LESSON
Time Served—Now What?

OVERVIEW
The United States currently incarcerates a higher percentage of its population than any other nation—more than 2 million people are behind bars in American prisons and jails. As a result, many students’ lives have been touched by incarceration. In 2015, President Obama became the first president to visit a prison while in office, further highlighting criminal justice reform as a political issue.

The vast majority of those serving time will eventually be released. And in too many cases, neither former prisoners nor their families or communities are prepared for reentry.

This lesson intertwines fictional writing (ELA) with policy research and teamwork (civics/government) to engage students in an examination of these issues. The lesson uses clips from The Return—a film about people who had been sentenced to life in prison under California’s “Three Strikes Law” and due to passage of a voter reform initiative (Prop 36) are now being released—to humanize policy discussions.

POV offers a lending library of DVDs that you can borrow anytime during the school year—FOR FREE! Get started by joining our Community Network.

OBJECTIVES
By the end of this lesson, students will:

- Research reentry practices in their community or state and have a deeper understanding of what the experience of reentry is like for former prisoners and their families
- Write a fictional diary entry from the perspective of a prisoner about to be released or a family member of that prisoner
- Be able to define and understand the effects of strict sentencing laws, using California’s Three Strikes Law as a case study
- Use film clips (as well as online resources) for research
- Work in teams to problem-solve
- Prepare and deliver 5-minute in-class presentations

GRADE LEVELS: 9-12
SUBJECT AREAS
English/Language Arts (fiction writing) Psychology/Human Services
Government/Civics Sociology

MATERIALS
- Film clips from The Return and equipment on which to show them
- Internet access for research

ESTIMATED TIME NEEDED
Two 25-minute in-class sessions and one full class session, plus homework.

FILM CLIPS
Film clips provided in this lesson are from The Return.

Clip 1: “Three Strikes” (1:40 min.)
The clip starts at 2:51 with a slate that says, “In 1994, California voters passed ‘Three Strikes’—one of the harshest sentencing laws in U.S. history.” It ends at 4:31 with a slate saying, “In 2012, California voters passed Prop 36 to reform Three Strikes—the first time in U.S. history that citizens shortened sentences of the currently incarcerated. Overnight, thousands of lifers became eligible for release.”

The clip features attorneys Mike Romano, founder and director of Stanford’s Three Strikes Project, and Susan Champion, who works for the same organization. They describe their inspiration for working to change the Three Strikes policy, including cases of men sentenced to life for nonviolent crimes, racial disparities in sentencing and the prevalence of nonviolent offenders with mental health and/or substance abuse issues.

Clip 2: “Kaylica’s Letter” (1:45 min.)
The clip starts at the beginning of the film at 00:12 and stops just before the film title at 1:57.

Twenty-four-year-old Kaylica Anderson reads a letter she has written to the judge presiding over the possible release of her father, Kenneth Anderson. After snatching a purse in 1996, Kenneth was sentenced to life under California’s Three Strikes Law, but due to passage of the reform, he is now eligible for release. With her mother looking on, Kaylica talks about the importance of having a father present in her life and a grandfather for her young daughter.

Clip 3: “Shane & Bilal” (6:32 min.)
The clip starts at 30:00 with attorneys Romano and Champion going to visit Shane, a client who has been released. It ends at 36:32 with Bilal saying good-bye to his weightlifting partner.

The attorneys wonder if they are doing enough to help their clients adjust to their new lives. Shane shares some of the challenges of adjusting to life outside of prison, including concerns about having too much freedom. Then Bilal, who lives at a reentry center, works to create a résumé and talks about his past experience being released with no support or transitional housing.
Clip 4: “Kenneth” (3:35 min.)
The clip starts at 36:46 with Kenneth driving with his son and ends at 40:21 with Kenneth talking about how hard it is to reconnect with his family and saying, “I really got set back more than just going to prison.”

Kenneth runs into unexpected obstacles enrolling in a trade school. He also talks about how his kids grew up while he was in prison and now they have babies. He also shares his difficulty re-establishing a bond with his ex-wife (with whom he has been living).

ACTIVITY

SESSION 1

Introduction
Ask students what they know about so-called “three strikes” laws. There are versions of such laws in 28 states. If your state is one of them, be sure students know about the law that governs their state. If they need information, take a few minutes and let students read the summary at www.legalmatch.com/law-library/article/three-strikes-laws-in-different-states.html. If appropriate, do a short media literacy “noticing” about what sort of site this is (a commercial site to sell legal services) and what that implies about the validity of the information.

If time allows, you may also want to examine with students the list of crimes that are classified as violent. Do they line up with students’ expectations? Do students agree with all the classifications?

Show Clip 1
To make the theoretical policy concrete, show and briefly discuss the first clip. For context, explain that the source of the clip is a documentary called The Return and provide a brief description of the film. Pause on the final slate so it remains visible.

Writing Assignment/Clip 2
On screen it says, “In 2012, California voters passed Prop 36 to reform Three Strikes—the first time in U.S. history that citizens shortened sentences of the currently incarcerated. Overnight, thousand of lifers became eligible for release.” Ask each student to imagine that they are one of those lifers on the night prior to their release, or that they are a child of an ex-lifer who is about to be released. As homework, assign them to write one- to two-page diary entries about what they are thinking. To help them prepare for that assignment, show Clip 2.

Recommended: Have students post their work to a class wiki or website so they can see and comment on what classmates have written.
SESSION 2

Writing Review
After students have turned in their writing assignments, invite them to share what they discovered by trying to see through others’ eyes. After students have exchanged insights, steer the conversation to what students learned about what prisoners who are being released need to succeed on the outside.

As time allows, or as an extension activity, integrate discussion of the following:

What structural forces may be contributing to the statistics below?
  - In the United States, African Americans are incarcerated at more than six times the national average.¹
  - The incidence of mental illness is two to four times higher among people who are incarcerated than among the general population.²
  - Three quarters of those released from prison have a history of substance abuse.

What factors might lead to one individual having more less opportunity than another?

Should addiction be treated as a public health or a criminal justice issue? How about mental health?

Assignment 2: Developing a Reentry Plan and Resources
Divide students into teams of four to six. Assign each team to come up with its own set of recommendations for a reentry process in the community. Their recommendations should, at minimum, address:
  • items given by the prison to departing prisoners (e.g., a bus ticket, clothes)
  • housing
  • employment
  • support for family members

Encourage students to consider what services those with addiction and/or mental health issues might need.

Let teams know that they will be expected to give five-minute presentations of their plans in class on a date you designate.

Research
In order to create their plans, students should research existing reentry practices in their community. The websites in the Resources section can be a good place to begin that research.

To help get students started, remind them of the clips from The Return (the documentary clips they saw in Session 1). Show Clips 3 and 4, advising students to take notes about what these former prisoners seem to need in order to adjust to life outside prison walls.

SESSION 3

After teams have had ample time to conduct their research and prepare presentations, have students share their plans. Give plenty of time for students to comment on each other’s work.

Optional: Let students choose the strongest features of their various plans and advocate in their community to have the plans implemented. Use any remaining class time to guide students in designing a strategy for getting their community to adopt their ideas.

EXTENSIONS/ADAPTATIONS

1. Have students investigate the history of three strikes laws and their current use and effectiveness, then hold a debate with one side arguing for and the other arguing against the laws.

2. Invite students, family members of students and/or people from the community who have been incarcerated and released to share their stories.


4. Invite students to reflect on the similarities and differences between their fictional diary entries and other literature they have read that includes descriptions of life behind bars (e.g., Martin Luther King’s “Letter from a Birmingham Jail,” The Autobiography of Malcolm X, Nelson Mandela’s Conversations with Myself).

RESOURCES

The Film
POV: The Return
http://www.pbs.org/pov/thereturn/
The film’s official **POV** site includes a discussion guide with additional activity ideas and resources.

**The Return Project**  
[thereturnproject.com](http://thereturnproject.com)  
The film’s official website provides information on the film and filmmakers, as well as a link to a *New York Times* Op-Doc by the filmmakers. The Facebook page may also be of interest: [facebook.com/thereturnproject](http://facebook.com/thereturnproject)

POV: Media Literacy Questions for Analyzing POV Films  
This list of questions provides a useful starting point for leading rich discussions that challenge students to think critically about documentaries.

**Fair Shake**  
[www.fairshake.net](http://www.fairshake.net)  
Fair Shake is a reentry resource center dedicated to reducing the recidivism rate through personal and community focused ownership and engagement opportunities for currently and formerly incarcerated individuals in connection with families, employers, property managers, corrections workers and communities.

**Federal Bureau of Prisons: Resources for Former Inmates**  
[https://www.bop.gov/resources/former_inmate_resources.jsp](https://www.bop.gov/resources/former_inmate_resources.jsp)  
This Federal Bureau of Prisons page includes a handbook in English and Spanish with checklists, helpful tools and resources for returned citizens, employment assistance info and other resources.

**National HIRE Network: Resources, Information and Assistance**  
[http://hirenetwork.org/clearinghouse](http://hirenetwork.org/clearinghouse)  
This clearinghouse links to state-specific governmental agencies and community-based organizations to assist people with criminal records, practitioners, researchers and policymakers. It may be of assistance in providing job-related and legal services, answering questions arising from having a criminal record and offering referrals to other useful organizations.

**National Reentry Resource Center**  
[https://csgjusticecenter.org/nrrc](https://csgjusticecenter.org/nrrc)  
This clearinghouse of resources and stats from the Council of State Governors is searchable by state.

This short Op-Doc by the directors of *The Return*, Katie Galloway and Kelly Duane de la Vega, profiles a former prisoner in California who provides rides to men just released from life sentences.
Stanford Justice Advocacy Project
https://law.stanford.edu/stanford-justice-advocacy-project/
Formerly the Three Strikes Project (featured in the film), this Stanford Law School program provides information on reentry, policy analysis, justice system reform and more.

Three Strikes Law
This site provides a good short summary of three strikes laws.

STANDARDS

Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science and Technical Subjects
(http://www.corestandards.org/assets/CCSSI_ELA%20Standards.pdf)

W.11-12.3 Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details and well-structured event sequences.

W.9-10.2d Use precise language and domain-specific vocabulary to manage the complexity of the topic.

W.11-12.2d Use precise language, domain-specific vocabulary and techniques such as metaphor, simile and analogy to manage the complexity of the topic.

W.9-10.4, 11-12.4 Produce clear and coherent writing in which the development, organization and style are appropriate to task, purpose and audience.

SL.11-12.1 Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups and teacher-led) with diverse partners on grades 11–12 topics, texts and issues, building on others’ ideas and expressing their own clearly and persuasively.

SL.11-12.2 Integrate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, orally) in order to make informed decisions and solve problems, evaluating the credibility and accuracy of each source and noting any discrepancies among the data.

SL.11-12.4 Present information, findings and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed and the organization, development, substance and style are appropriate to purpose, audience and a range of formal and informal tasks.
SL.11-12.6 Adapt speech to a variety of contexts and tasks, demonstrating a command of formal English when indicated or appropriate.

Content Knowledge: (http://www2.mcrel.org/compendium/) a compilation of content standards and benchmarks for K-12 curriculum by McREL (Mid-continent Research for Education and Learning).

Language Arts, Standard 1: Uses the general skills and strategies of the writing process.
Language Arts, Standard 2: Uses the stylistic and rhetorical aspects of writing.
Language Arts, Standard 8: Uses listening and speaking strategies for different purposes.
Language Arts, Standard 9: Uses viewing skills and strategies to understand and interpret visual media.
U.S. History, Standard 31: Understands economic, social and cultural developments in the contemporary United States.

ABOUT THE AUTHOR
Faith Rogow, Ph.D., is the co-author of The Teacher’s Guide to Media Literacy: Critical Thinking in a Multimedia World (Corwin, 2012) and past president of the National Association for Media Literacy Education. She has written discussion guides and lesson plans for more than 250 independent films.