as a result of issues, such as skyrocketing incarceration costs and profound racial disparities. They created a bill, known as the “Sentencing Reform and Corrections Act,” that came to represent a crucial change in direction for criminal justice. Thus, as legislation pertaining to criminological practices transforms, the American corrections field must persist in maintaining law and order while upholding the mission to protect and serve. So how does the system achieve this pressing mission amid historic social change?

In his 2002 presidential address to the American Society of Criminology, Lawrence Sherman stated the punitive approach to criminal justice has failed, and he called for the development of a new, more emotionally intelligent criminal justice system. They would achieve this new system through practices that promote awareness of its emotions, recognize emotions of victims and offenders, and competently manage emotions within it. Sherman, along with citations from Harry Woolf, lord chief justice of England and Wales, urged the development of a holistic justice system, which uses community-based penalties, restorative justice, drug treatment and rehabilitation to further its successes. One objective of a renewed system employs enhanced case processing to reduce anger in clients, consequently reducing the likelihood of additional crimes.

The U.S. legislature has come together to begin addressing Sherman and Woolf’s call for more innovation and less punitive practices. Various paradigms and practices constitute innovative and holistic justice, ultimately
creating an emotionally intelligent system. These practices include positive criminology, restorative justice, therapeutic jurisprudence, desistance theory, procedural justice and motivational interviewing. This article focuses primarily on positive criminology and closely associated approaches, as well as provides examples of incorporating these concepts with correctional clients.

Reaching Out with Purposeful Engagement Skills (ROPES), a 12-session, holistic conflict resolution course created by author Dr. Christina Wilson, combines 17 years of criminal justice experience and conflict resolution expertise to teach inmates conflict resolution and socio-emotional skills. The course incorporates themes of restorative justice and emotional intelligence, along with skills such as active listening, appreciation, impulse control, problem solving, consequential thinking, meta-cognition, assertiveness, empathy and mindfulness practices. ROPES centralizes on developing self-awareness to help navigate the resolution process in an appropriate and productive manner. Choosing a theoretical methodology for working with people in jail, which complements ROPES, created a unique challenge.

AN ANSWER TO THE CHALLENGE

Natti Ronel, a criminal justice professor at Bar-Ilan University in Israel, and his cohort, Dana Segev, introduced positive criminology as “a field within criminology that is concerned with responses to crime and interventions for those involved.” They equate it as comparable to “positive psychology, research and theory in positive criminology [which] focuses on positive emotions, experiences and mechanisms that increase individuals’ well-being and reduce their negative emotions, behaviors and attitudes.” Positive criminology seeks to include a variety of theories, perceptions, models and assumptions about moral, social and law-enforcement responses to criminal behavior.

According to the authors, positive psychology and positive criminology have shifted away from the notion of conceiving an individual as containing a set of problems that “need to be fixed.” Rather, they promote a more holistic view, which acknowledges they might more effectively foster thriving and disengagement from distress, addiction, mental illness, crime or deviance by enhancing positive emotions and experiences, rather than focusing on reducing negative attributes.

Central to positive criminology is the study and emphasis of positive components, such as acceptance, compassion, encouragement, faith, forgiveness, goodness, gratitude, humor, positive modeling and spirituality. The field of study incorporates strength-based principles to support and accentuate perspectives that reduce stigmatization of offenders. According to this theoretical groundwork, positive experiences offer healing effects, and their influence proves to be at least as strong as negative experiences. One can accomplish this success through integrative experiences, such as social inclusion, which generate positive emotions, thereby reducing negative emotions and thus helping clients in the desistance process.

Positive criminology includes themes of encounters with positive influences and recognition of personal traits in clients, such as coherence and resilience. Expectations within positive criminology include the potential for offenders to adopt prosocial qualities and turn their lives around. As stated succinctly by Ronel and Segev, “By the very enhancing of the positive, one can reduce the negative.”

As such, the ROPES course encourages participants to replace negative behaviors with normative or positive behaviors. Reframing negative self-narratives into normative or positive self-narratives is an example of this. The course includes an exercise called “Rewriting Your Story.” This exercise invites participants to write a condensed version of their life story the way they would typically recount it when meeting someone for the first time. The course then asks them to rewrite the same story inserting words, such as persevered, survived, learned, sought, carried on, believed, hoped, changed and overcame. This exercise aligns with research regarding the power of self-narrative and allows the participants to begin viewing their selves and their history in a different light.

By utilizing these tools, the criminal justice field seems to shift into a holistic paradigm where recovery is a gradual process and is accomplished...
through the development of physical, emotional, spiritual and relational health with relapse as a part of the process. Positive criminology represents a handful of theoretical perspectives that infuse constructive ideology imparting “good” and lending hope to counterbalance the overwhelmingly negative aspects inherent in this field. As put forth by Ronel, positive criminology doesn’t just discuss the “what is” in criminology (or “what works”), but it goes further to discuss “what ought to be” and helps frame the question regarding the type of society we aspire to create.¹²

**RESEARCH OUTCOMES**

In a qualitative assessment of the ROPES course, conducted at Davis County Jail in Utah, results of participants’ change showed that holistic conflict resolution training affects inmate self-efficacy. Participant 4 emphasized an example of change in the statement, “I’ve really learned to slow down and think before I react or speak or do anything, basically.” In a self-assessment conducted later, Participant 11 contrasted his pre-course behavior, stating, “Normally I’m really, really aggressive and I’m a fighter. Like my whole record is assaults ….” However, because of the course, the same participant stated, “I just don’t feel as angry. I don’t feel as violent.” Participant 1 noted how the course skills fit into everyday life, saying, “Self-talk is the biggest [skill] I’ve learned and how to change negative feelings into something positive.”¹³

Although the study developed interview questions specifically to mine the training for self-efficacy’s relation to conflict resolution skills, themes related to positive criminology and rapport-based influences also surfaced. Participant 9 identified how positive criminology from the practitioner influenced his defensive attitude upon entering the course: “I didn’t come in here thinking I wanted to learn anything either, but when you meet somebody that treats you with respect, you wanna treat them with respect and at least hear them out. And I heard her out.” Participant 7 discussed the effects positive criminology had on the classroom atmosphere, saying, “I could feel her genuine care and concern for me as well as for each other member of the class, and I think that helped us to have a great class environment.” Finally, Participant 15 demonstrated the ripple-effect that can result: “Like I said in the letter, there’s not much you can do to put it in somebody’s head, but if you touch one person, ya know, make a difference in their life, it’s gonna make a difference in a lot of people’s lives, man.”¹⁴

Incarcerated learners, based on the above statements, have proven apprehensive in the educational process, but respond well to mutual respect and inclusivity. They seem affected by the institutional educational environment and cognizant of unexpected ripple effects that may result. Criminological theorists, such as Shadd Maruna, for example, advocate for rapport-based praxis (which is utilizing a methodology that focuses on creating positive relationships in the teaching or facilitation process).¹⁵ In addition, participants notice and appreciate the effort extended toward helping them through the change process. Participant 8 stated, “I just have a lot of respect for Chris [the ROPES facilitator] and the fact that she dedicates time to coming here and that she sees value in helping people in this type of a situation refine themselves and hopefully be a little better when they leave.”¹⁶

A working paradigm, such as positive criminology, alleviates individual or situational influences, and it triggers and reminds the facilitator of their purpose.

**PRACTITIONER, KNOW THYSELF**

Socrates said knowing yourself is the beginning of all wisdom. Combining this call for self-knowledge with the positive criminology objective of
strengthening relationships between normative members of society and offenders, practitioners strive to exhibit prosocial behaviors such as reliability, honesty, respect for others, active listening, optimism, solution-focused intent, warmth and empathy. In doing so, practitioners model a focus on other’s strengths and abilities and begin to lay stepping stones for creating healthy relationships.

Practitioners can gain efficacy for modeling strength-based and solution-focused praxes by learning and incorporating emotional intelligence skills such as self-awareness, emotional regulation and empathy. These skills align with Sherman’s vision of the justice practitioner who seeks to identify personal emotional triggers when working with clients rather than suppress or avoid them. Identification of personal triggers and their accompanying emotions helps practitioners manage their emotions effectively. In addition to creating rapport and enhancing the overall system, emotional intelligence skills create well-being among individual staff members. Knowing one’s self well enhances the ability to identify emotions in others and recognize their strengths and abilities. Identifying positive traits in clients can promote hope and optimism, thereby promoting self-efficacy. Ronel and Segev found self-efficacy, optimism and hope for the future as fundamental components of desistance, which is described as the point when one ceases to commit crimes. Positive criminology and desistance, in leading clients toward a different lifestyle, become crucial for creating holistic justice. Additional frameworks, referenced below, can help support and promote a holistic and emotionally intelligent justice model.

**FRAMEWORKS FOR FURTHERANCE**

Restorative justice principles are key to a holistic justice framework. Barbara Toews, professor at the University of Washington, describes restorative justice as “a way to do justice that actively includes the people impacted by the crime.” Restorative justice reflects positive criminology through the emphasis of social inclusion. Mediation, for example, unites offenders with victims and community members to discuss the harm their crime has caused and to collaborate on solutions for reparation. The program respects all participants’ contributions and gives each a voice so as to restore individuals and repair damaged relationships.

According to Sherman, restorative justice aligns with procedural justice as they both demonstrate the emotional consequences a simple demeanor can have while speaking with clients. Tom R. Tyler, professor at Yale Law School, describes an aspect of procedural justice as treating people with respect, thus legitimizing the law. Research shows that communication patterns between officials and clients are more important in client compliance than the content of the decisions officials make. People will obey laws when they view the criminal justice system as acting justly. Sherman underscores this notion in his assertion: “Understanding how to avoid provoking such emotions as defiance, anger, and humiliation may be more important than understanding how to instill a desire to obey the law.” In addition, incorporating restorative justice practices can be used to emotionally engage offenders and increase their commitment to rehabilitative programming.

Positive criminology primarily differs from other criminological paradigms by focusing on limiting crime through a holistic emphasis on unifying and integrating themes that not only include individual, group and social levels, but also include a spiritual component. In his article, “Anomie, Spirituality, and Crime,” criminal justice professor Randy Martin defines spirituality as “that which is beyond the self, and yet, somehow part of the self.” Martin identifies it as the experienced connection one has with others and with the world, incorporating a responsibility not only to one’s self, but to others as well. Restorative justice processes, such as mediation and talking circles, provide the opportunity to connect with others during difficult dialogue.
Talking in circles

ROPES incorporates talking circles into its program, which demonstrate themes inherent in emotional intelligence and positive criminology. Talking circles — an ancient Native American dialogue process often associated with restorative justice — provide a safe space for inmates to practice talking about delicate issues, share long-suppressed emotions and process accountability. ROPES invites all participants to speak in the circle. The participants pass a talking piece from person to person, and only the person holding the talking piece may speak. While in the circle, participants are self-monitoring and may speak for as long as desired, unencumbered, or they may pass the talking piece without speaking. The choice to participate in the circle allows each member agency, autonomy and authority over their own voice, offering a stance not often associated with incarcerated individuals. Researchers Marieke Liem and Nicholas Richardson’s research on agency reflects desistance patterns associated with prison programs that affect the inmates’ sense of agency.25

The circle knows the facilitator as the circle keeper who participates in the activities, modeling positive criminological qualities of forming bonds and creating social capital. In his article, “Network Facilitation and Social Capital,” Toran Hansen defines social capital as “the resources and social support that members can access through the reciprocal obligations and expectations that they incur with one another.” He further states, “Networks of personal relationships can also be an invaluable form of personal support, providing individuals with social support (information, companionship and empathy) … to enhance their physical and mental well-being, which can buffer the effects of life crises.”26 Social capital involves learning to understand one another, build trust and create connections, which will enhance problem-solving. It plays a prominent role in desistance research.

The emotional expression circle, used in ROPES, invites participants to discuss emotions evoked through family interactions and has proved particularly enlightening. The facilitator asks participants to recall a family occasion, describe the occasion (such as birthday parties, holidays or funerals), and discuss the emotion it generated. As always, participants may decline to participate if they choose. Circle participants

<table>
<thead>
<tr>
<th>Theme</th>
<th>Corresponding statements</th>
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<tbody>
<tr>
<td>Positive modeling</td>
<td>If somebody had a comment or a question, she would let them talk, she wouldn’t cut people off, she wouldn’t keep going and talk over others, and she was always genuinely interested in the comments of others as well.</td>
</tr>
<tr>
<td>Encouragement</td>
<td>She didn’t dismiss them, she addressed them or commented on them, encouraged them in their progress, and was always willing to give help and suggestions.</td>
</tr>
<tr>
<td>Positive modeling</td>
<td>I respect and I also just appreciated how she’s just educated, she has a solid education, she’s working on a dissertation, and I have a significant amount of respect for that, but at the same time, she didn’t place herself on a pedestal because of it.</td>
</tr>
<tr>
<td>Goodness</td>
<td>I just have a lot of respect for Chris and the fact that she dedicates time to coming here and that she sees value in helping people in this type of a situation refine themselves and hopefully be a little better when they leave.</td>
</tr>
<tr>
<td>Humor</td>
<td>She brought good humor, she told stories, and I loved that she demonstrated that she was human.</td>
</tr>
<tr>
<td>Positive influence</td>
<td>Um without her, I mean I wouldn’t be who I am today.</td>
</tr>
<tr>
<td>Positive modeling</td>
<td>She wants to get her little Ph.D. and I hope she can be the voice for us because we need a unifying and voice for us … It was a pleasant experience and, uh, I hope that she goes on and you go on to be the change like change, like you wanna do.</td>
</tr>
<tr>
<td>Spirituality</td>
<td>Like I said in the letter, there’s not much you can do to put it in somebody’s head, but if you touch one person, ya know, make a difference in their life, it’s gonna make a difference in a lot of people’s lives, man.</td>
</tr>
</tbody>
</table>
have shared happy occasions, such as the birth of a child or a special holiday, while others have recounted heart-breaking stories, such as the death of a parent, child or loved one. The circle provides participants the opportunity to express emotions appropriately in a safe space, as well as practice active listening and experience empathy. In the process, participants have expressed the realization they’re not alone in experiencing hard times, and they often notice and identify the resilience of other participants. This experience creates connections among circle members and generates an internal experience of goodness through acknowledging the strengths of others.

These circles are holistic in nature, encompassing psychological-, physical-, emotional- and spiritual level processing while inmates can support, share and connect with others. The program emphasizes emotional intelligence through self-awareness, appropriate emotional expression and empathy. In addition, circles prove ideal for practicing impulse control and experiencing the power of narrative.

Returning to the assessment, Participant 9 shared feedback in the research about what the talking circle taught him. “It just taught me to pay attention to certain things, and she [the facilitator] does this thing with plates, and she would sit us down in a circle, and I think one of the cool things she taught me was to sit in a circle and pay attention to others.” Participant 4 revealed how the talking circle helped him: “Circle stood out for me because it was, it felt like I wasn’t being judged. I could say whatever I needed to, get it off my chest and it was gone. It wasn’t going to come back. Circle was really helpful to me.”27 Those in correctional rehabilitation use talking circles as one method of introducing aspects of positive criminology to inmates.

WHAT CAN WE DO?

Using positive criminology as a foundation in criminal justice work provides philosophical mooring to navigate the frustrations of working with a complicated demographic. Striving to exhibit prosocial behaviors, as mentioned above combined with solution-focused and strength-based praxes reflects the central concepts for ROPES, which embrace “reaching out” beyond one’s self to affect others. Strengthening relationships between criminal justice practitioners and clients demonstrates core concepts of positive criminology, restorative justice and an emotionally intelligent justice system. While existence in a lock-down facility offers constant reminders of the reality of poor choices, a positive criminology paradigm changes the environment to allow participants to think beyond bars and stripes and move toward successful reentry and desistance.

Table 1 provides examples of research data associated with positive criminology themes used throughout the course. Participant 7 shared an example of positive modeling in an interview, stating, “If somebody had a comment or a question, she would let them talk. She wouldn’t cut people off, she wouldn’t keep going and talk over others. She was always genuinely interested in the comments of others as well.” Participant 8 highlighted the use of humor in the training model, saying, “She brought good humor. She told stories, and I loved that she demonstrated that she was human.”28

Strengthening relationships between criminal justice practitioners and clients demonstrates core concepts of positive criminology

Involvement in the criminal justice field is exciting and confusing. The discernable disconnect between criminal justice professionals and the public finds itself as ubiquitous as the need for a paradigm shift. Does practicing positive criminology help create a more emotionally intelligent and holistic justice system and contain necessary elements to become a catalyst for change? This remains to be seen. The system as a whole is being scrutinized, and monumental efforts toward bipartisan legislation reform are underway. Meanwhile, programs incorporating holistic and emotionally intelligent paradigms have found footing with ongoing research and show merit. In addition, research related to positive criminological practices dovetails with recent neuroscience research on motivation and cognitive behavioral shifts.29

As with any budding paradigm, shifts in ideology and practice take time and effort. Sherman was quick to acknowledge that renovating the justice system will take courage and cautions against overreacting to negative results, stating, “Success is gained just as much from negative results as from positive ones, especially in the avoidance of harm.”30 There is
little doubt that a criminological makeover is on the horizon. The question remains who will be heading the process and what tools will be implemented? Understanding, practicing and sharing positive criminology emboldens practitioners to embrace unique approaches within the system, which makes strides toward an emotionally intelligent justice system. In the end, it really does matter.

ENDNOTES


5 Ibid.

6 Ibid.


9 Ibid.

10 Ibid.


14 Ibid.


16 Wilson, C. R. (2016).


28 Ibid.


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