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IMPROVING CRIMINAL LEGAL SOCIAL WORK EDUCATION WITH SOCIAL JUSTICE  
TENETS: A CONVERGENT-PARALLEL MIXED-METHODS STUDY

BY

ALLISON AVANELL CARRINGTON

DISSERTATION

Submitted in partial fulfillment of the requirements  
for the degree of Doctor of Philosophy in Social Work  
with a minor in College Teaching  
in the Graduate College of the  
University of Illinois Urbana-Champaign, 2023

Urbana, Illinois

Doctoral Committee:

Associate Professor Liliane Cambraia Windsor, Chair, Director of Research  
Professor Douglas C. Smith, Chair, Director of Research  
Teaching Professor Brenda Coble Lindsey  
Professor Tina Maschi, Fordham University

## ABSTRACT

**Background:** The history of punishment through correctional control dates back to the colonization of the United States. Today, many policies and programs continue to exist that criminalize and punish substance use, distribution, manufacturing, and trafficking; sex trades; Black communities; and unhoused people. Although states have enacted decriminalization and decarceration policies and prison populations have substantially declined, the effects of the War on Drugs continue to harm and oppress system-impacted individuals. As a profession that seeks to fulfill social justice, social workers can exercise their knowledge, values, skills, and affective processes to meet multifaceted needs, restore well-being, and address harm. However, limited knowledge exists on criminal legal social work education. This dissertation fills this gap by aligning the profession's mission of social justice; infusing social justice tenets with anti-racism, anti-oppression, and anti-discrimination; and providing opportunities to educate students and practitioners for social work practice in direct and indirect criminal legal settings.

**Methods:** I conducted a convergent-parallel mixed-methods study. In this dissertation, three articles were developed. The first article contained a scoping review with a comprehensive search strategy of criminal legal social work content and the application of qualitative deductive content analysis. The second article collected data from BSW and MSW Program Directors with a 35-item quantitative survey that collected individual, program, and institutional demographics; identified factors that benefitted and burdened the program's ability to incorporate criminal legal content; compiled criminal legal curricular offerings and topics offered by participants' programs; and investigated participants' perspectives of criminal legal issues and initiatives. The third article centered Nicotera's (2019) seven tenets of social justice for the social work profession in the construction of a theoretical framework on criminal legal social work content.

This article combined the results from the first two articles and recent studies, applied grounded theory methodology and a critical realist lens, and mapped recommendations for explicit and implicit criminal legal social work content.

**Results:** Results from the three articles indicated that there was limited criminal legal content offered to social work students and practitioners, both in BSW and MSW programs and in continuing education programs. Thus, the working theoretical framework and curricular recommendations, as presented in Chapter 5, can guide social work BSW, MSW, and continuing education programs toward infusing criminal legal content into the explicit and implicit curricula.

**Discussion:** The proposed theoretical framework and curricular recommendations for criminal legal social work education has the potential to advance the preparation of social work students and practitioners. I contend that social work educators acknowledge the structural racism and classism embedded in the criminal legal system, the harm of the criminalization of substances against Black and economically-distressed Americans, and the inadequacy of current criminal legal policies and programs. Additionally, I encourage social work educators to examine their explicit and implicit curricula and infuse criminal legal justice content throughout the core social work curriculum. With the findings from this dissertation, the social work profession has the ability to learn and apply multifaceted approaches that move the criminal legal system toward reform and abolition.

*This dissertation is dedicated to those who have ever experienced police brutality, unjust investigation and adjudication, incarceration, court-mandated supervision, and permanent punishments. This dissertation is dedicated to you, your families and loved ones, and your communities.*

## ACKNOWLEDGEMENTS

I'd first like to thank my parents. To my mom, who was the first to suggest that I study social work when I was a junior in high school. To my dad, who helped me find my first field placement. Thank you for supporting me in every way, and thank you for helping me receive the help I needed when I was struggling. I wouldn't be the best version of myself without you. I wouldn't be tapping into my empathic nature, intellectual curiosity, and persistence without you. I wouldn't be pursuing a PhD—let alone completing one—without you. Thank you to my immediate family: siblings Austin and Jenni; brother-in-law Brian; pets Vega, Ryder, Bear, Cadence, and Ranger; and baby Gard. Thank you to my second family: Ron, Lori, Ashley, Luke, Leighton, Reagan, and the countless cats. We miss you, Diesel, Silas, and Stone, and thank you for holding such a special place in my heart. And, thank you to my grandparents: Avanell, John, Lonnie, and Sue. Although you aren't here with me, you will always be in my heart.

I'd like to thank my committee. Thank you, Dr. Lili Windsor and Dr. Doug Smith. Your support and guidance throughout these last six years—from an MSW student to a PhD finisher—has not gone unappreciated. Thank you, Lili, for setting high expectations that challenged me to become a better writer and researcher. Thank you, Doug, for your kindness, listening ear, understanding, and thoughtful feedback. I would not have made it without your co-mentorship. Thank you, Dr. Brenda Lindsey and Dr. Tina Maschi, for your encouragement, thoughtful insights, and verbal and written feedback. Thank you all for being a part of my dissertation committee.

I'd like to thank my peers. My cohort—Dr. Brandie Bentley, Dr. Wendy Hsieh, Dr. Shongha Kim, Dr. Vanessa Parker, and Dr. Kang Sun. Thank you for the co-learning, writing sessions, and happy hours. I miss being on campus with you, but I am so excited for your future

endeavors, wherever they take you. Thank you, Dr. Kelly Clary, for providing wisdom, advice, and support. You're one of the major reasons why I've pushed through to where I am today. Thank you to Tiffany Laursen and Jenny Evans for being a listening ear and helping me feel connected to campus, even when I moved away. Thank you for not forgetting about me.

Thank you, Dr. Amy Boyd. Without *Write the Damn Dissertation*, I would still be stuck. I can't name everyone, but I'd like to name a few who have made a profound impact in my life. Thank you, Dr. Kimberly Stewart, for being my July 2021 cohort partner, sharing your passion for justice in the criminal legal system, giving me "tough love" in a way that I could receive, checking in with me, and providing your unconditional support. Thank you, Dr. Yvette Morrell, Dr. Stephanie Silva, Dr. Amber Kelly. You are great coaches, and I appreciated each of you for sharing your disciplinary expertise; providing tips that helped you Phinish; and holding spaces during the workshops, coffee talks, and weekly check-ins. Thank you, Dr. Tara Sievers-Hunt, for sharing your musical expertise, qualitative expertise, and intuitive metaphors. Thank you for challenging us as we pursued our journeys toward becoming our Dr. Selves. Thank you, Dr. Luciana Lilley, for modeling self-love, creating the Phinishers group, and leading us to our respective Phinish lines. Thank you to everyone in the Phinishers group, including (but not limited to): Dr. Kristie Ellison, Dr. Laura Lyndon, Dr. Helene Beaulieu, Krystl Raven, Annie Marks, Liz Todak, and Angela Richard. Thank you, Dr. Vicki Pattison-Willits, Dr. Minnie Amman, Dr. Betty Ann Robinson, Dr. Christa Mylin (and Milo!), Elizabeth-Rose Amidjogbe, Amy Semerjian, and Tarina Cox-Jones, for being amazing Pom session leaders, modeling self-love and persistence, and *being* the sense of community. Thank you, Sonia Figueroa Reillo-Pagan, Linda Akuamoah-Boateng, Janet Vallejo, and Cathy Cullicott, for being there for me

during my final push. You've got this. We've got this. Thank you for dragging me across the finish line.

Thank you, Dr. Carolyn Wisniewski and the Writers Workshop, for giving me the opportunity to improve my writing skills and give back to the Illinois community for the past two and a half years. Thank you, Debbie Carrier and Kim Savage, for providing administrative services and treating us so well! Thank you, Dr. Autumn West, Dr. Tiffany Harris, Rayven Morrow, Dr. Liz Matresse, Neal Liu, Elizabeth Schwartz, Dr. Tim Bostwick, and Dr. Vanessa Parker, and every other consultant who has helped me finish my dissertation. Without you and the entire team at the Writers Workshop, we wouldn't have an inclusive, affirmative, or person-centered culture of writing at Illinois. Without the Writers Workshop, I wouldn't have been able to complete this dissertation. From body doubling to skill enhancement, the Writers Workshop has taught me more than I ever could have dreamed.

I'd like to thank my mentees. Yitong Wang and Alina Loewenstein—thank you for joining me on my journey to completing my Qualifying Papers, particularly the Comprehensive Literature Review. Mallory Klostermann, Cache Merriweather, Julia Kreczko, and Ella Corriere—thank you for joining me on my journey to passing my proposal defense and collecting survey data. It was a privilege to work with you, and I can't wait to see all that you achieve.

Finally, I'd like to thank my husband, Connor. Thank you for joining me on this journey. When we first met, we never thought I'd pursue a PhD. With five additional years of schooling, your strength has kept me going. Thank you for sharing all of you, from your amazing sense of humor and persistence to your "tough love" and stubbornness. Thank you for putting up with my night schedules and missed deadlines. Thank you for supporting me through my struggles and

being my body double. Thank you for your validation of my entire, authentic self. I can't wait to enjoy the next chapter of our lives with you and our future cats.

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## CHAPTER 1: INTRODUCTION

### 1.1 Problem Statement

Historically, the social work profession has coined the term “social justice” as central to the profession’s overarching mission. Today, this term is found across social work programs’ mission statements and course titles (Rubin & Mytelka, 2022), and is central to social work practice with clients (Asakura et al., 2020). In educational settings, social justice has been taught through a variety of theoretical and conceptual frameworks, such as person-in-environment, social ecological, and biopsychosocial perspectives (Lee et al., 2022). In this way, social justice education has prepared students and practitioners to work with people impacted by the criminal legal system.

Criminal legal social work content has garnered more attention, particularly in the past two decades. However, a conceptual-theoretical dichotomy continues to exist in the social work curriculum. Specifically, social work programs have taught social justice as an abstract concept (Funge et al., 2020), rather than as a theoretical framework that can be applied to the criminal legal system. To create a working definition of social justice for the social work profession, Nicotera (2018, 2019) created seven tenets (hereinafter referred to as “the seven Es”) that call for the critical examination of societal injustices and the transformation of social work pedagogy (see Chapter 1.2). By concretely defining and incorporating social justice theoretical tenets into the social work curriculum, the profession’s educators, researchers, and practitioners can strengthen Bachelor of Social Work (BSW) and Master of Social Work (MSW) curricula to fulfill the profession’s social justice mission.

To enhance criminal legal social work education in BSW, MSW, and continuing education programs, I completed a three-article, convergent-parallel mixed-methods dissertation

centered in Nicotera's (2019) seven Es. In the first article (Chapter 3), I utilized scoping review methodology (Arksey & O'Malley, 2005; Levac et al., 2010; Tricco et al., 2018) to a) identify explicit and implicit curricula that has been studied by social work researchers and b) examine how criminal legal content has been taught to BSW students, MSW students, and social work practitioners. After identifying 35 articles that met inclusion criteria, I conducted a qualitative deductive content analysis (Elo & Kyngäs, 2008) and reported the findings based on three pre-determined categories: 1) incorporation methods, 2) topic of implicit curricula, and 3) pedagogical tools and approaches. In the second article (Chapter 4), I created a 35-question survey that was disseminated to all Program Directors from United States CSWE-accredited BSW and MSW programs with Accredited and Candidacy status. Participants ( $n = 75$ ) responded to demographic questions at the institutional, program, and individual levels. Additionally, participants identified four areas of explicit and implicit criminal legal content offered in their programs: 1) criminal legal curricular offerings, 2) topics and focus areas that directly and indirectly involved the criminal legal system, 3) participants' level of agreement with criminal legal issues and initiatives, and 4) factors that benefitted or burdened the incorporation of criminal legal content. With this survey data, I conducted an exploratory factor analysis on participants' attitudes toward popular phrases on criminal legal issues (EFA, de Winter et al., 2009) and identified three factors: punitive phrases, reformative phrases, and abolitionist phrases. In the third article (Chapter 5), I applied a critical realist lens and constructivist grounded theory methodology (Bhaskar, 1978; Bhaskar & Charmaz, 2006, 2017; Corbin & Strauss, 1990, 2008; Danermark, 2006; Danermark et al., 1997; Hoddy, 2019) to create a theoretical framework on criminal legal social work education that aligned with Nicotera's (2019) seven Es. I triangulated the findings from the scoping review and survey by transforming

the survey data into qualitative thematic data (Srnska & Koeszegi, 2007). After combining the themes identified in the scoping review and survey data, I infused the themes into each social justice tenet. Finally, I provided recommendations for each core course in CSWE-accredited social work programs (CSWE, 2022).

The three articles in this dissertation addressed the synthesis between research, education, and practice and produced concrete recommendations for criminal legal social work education that aligned with Nicotera’s (2019) seven Es. Thus, this dissertation provided the social work profession with foundational content that has the potential to address racism, classism, and other social injustices systemically embedded in the criminal legal system.

## 1.2 Definition of Terms

The following terms will be utilized throughout this dissertation, as defined in Table 1.1. Terminology from the Underground Scholars (Cerda-Jara et al., 2019), Illinois Coalition for Higher Education in Prison (IL-CHEP, 2023), and the Fully Free campaign (n.d.) have been quoted directly to maintain the integrity of the definitions and appropriately credit the authors.

**Table 1.1: Key Terms and Definitions**

<b>Term</b>	<b>Definition</b>
Abolition	The eradication and replacement of oppressive systems. This dissertation defines abolition as the dismantling and replacement of the criminal legal system.
Bachelor of Social Work (BSW)	A social work program at the baccalaureate level. In this dissertation, BSW programs include a Bachelor of Social Work degree, a Bachelor of Science in Social Work (BSSW) degree, and a Bachelor of Arts or Science degree with a major in Social Work (BA/BS in Social Work).
Carceral system	“a comprehensive network of systems that rely, at least in part, on the exercise of state sanctioned physical, emotional, spatial, economic and political violence to preserve the interests of the state. This includes formal institutions such as, law enforcement and the courts, surveillance and data mining technology, NGO / non-profit consultants, conservative criminologists, those who manifest and/or financially benefit from modern slave labor, corporate predation on incarcerated people and our communities, the counterinsurgency in communities of color through

<b>Table 1.1: Key Terms and Definitions (cont.)</b>	
Carceral system (cont.)	‘soft-policing’, etc.’ (Cerda-Jara et al., 2019). In this dissertation, this term will be used synonymously with “criminal legal system”.
Criminal courts	The branch of the criminal legal system that adjudicates people accused of engaging in criminalized behaviors as “guilty” or “not guilty”.
Criminal legal social work education	Education that involves direct and indirect criminal legal social work practice.
Criminal legal system	The governmental system in the United States that employs three branches—law enforcement, criminal courts, and corrections—charged with responding to criminalized behaviors. In this dissertation, this term will be used synonymously with “carceral system”.
Criminalized behaviors	Behaviors considered illegal by federal, state, and local laws.
Corrections	The branch of the criminal legal system that supervises people who are adjudicated “guilty” of criminalized behaviors. This branch includes probation, parole, and incarceration in jails and prisons.
Direct criminal legal social work	Social worker research, education, and practice in criminal legal settings. Roles may include police social workers, expert testers in criminal court cases, probation and parole officers, and jail and prison social workers.
Direct impact	A person who experiences an arrest, conviction, and/or incarceration sentence through the criminal legal system (IL-CHEP, 2023).
Explicit curriculum	The curriculum that is provided and taught by a social work program (CSWE, 2022). Examples of programmatic offerings include dual and joint degrees, concentrations and focus areas, majors, minors, certificates, courses, and course topics.
Implicit curriculum	The components that convey the culture of a social work program. Examples include administrative and faculty support; attitudes and perspectives of students, faculty, staff, and administration; program resources and support services; and anti-racism, diversity, equity, and inclusion (A DEI) initiatives (CSWE, 2022).
Indirect criminal legal social work	Social workers that are not engaged in direct research, education, and practice in criminal legal settings but their work involves system-impacted people. Examples may include social workers who provide court-mandated treatment, housing for people with felony records, education for students with a criminal record, and job training for people with a criminal record.
Indirect impact	A person who has not experienced an arrest, conviction, or incarceration sentence, including “partners, parents, children, and/or siblings who experience significant disadvantages because a loved one is incarcerated” or otherwise directly impacted by the criminal legal system (IL-CHEP, 2023).
Law enforcement	The branch of the criminal legal system that enforces laws by responding to and investigating accusations of criminalized behaviors. In the United States, this branch is also known as the “police”.
Liberation	Freedom from oppressive and discriminatory social contracts.

**Table 1.1: Key Terms and Definitions (cont.)**

Master of Social Work (MSW)	A social work program at the master’s level. In this dissertation, MSW programs include a Master of Social Work degree, Master of Science in Social Work (MSSW) degree, and a Master of Arts or Science degree with a major in Social Work (MA/MS in Social Work).
Nicotera’s seven Es	A definition of social justice for the social work profession, as defined by Dr. Anthony Nicotera (2019) in seven tenets (i.e., “the seven Es”). The seven Es include: equity, equality, empowerment, environment, engagement, education, and enlightenment.
Permanent punishments	“barriers that deny or restrict rights and opportunities” for system-impacted individuals (Fully Free, n.d.)
Program Director	An administrator who oversees a BSW or MSW program’s curriculum and the students enrolled in the university’s BSW or MSW program.
Rehabilitation	An approach utilized by the criminal legal system that attempts to correct and treat criminalized behaviors. Examples of rehabilitation may include mental health and substance use treatment, education, and job skills training.
Restorative justice	An approach that addresses the harms and impacts of criminalized behaviors on interpersonal relationships. This approach gathers a person who caused harm and a harmed party, and may include community stakeholders. Restorative justice may operate concurrently with the criminal legal system or separately from the system, including in schools, tribes, and communities. Examples of restorative justice include mediation, peacemaking circles, community reparative boards, and family group conferencing practices.
Retribution	Kant’s (1996) interpretation of social justice theory that responds to criminalized behaviors with punishment. Examples of retribution may include capital punishment (also known as the “death penalty”), incarceration, and mandated supervision through probation or parole.
Social contract	Agreements created by a state and the people who reside within the state’s jurisdiction that define moral, political, and social norms. In the United States, social contracts are referred to as “laws” or “policies”.
Social justice	The allocation and distribution of resources, services, assets, and opportunities to individuals, families, communities, and societies in a fair and equitable manner.
Social justice tenets	Components that align with social justice theory. In this dissertation, the seven Es are tenets of social justice.
Social justice theory	An interpretation of social justice by a philosopher or theorist that describes how a state’s governing body responds to breaches in the social contract. Examples may include the inequitable distribution of resources and the disruption of peace in a society. In this dissertation, a breach in the social contract refers to behaviors that are considered illegal or criminalized by federal, state, and/or local laws in the United States.
System-Impacted	“includes those who have been incarcerated, those with arrests/convictions but no incarceration and those who have been directly impacted by a loved one being incarcerated” (Cerda-Jara et al., 2019).

**Table 1.1: Key Terms and Definitions (cont.)**

Transformative justice	An approach that aims to heal, repair, and rebuild society by dismantling the state’s role in unjustly defining and administering a social contract. Transformative justice operates independently from the criminal legal system. Examples of transformative justice may include addressing racialized traumas, eradicating the root causes of harm, providing reparations, and practices that promote healing.
War on Drugs	A political campaign that formally began in 1971 to declare substances as a “America’s number one public enemy” (Richard Nixon Foundation, 2016). This campaign led to the passage of criminalized punishment for the manufacturing, distribution, and usage of substances, including mandatory minimum prison sentences, three-strikes laws, and 100-to-1 sentencing disparities between crack and powder cocaine. Additionally, this campaign funded abstinence-only educational programs, increased substance enforcement efforts, and created a substance classification schedule.

### 1.3 Reflexivity

As an intentional mixed-methods researcher, I acknowledge how my personal and professional identities and experiences center, influence, and impact my research. Although I have never been arrested or charged by the criminal legal system, I know many people with criminalized records. I currently have a friend who is awaiting a felony trial, and I have lived in a state where most people with whom I interact have an operating while intoxicated (OWI) conviction. Additionally, I work with numerous system-impacted people. As a social work practitioner, I have directly worked in criminal legal settings (i.e., in a probation department and in a medium-security prison), and I have come across system-impacted people in my roles as Research Assistant, Teaching Assistant, Writers Workshop Consultant, and Instructor. Some people are in situations where their criminalized record is disclosed (regardless of their consent), others have disclosed their criminalized record, and countless others have not disclosed.

As a person who is not directly system-impacted and is afforded many privileges as a white, educated, upper-middle-class individual, I utilize my strengths of compassion and empathy to center the voices of the people with whom I work. Regardless of my interactions

with system-impacted people, I treat each individual as a human who deserves respect, dignity, compassion, and high-quality care. Each individual with whom I work deserves equitable access to resources, liberation from oppressive structures, the ability to heal from harm, and opportunities to attain their dreams and thrive as human beings.

I acknowledge the roles of both academia and the social work profession in gatekeeping system-impacted people from obtaining higher education. In particular, background checks prevent system-impacted individuals from enrolling in baccalaureate and graduate programs, obtaining BSW and MSW field placements, applying for employment opportunities, and receiving social work licensure. Additionally, system-impacted individuals are barred from housing, lose the right to vote, face deportation, and struggle to maintain or reinstate custody of their children. While activists are working toward the restoration of these rights, the social work profession is an agent in the system that perpetuates these permanent punishments.

Finally, I acknowledge that my dissertation addresses only a few gaps in the existing research on the criminal legal system and criminal legal social work education. I started with a literature review, survey of program directors, and a theoretical framework to collect missing data within the academy and identify the next steps toward achieving social, racial, economic, and environmental justice. In my future research endeavors, my next step is to collaborate with system-impacted individuals, families, and communities. This is an essential step to ensure that the social work profession is centering the needs and well-being of system-impacted individuals, families, and communities in criminal legal social work education. Perspectives on the current state of research and education on criminal legal social work are vital, and the voices of system-impacted people are essential to tackling systemic injustices, oppression, harm, and trauma caused by the criminal legal system.

## **1.4 Background and Significance**

The following section covered the existing research relevant to this dissertation: a) theoretical interpretations of social justice, b) the criminal legal system and the social work profession, and c) social justice in criminal legal social work education.

### ***1.4.1 Theoretical Interpretations of Social Justice***

Social justice is a philosophical approach that has guided social contracts between individuals and their governing bodies. Numerous influential philosophers have contributed to social justice theory. Originally, Plato, Socrates (Plato, 1854), and Aristotle (1984) described the relationship between social contracts and lawfulness. Then, Hobbes (1651) contributed self-interest, rationality, and self-submission to authority, while Locke (1689) argued for individual liberty, property, and consent. Shortly thereafter, Rousseau (1782) described how social contracts required personal will and collective well-being, whereas Kant (1996) emphasized an individual's autonomy and sought breaches in the social contract through retributive punishment. Fifty-two years ago, Rawls (1971, 1999) published his interpretation of social justice, which emphasized justice as the fair and equitable distribution of resources. These philosophers have contended that social justice has been fundamental to an opportunistic, thriving human society. However, one key limitation of these philosophers' interpretations of social justice has been the Westernized, colonized perspective that the government protected rights, liberties, and freedoms at the individual level. This gap additionally required the protection of rights, liberties, freedoms, and opportunities at the community and societal levels; the social work perspective had the potential to advance social justice theory.

Nicotera's (2019) recent interpretation of social justice (2019) infused multicultural, multi-systems perspectives into seven tenets (i.e., "the seven Es"). These tenets have called for

the social work profession to acknowledge historical and modern acts of racism, classism, sexism, ageism, and ableism; center the voices of individuals and communities most harmed by structural harm and violence; and proactively challenge discrimination and oppression. The social work profession has the potential to apply the seven Es to enact policy changes that protect life, liberty, opportunity, and peace at the individual, community, familial, and societal levels for *all* people in the United States (see Chapter 5).

To honor and advance the social work profession's mission of social justice, I devised a convergent-parallel mixed-methods paradigm (Chapter 2), collected and analyzed qualitative and quantitative data (Chapters 3-4), constructed a theoretical framework that centered Nicotera's (2019) seven Es, and provided recommendations for curricular development and educational policies (Chapter 5). I argued that the social work profession can comprehensively provide criminal legal apply the seven Es to provide comprehensive criminal legal content for BSW, MSW, and continuing education programs.

#### ***1.4.2 The Criminal Legal System and the Social Work Profession***

Since the late 19<sup>th</sup> century, the social work profession has prioritized social justice in the criminal legal system. In the beginning, pioneer social workers fought for justice in their communities, including the management of youth in a legal system separate from adults (McNeece & Roberts, 1997; Roberts & Brownell, 1999). Since then, the profession has endorsed social work practice in criminal legal settings (Meeker, 1962). Criminal legal social workers have provided services, resources, and treatment to improve the quality of life of those accused, convicted, victimized, and impacted by criminalized behaviors (Maschi & Killian, 2011; Roberts & Springer, 2007). In particular, social workers have engaged directly and indirectly with the criminal legal system, serving as law enforcement officers, expert witnesses, competency

evaluators, mental health and substance use treatment providers, mediators, advocates, and probation and parole officers (Barker & Branson, 2000; Deardorff, 1925; Gothard, 1989; Maschi & Killian, 2011; Meeker, 1962; Robbins et al., 2014). However, the War on Drugs was one factor that contributed to how the social work profession engaged with the criminal legal system.

While the War on Drugs initially heightened social work practice in victim services and diversion, transition, and rehabilitation programs (Barker & Branson, 2000; Hughes & O’Neal, 1983; Roberts & Brownell, 1999), the United States government defunded social services and reallocated funding toward efforts that supported policing and incarceration (Brennan & Khinduka, 1970). As a result, social worker educators shifted curricular priorities to clinical mental health, poverty and houselessness, and family violence (Austin, 1997), and social work as a profession shifted away from criminal legal settings (Gumz, 2004; Pettus-Davis, 2012; Reamer, 2004).

For the past two decades, social workers and social work organizations have continued to serve system-impacted individuals through direct and indirect criminal legal settings. To address criminal legal injustices, the National Association of Social Workers (NASW, 2016) has prioritized disparities across the criminal legal system, including in drug policies, arrests, sentencing, solitary confinement, returning to the community, and permanent punishments. Concurrently, social work researchers have invested in the American Academy of Social Work and Social Welfare’s (AASWSW) Grand Challenge to “Promote Smart Decarceration” (Epperson et al., 2018; Epperson & Pettus-Davis, 2015; Pettus-Davis & Epperson, 2014, 2015a, 2015b; Pettus-Davis et al., 2017; Young et al., 2023). These initiatives have resulted in the creation of at least seven research centers dedicated to criminal legal research and policy initiatives (Copeland et al., 2022) and encouraged the provision of case management, treatment,

and consultation services in direct and indirect criminal legal settings. Despite research and practice efforts on racial, economic, and environmental disparities and decarceration, the social work profession continues to face moral and ethical conflicts when working in practice settings with system-impacted individuals, families, and communities.

Social workers have faced dual loyalties between the criminal legal system and the people whom they serve (Pont et al., 2012; Winters, 2019; Winters & Buser, 2022; Young, 2015). Considering that the criminal legal system continues to utilize Kant's (1996) retributive approach to address criminalized behaviors, social workers have been molded into agents of the criminal legal system. Notably, social workers have assimilated into law enforcement roles as authority figures (Treger, 1976), rather than serving as social change agents with unique knowledge, values, and skillsets. While Peters (2011) and Exum (2019) called for partnerships within the criminal legal system to better serve system-impacted individuals, Cox & Augustine (2018) called for social workers to serve in alternative settings. Additionally, because Black Americans continue to report distrust and dissatisfaction with law enforcement—regardless of having direct or indirect experiences with this agency (Pryce & Gainey, 2022)—social workers' roles in criminal legal settings have impacted fairness, equity, and justice in the provision of resources and services for system-impacted individuals (CSWE, 2022; NASW, 2021). If social workers do not advocate for alternatives to the criminal legal system, the profession continues with their contribution of bi-directional harm against system-impacted individuals, particularly Black and economically-distressed individuals, families, and communities. To resolve this “disjuncture” (Fenton, 2012) and “uneasy alliance” (Reamer, 2004) between the criminal legal system and the social work profession, I recommended that educators engage students in Nicotera's (2019) seven Es to challenge racial, economic, environmental, and criminal legal

injustices to adequately prepare students and practitioners for direct and indirect practice in criminal legal settings.

### ***1.4.3 Criminal Legal Social Work Education***

As social work BSW and MSW programs have standardized the profession's curriculum, explicit content on the criminal legal system has remained incomplete. In particular, MSW programs have not increased their explicit programmatic offerings in the past decade; today, only 17.5% of MSW programs offer dual or joint degrees, 5.5% offer specializations or concentrations, and 15.6% offer courses on the criminal legal system, excluding Social Work and the Law courses (Copeland et al., 2022). Although 24% of MSW programs currently offer a Social Work and the Law course, the percentage of programs offering this course has declined from 64% in the late-1990s (Neighbors et al., 2002). Although Social Work and the Law courses discuss criminal law, the educational content on the criminal legal system has remained limited in this course (Epperson et al., 2013). Nonetheless, the interest of social work students in criminal legal social work has endured. In the past two decades, the percentage of social work programs that offer forensic field placements has increased from 69 to 95 percent (Copeland et al., 2022; Epperson et al., 2013; Neighbors et al., 2002). Although criminal legal social work has attracted students, the existing research on criminal legal social work education has lingered.

This dissertation explored the explicit and implicit curricula, including the existing research on criminal legal content and the perspectives of BSW and MSW administrators on criminal legal issues. In particular, this dissertation applied Nicotera's (2019) seven Es to explicit and implicit criminal legal content to cultivate anti-racist and anti-oppressive values, ensure that the profession's identity remains intact, and break the cycle of mistrust between American citizens and their governing bodies. These efforts will prepare students to practice in direct and

indirect criminal legal settings; ensure justice for system-impacted individuals, families, and communities; and contribute to efforts that reform and abolish structural violence and systemic racism, classism, sexism, ageism, and ableism in the criminal legal system.

### **1.5 Gaps in the Literature**

In this dissertation, I addressed three primary gaps in the literature. In particular, this was the first study that applied Nicotera’s definition of social justice to the social work profession to criminal legal social work education. Although Nicotera has applied the seven Es to social work education on spirituality (Nicotera, 2020), the application of the seven Es in this study was based in practice and education. Instead, I utilized a research-based approach; in particular, I applied the seven Es to criminal legal social work education through a critical realist lens and constructivist grounded theory methodology. Second, as previously mentioned, limited research has been conducted on criminal legal social work education (see Chapter 1.3.3). Despite the social work profession identifying the criminal legal system and mass incarceration as “hot topics” (Laurio, 2019; Pettus-Davis & Epperson, 2015b; Sherraden et al., 2015), the existing research has focused primarily on social work practice. I addressed this gap by conducting a literature synthesis of criminal legal social work education, which added to previous research on a) the explicit and implicit curricula and b) within the explicit curriculum, the incorporation models of infusion, integration, and specialization (Copeland et al., 2022; Epperson et al., 2013; Young et al., 2023). Furthermore, I triangulated the results from the literature synthesis with an exploratory survey on BSW and MSW administrators. Third, there was limited research conducted on the implicit curriculum pertaining to criminal legal social work education. I added to the existing research by exploring BSW and MSW Program Directors’ perspectives on a) issues pertaining to the criminal legal system and b) reformative and transformative responses

that address criminal legal issues. By addressing these gaps, my dissertation advanced criminal legal social work education to the benefit of system-impacted individuals; social work students, practitioners, and educators; and American residents and citizens.

## **1.6 Purpose of the Dissertation**

The purpose of this dissertation was to improve BSW and MSW criminal legal social work education through a) the expansion of research on criminal legal social work content and b) the application of Nicotera's (2019) seven Es to the criminal legal system. I argued that, with the profession's unique social justice orientation, social workers have the potential to tackle systemic injustices that are structurally embedded into the criminal legal system. In order to embody social justice in practice and research, I argued that a) social workers should receive a comprehensive education on social justice from philosophical, theoretical, and historical lenses, and b) social work educators should invoke a culture of social justice that complements the programmatic offerings, content, and assignments and activities of the curriculum. These efforts have the potential to facilitate students' critical examination of their values, beliefs, actions, and affective processes, as well as provide the appropriate knowledge and skills to embody social justice in practice settings. Thus, by incorporating the seven Es into criminal legal social work education, educators can adequately prepare students to invoke transformative changes in the criminal legal system and in the lives of system-impacted individuals.

This dissertation employed a convergent-parallel mixed-methods approach into a three-article dissertation. In the first article, I utilized scoping review methodology to investigate the existing literature on the content, topics, and pedagogical tools and approaches found in explicit and implicit criminal legal social work education (Chapter 3). In the second article, I surveyed Program Directors to further investigate the explicit criminal legal content offered in BSW and

MSW programs and benchmark social work programs' positionality on criminal legal issues and initiatives (Chapter 4). In the third article, I utilized critical realist, constructivist, and grounded theory methodologies to provide curricular recommendations that enhance explicit and implicit criminal legal social work education. In this article, I triangulated the findings from the scoping review and survey, applied Nicotera's (2019) seven Es to the combined findings, and mapped recommendations for explicit and implicit content (Chapter 5). By examining how the social work profession incorporated criminal legal content into explicit and implicit curricula, this dissertation can a) serve as preliminary steps toward addressing the synthesis between research, education, and practice and b) provide the social work profession with a foundation to confront injustices embedded into the criminal legal system.

## 1.7 References

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## CHAPTER 2: MIXED-METHODS RESEARCH DESIGN

### 2.1 Research Design

In this dissertation, I employed a convergent-parallel mixed methods approach. The mixed-methods research design was selected to inform my theoretical framework (Chapter 5) with both quantitative and qualitative data. I utilized convergent-parallel mixed-methods to allow for the concurrent collection of qualitative and quantitative data, separate analysis of the two datasets, and integrate two sets of data through the merging of the findings (Fetters et al., 2013; Kroll & Neri, 2009). This design was utilized to understand the convergence of the combined datasets (Creswell & Creswell, 2018).

Several mixed-methods research designs were considered. An exploratory-sequential design was considered due to the goal of understanding criminal legal social work education from the perspectives of social work researchers and BSW and MSW Program Directors. However, there were three overarching purposes for this dissertation beyond exploration: a) exploring Program Directors' perceptions of the criminal legal system, b) describing the existing criminal legal content in BSW and MSW programs, and c) explaining how the former impacts the latter. Additionally, the qualitative data would inform the quantitative data (Rubin & Babbie, 2017); rather, the qualitative dataset would have considered a separate source collected concurrently with the quantitative data. A case study design was considered; however, the final result of this dissertation included a generalizable guide that would inform criminal legal social work education, rather than develop cases that social work programs could apply in their curricula (Creswell & Creswell, 2018). Finally, a social justice design based in an empowerment paradigm was considered due to the utilization of social justice theory to improve the well-being of system-impacted individuals, families, and communities (Rubin & Babbie, 2017). However,

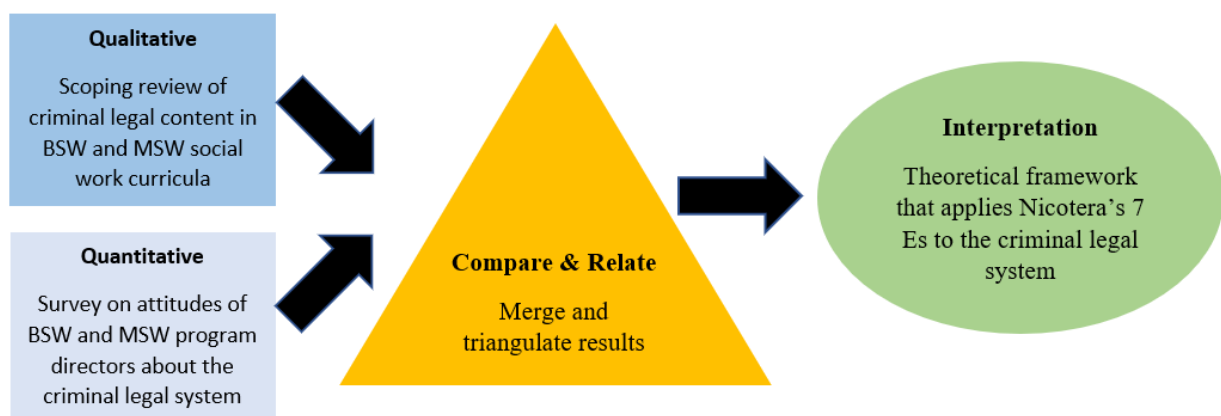
this dissertation did not include the voices of people impacted by the criminal legal system.

Thus, a convergent-parallel mixed-methods research design was the appropriate methodology to guide this dissertation.

## 2.2 Study Outline

To examine how the social work profession can improve criminal legal social work education, I conducted a three-article dissertation informed by convergent-parallel mixed-methods. First, I analyzed my scoping review data with deductive content analysis (Chapter 4) and survey data with descriptive statistics, exploratory factor analysis, and logistic regression (Chapter 5). Next, I transformed the survey data by converting the study findings into qualitative themes and combined the themes from the scoping review data and transformed survey data (Srnrka & Koeszegi, 2007). Then, I triangulated the findings of the combined dataset through convergence and divergence. Finally, I applied critical realist, constructivist, and grounded theory methodologies to infuse the combined dataset with Nicotera's (2019) seven Es (Chapter 5). This convergent-parallel mixed-methods approach resulted in a theoretical framework that has the potential to improve future criminal legal content by offering concrete recommendations on justice-aligned criminal legal content for BSW and MSW programs (Figure 1).

**Figure 2.1: Convergent Parallel Mixed-Methods Approach**



### ***2.2.1 Article 1: Scoping Review on Criminal Legal Social Work Education***

The purpose of Article 1 was to examine the existing research on criminal legal content taught in BSW and MSW programs. Due to the lack of a published comprehensive review of the literature in this area and broad research questions proposed in this study, a scoping review was deemed the most appropriate type of literature synthesis (Grant & Booth, 2009; Peters et al., 2015). I utilized Arksey & O'Malley's (2005) scoping review framework to "identify the nature and extent of research evidence" (Grant & Booth, 2009, p. 101). In particular, I identified explicit and implicit content in BSW and MSW curricula in three areas: the criminal legal system, criminal legal issues, and system-impacted populations.

To maximize methodological rigor, I followed the 20-item procedure explained in Tricco et al.'s (2018) Preferred Reporting Items for Systematic reviews and Meta-Analyses, extension for Scoping Reviews (PRISMA-ScR) checklist. In alignment with Arksey & O'Malley's (2005) framework and Levac et al.'s (2010) clarifications, I employed five research questions (see Chapter 3.1):

1. Where is criminal legal content taught to learners across the educational continuum?
2. Who are the key stakeholders involved in the learning process in the selected articles?
3. Which incorporation models are used in the selected articles?
4. Which subject matter topics are covered in the selected articles?
5. Which pedagogical approaches and tools are utilized to teach knowledge, values, skills, and affective processes relevant to criminal legal settings?

With these research questions, I identified relevant articles based on three inclusion criteria: "social work", "criminal legal system", and "education". Then, I imposed a search strategy in 21 databases, filtered duplicate articles, reviewed each article's title and abstract, and identified

articles for a full review. To synthesize, chart, and report the data, a qualitative approach was deemed appropriate to capture the existing research on criminal legal social work content. In particular, I utilized deductive content analysis to categorize two mutually exclusive groups (Weber, 1990): 1) explicit and implicit curricula and 2) within the explicit curriculum, specialization and integration/infusion incorporation models. With the paragraph as the unit of analysis (Weber, 1990), I synthesized the included articles with Elo & Kyngäs's (2008) deductive content analysis design and Hsieh & Shannon's (2005) summative approach. I recorded the frequency of articles in each group, as well as a summary of the population, subject area topics, and pedagogical tools and approaches. Additionally, throughout the scoping review process, I consulted with librarians, professors, advisors, and colleagues. With this scoping review, I identified gaps in the existing literature and provided recommendations for areas that required further examination.

### ***2.2.2 Article 2: Survey of Program Directors' Positionality on the Criminal Legal System***

The purpose of the second article was to determine the factors that influenced the incorporation of criminal legal content into a program's curriculum. In order to efficiently gather information, I created and disseminated an exploratory survey. This survey followed Ball (2019), Lietz (2010), and Rubin and Babbie's (2017) recommendations for survey questionnaire design, including clear, specific, and validated questions; seven-point Likert scale questions with explicit numeric and verbal endpoints; and the ordering of general questions before specific questions, with participant demographic questions placed at the end of the questionnaire. Additionally, I reported the findings in adherence with the Checklist for Reporting of Survey Studies (CROSS, Sharma et al., 2021).

I identified Program Directors as the target population due to their roles as “key stakeholders” in social work programs (Minnick, 2021, p. 310). Faculty members have been paramount in hindering or bolstering students’ extrinsic and intrinsic academic learning experiences (Grady et al., 2020); in particular, Program Directors have been charged with overseeing their program’s curriculum and advising the program’s curricular priorities. By examining the perspectives of Program Directors, this survey determined “whether the institutional structures are in place” (Funge, 2011, p. 88) to comprehensively incorporate criminal legal content in alignment with social justice tenets. Thus, this survey has the potential of identifying the needs of BSW and MSW programs and prompting future research to voice the experiences of students, instructors, community partners, and system-impacted individuals.

The following research question guided this study: *What are the predictors of criminal legal content in social work education?* To answer this research question, I created and disseminated a 35-question survey to BSW and MSW Program Directors. To capture the explicit and implicit curriculum, I created 11 questions pertaining to program and institution demographics, 7 questions pertaining to program director demographics, 10 questions pertaining to participant demographics, two questions on BSW and MSW programs’ level of alignment with Nicotera’s seven Es, and one question with 14 factors that positively or negatively influence the incorporation of criminal legal content into a BSW and MSW programs. To comprehensively capture the explicit curriculum, I created one question that contained 13 items on curricular offerings and one question that contained 15 items on focus areas, populations, and topics that directly and indirectly pertained to the criminal legal system. To further capture the implicit curriculum, I created one question on participants’ level of agreement with criminal background checks, one question with 14 items on popular phrases related to issues in the criminal legal

system, and one question with 24 items on initiatives to reform, transform, or abolish the criminal legal system. Participants ( $n = 75$ ) rated their agreeability with each implicit curricular item on a seven-point Likert scale, which was selected to maximize participants' subjective evaluations and allow participants to take a neutral stance (Taherdoost, 2019). To analyze demographic questions, I ran descriptive statistics with frequencies, averages, and standard deviations. To determine the factor loadings of the Attitudes on Criminal Legal Issues Scale (ACLS- Attitudes), an exploratory factor analysis was considered appropriate to identify the number of components in the analysis. Using Alpha extraction and Quartimax loading with Kaiser normalization (Qualtrics, n.d.), I identified three factors: punitive phrases, reformative phrases, and abolitionist phrases. This study supported an infusion incorporation method and additional education on abolitionist topics.

### ***2.2.3 Article 3: Theoretical Framework of Criminal Legal Social Work Education***

In the third article, I created a theoretical framework that centered Nicotera's seven Es and was informed by a convergence and divergence of the combined datasets from the first two articles. Using a critical realist lens and constructivist grounded theory methodology (Bhaskar, 1978; Charmaz, 2006, 2017; Danermark, 2006; Danermark et al., 1997), I outlined each tenet with criminal legal content that speaks to each tenet. Then, I provided recommendations for social work education, particularly pertaining to the CSWE Educational Policy and Accreditation Standards (EPAS).

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## CHAPTER 3: SCOPING REVIEW OF CRIMINAL LEGAL SOCIAL WORK EDUCATION

### 3.1 Abstract

**Background:** Social workers encounter individuals and families with criminalized records both directly through the criminal legal system and indirectly through service and treatment provision. However, the United States criminal legal system has been modeled on punitive theories, which conflicts with the social work profession's embodiment of social justice. Due to this confliction, the social work profession has utilized a cautious orientation (Pettus-Davis, 2012; Reamer, 2004), which has resulted in limited criminal legal content in MSW programs (Copeland et al., 2022; Epperson et al., 2013). As a result, social workers have created a call to action to address legal injustices and positively re-engage with the criminal legal system. Currently, researchers, educators, and practitioners have united to promote smart decarceration efforts; lead initiatives in criminal legal reform and abolishment; and address racial, ethnic, gender, socioeconomic, and community injustices (Epperson et al., 2021; Epperson & Pettus-Davis, 2015; Lane et al., 2017; Pettus-Davis et al., 2017). To prepare students as social justice-oriented change agents, social workers hone their knowledge, values, and skills to fulfill the profession's social justice mission. While numerous studies have evaluated social work's efforts in criminal legal practice, fewer studies have examined curricular content on the criminal legal system.

**Methods:** This study utilized scoping review methodology (Arksey & O'Malley, 2005) to compile existing literature on criminal legal social work education. The searching strategy included three categories: "social work education", "criminal justice" and related terms, and "curriculum" and related terms. Four steps finalized study selection: title and key term review, abstract review, full article review, and selection and mapping of selected studies. Articles

examining social work education; criminal justice, forensics, or law; social justice topics; student attitudes and perceptions; and teaching modalities were included in the selection of articles.

Articles not published in English, focused in a discipline other than social work, not focused on criminal legal content, or focused on social work practice in criminal legal settings were excluded from this study.

**Results:** Thirty-five articles were selected in the scoping review. These articles encompassed three categories: explicit curricula; implicit curricula; and integration models. The explicit curriculum contained incorporation models, programmatic offerings, field settings, subject matter, and teaching modalities. While some articles discussed specialization, the majority of articles suggested an integration or infusion approach to the incorporation of criminal legal content into the curriculum. Regardless of integration model, this study identified explicit curricular content across the criminal legal system, including law enforcement, adjudication, sentencing, and post-sentencing. The selected articles consisted of a diverse range of topics, including transformative justice, anti-racism, anti-oppression, human rights, dating and interpersonal violence, sex offenses, and child welfare. Additionally, the selected articles identified a multitude of teaching modalities, including critical dialogue, experiential learning, service learning, and simulation-based learning. Regarding the implicit curriculum, the identified studies highlighted the perceptions of students and comparisons of student orientations between social work and other disciplines.

**Discussion:** This study executed a preliminary step in identifying social work's current role in educating and preparing students for practice in the criminal legal field. The findings from this study highlight a holistic, transformative approach for addressing inequities and injustices among distressed individuals, families, and communities. While the social work profession affords

numerous strengths in social justice, human-centered, and transformative orientations, the research on criminal legal social work education remains limited. Therefore, further examinations of explicit and implicit content on the criminal legal system are required to determine the most efficient and effective methods for incorporating criminal legal content into BSW and MSW curricula.

### **3.2 Introduction**

Since the late 19<sup>th</sup> century, the social work profession has prioritized social justice for system-impacted individuals. Centering on this professional value of achieving social justice, pioneer social workers have supported marginalized, oppressed, and under-resourced populations (Young & LoMonaco, 2001). Many of these individuals, families, and communities whom the profession serves experience complex entanglement in governmental systems, including social services, child welfare, schools, and the criminal legal system. Although pioneering social workers engaged in criminal legal settings such as law enforcement and probation (Roberts, 1978; Peters, 2011), the criminalization of race, poverty, mental health, substance use, and minoritized identities flourished (Kheibari et al., 2021). These conflicts, along with social work's status as an undervalued discipline (Flexner, 1915; Williams & Register, 1986; Cauvain, 2010; Golden, 2011), resulted in the decline of the profession in criminal legal settings (McNeece, 2003; Pettus-Davis, 2012; Reamer, 2004).

The social work and criminal justice disciplines stem from sociology; thus, the disciplines possess shared values, including integrity, competence, professionalism, respect for humanity, and well-being (American Criminal Justice Society, 2000; National Association of Social Workers, 2021; National Organization of Forensic Social Work, n.d.). However, the social work profession departed from sociology to pursue a mission of social justice, which conflicted

with the punitive nature of the criminal legal system. In particular, the criminal legal system criminalized social issues, including poverty and substance use, to further oppress Black, Indigenous, and People of Color (BIPOC, Taifa, 2021). As the War on Drugs prompted mandatory minimum prison sentences and disparities in sentencing for the possession and distribution of crack versus powder cocaine, BIPOC individuals—particularly Black individuals—were overpoliced in their communities, arrested at alarming rates, and sentenced to longer stints of incarceration. To further oppress Black individuals, people with felony convictions experienced permanent punishments, including the inability to secure housing and employment opportunities, voting rights, and governmental assistance. As a result, Black individuals and communities continued to face reduced opportunities to survive and thrive (Burton et al., 2014).

To effectively engage as change agents in the criminal legal system and embody the profession's social justice mission, social work education can adequately prepare students and practitioners to engage in criminal legal settings, address the injustices espousing the system, and enact societal change. However, universities have inconsistently educated students on criminal legal issues and settings. For example, social work programs do not consistently educate students on the weaponization of the criminal legal system against Black individuals and communities, and opportunities to critically evaluate the criminal legal system through applied learning. Over the past decade, 95% of MSW programs offered field placements in criminal legal settings (Copeland et al, 2022; Epperson et al., 2013); however, fewer than six percent of social work students participated in criminal legal concentrations or field placements, and only three percent of social work graduates practiced in criminal legal settings (CSWE, 2020). This indicates that

the social work profession may not adequately prepare students for practice with system-impacted individuals, families, and communities.

To address this gap, this study utilized scoping review methodology to examine the existing literature on how social work programs incorporated criminal legal content across the profession's educational continuum (Hollis & Taylor, 1951), from BSW and MSW programs to continuing education. The study reported quantitatively and qualitatively on three key points: 1) the educational spaces and learners exposed to criminal legal content; 2) incorporation models and subject matter related to criminal legal processes and affected populations; and 3) how social work programs incorporated pedagogical tools and approaches to facilitate learning. Additionally, this study provided recommendations for further investigation.

### **3.3 Review of the Literature**

#### ***3.3.1 Social Work and Social Justice in the Criminal Legal System***

The social work profession centralized social justice as a core value (NASW, 2021), educational competency (CSWE, 2022), and guiding practice. However, the profession did not operationalize the theory for the profession; to resolve this issue, researchers studied inconsistencies in defining, teaching, and practicing social justice. According to the profession, social justice constituted beyond individual factors; historical, environmental, cultural, institutional, and structural factors additionally impacted access to social justice (Nicotera, 2019; Atteberry-Ash, 2020). Therefore, the aforementioned disparities existed beyond the individual, and the structure of the system—rather than the individuals involved—required re-examination. However, tensions arose that impacted the extent of the profession's engagement in criminal legal settings, limiting the contributions in eradicating oppression and restoring justice.

Since the conceptualization of the profession, the social work profession identified criminal legal justice as a priority (Maschi & Killian, 2011). Social workers engaged directly and indirectly with the system, serving as law enforcement officers, expert witnesses, competency evaluators, mental health and substance use treatment providers, mediators, and advocates (Gothard, 1989; Meeker, 1962; Deardorff, 1925; Robbins et al., 2014). In these settings, social workers provided services, resources, and treatment to improve the quality of life for people accused, convicted, victimized, and harmed by the criminal legal system (Devine, 1915; Roberts & Springer, 2007). However, the profession did not fully solidify its presence, due to bi-directional harm caused by the criminal legal system and the social work profession. For example, society undervalued social work as a profession (Flexner, 1915; Austin, 1983; Williams & Register, 1986). As applied to the criminal legal system, the War on Drugs era reduced a crucial role of social workers: treatment providers (Brennan & Khinduka, 1970). Additionally, the criminal legal system presented moral conflicts with social work values and ethics. The retributive nature of the system and punitive consequences collided with the profession's social justice mission to provide access to fair and equitable treatment of all individuals (NASW, 2021; CSWE, 2022). This resulted in "disjuncture" (Fenton, 2012) and dual loyalties between the criminal legal system and people who were directly involved or indirectly affected (Pont et al., 2012; Winters, 2019). Although social work endorsed professional practice in criminal legal settings (Meeker, 1962), the mid-20<sup>th</sup> century resulted in a hesitated engagement (Pettus-Davis, 2012). As a result, instead of challenging the criminal legal system and advocating for reformative and transformative measures, the profession abandoned its social justice endeavors.

To restore fairness to system-impacted individuals, families, and communities, social workers re-engaged in criminal legal settings. In the last decade, NASW (2016) listed criminal and juvenile justice as a priority, and the American Academy of Social Work and Social Welfare (AASWSW) declared “Smart Decarceration” as a Grand Challenge initiative (Pettus-Davis & Epperson, 2014). In addition to tackling injustices in criminal legal settings, the social work profession examined social work education on criminal legal content.

### ***3.3.2 Social Work Education on Criminal Legal Content***

The social work profession’s curricular standards called for educators to prepare students to confront injustices and oppression (Csiernik & Hillock, 2021; Goode et al., 2021). Due to inconsistencies between perceiving criminal legal education as a priority and incorporating criminal legal content in the curriculum (Hughes, 2004), social justice theory misaligned with social work’s Code of Ethics and Educational Competency and Accreditation Standards (EPAS; Atteberry-Ash, 2020). Additionally, despite the existence of calls to incorporate criminal legal content (Ward, 1979; Young & LoMonaco, 2001), schools of social work acted inconsistently. For example, although 53% of MSW programs offered a “Social Work and the Law” course, students experienced limited knowledge, value, and skill acquisition on criminal law, and few programs offered specialized coursework adequately addressing the gap (Copeland et al., 2022; Epperson et al., 2013). Additionally, although 95% of MSW programs offered field instruction in criminal legal settings (Epperson et al., 2013), fewer than 8% of social work field placements occurred in these settings (Scheyett et al., 2012). As a result, exposure to the criminal legal system through coursework and field instruction remained limited.

### **3.4 Methods**

The existing empirical literature revealed the essential need for the social work profession to engage in criminal legal settings to achieve social justice. However, the extent of criminal legal content incorporated into the social work curriculum was unclear. Therefore, the purpose of this study was to utilize scoping review methodology to map the trends and gaps found in the existing empirical literature. To maximize methodological rigor, I utilized Arksey and O'Malley's (2005) framework and Levac et al.'s (2010) recommendations. Additionally, to document the process, I utilized the Preferred Reporting Items for Systematic reviews and Meta-Analyses, extension for Scoping Reviews (PRISMA-ScR, Tricco et al., 2018).

#### ***3.4.1 Research Aims & Questions***

This study was conducted to determine how social work education incorporated explicit and implicit criminal legal content into BSW and MSW programs. In particular, this study reviewed the existing literature to uncover how the social work profession prepared students for working with the criminal legal system, across all systems levels (e.g., individual, family, community, systemic). The following research questions guided this study:

1. Where was criminal legal content taught to learners across the educational continuum (e.g., prospective students, undergraduate-level, graduate-level, continuing education)?
2. Who were the key stakeholders involved in the learning process in the selected articles (e.g., undergraduate students, graduate students, faculty, staff, administration, practitioners, community members)?
3. Which incorporation models were used in the selected articles (i.e., specialization, integration/infusion)?

4. Which subject matter topics were covered in the selected articles (e.g., law enforcement, courts, correctional settings, special populations)?
5. Which pedagogical approaches and tools were utilized to teach knowledge, values, skills, and affective processes relevant to criminal legal settings (e.g., active engagement, experiential learning, use of technology)?

This study uncovered how the social work profession educated students, faculty, staff, and practitioners on the criminal legal system. These questions showcased the social work profession's incorporation of criminal legal content, identified gaps, and suggested areas for future research.

### ***3.4.2 Eligibility Criteria***

The search strategy comprised three key term groupings: “social work education”, “criminal legal system” and related terms, and “curriculum” and related terms. After preliminary search trials, the decision was made to add “education” to “social work” to enhance relevance and eliminate articles that focused on social work practice. The “criminal legal and related” terms were covered in three groups. The first group referenced the criminal legal system, including criminal justice, forensic, legal, and law. The second group referenced traditional, historical, and retributive stances of the criminal legal system, including courts, incarceration, re-entry, and recidivism. The third group referenced transformative approaches that challenged the criminal legal system, including critical race theory, restorative justice, transformative justice, abolitionism, decolonization, anti-racism, anti-oppression, anti-carceral, reparations, smart decarceration, and returning citizens. The curricular terms encompassed terminology related to teaching and learning: education, content, curriculum, program, student, learning, training, workforce development, and continuing education.

### ***3.4.3 Sources of Information***

Twenty-one databases within EBSCOhost and ProQuest were reviewed: SocINDEX with full text, Complementary Index, Academic Search Ultimate, ERIC, Education Full Text (H.W. Wilson), JSTOR Journals, Scopus, Women's Studies International, Social Sciences Citation Index, MEDLINE, Business Source Ultimate, Human Resources Abstracts, Left Index, Arts & Humanities Citation Index, ProQuest Dissertations & Theses, ProQuest Scholarly Journals, PsycInfo Articles, PsycInfo Dissertations, Sociological Abstracts Articles, Sociological Abstracts Dissertations, and Social Services Abstracts.

### ***3.4.4 Search Strategy and Parameters***

Social work has utilized a plethora of terms to describe the profession's engagement with the criminal legal system (Chihota, 2017). I reviewed three relevant journals—Journal of Social Work Education, Journal of Teaching in Social Work, Journal of Baccalaureate Social Work—to identify language around 1) social work education, 2) “traditional”, “historical”, “reformatory”, and “transformative” approaches to the criminal legal system, and 3) references to education and training (Table 2). Additionally, I utilized the search mode “find all my search terms”. The search was limited to scholarly peer-reviewed journals, in the format of academic journals that were written in English. Additionally, the “apply related words” and “apply equivalent subjects” expanders did not impact the number of articles that were identified through the search strategy.

**Table 3.1: Scoping Review Search Strategy**

<b>Category</b>	<b>Sub-Category</b>	<b>Search Terms</b>
Social work education	Social work education	“social work education” AND
Criminal legal system	Criminal justice	“crim*” OR “criminal justice” OR
	Forensics or law	“forensic*” OR “legal” OR “law” OR
	Courts	“court*” OR
	Incarceration	“penal” OR “carceral” OR “incarcerat*”
	Recidivism	“recidiv*” OR
	Reentry	“re-entry” OR “reentry” OR “returning citizen” OR
	Critical race theory	“critical race” OR
	Restorative justice	“restor*” OR
	Transformative justice	“transform*”
	Decolonization	“decoloniz*” OR
	Abolition	“abolition*” OR
	Anti-racism	“rac*” OR “anti-rac*” OR
	Anti-oppression	“oppress*” OR “anti-oppress*” OR
	Decarceration	“anti-carcer*” OR “smart decarcerat*” OR
Reparations	“reparat*” AND	
Education and training	Curriculum or content	“curricul*” OR “content”
	Education or program	“education” OR “program” OR “student*”
	Training or learning	“train*” OR “learn” OR
	Workforce development	“workforce develop*”
	Continuing education	“continuing education” OR “CE” OR “CEU”

**3.4.5 Data Charting Procedures**

This study divided the included articles into explicit and implicit curricula on criminal legal content in the social work curriculum. The explicit curriculum constituted a tangible curricular framework (CSWE, 2022) that was divided into three categories: specialization, integration, and infusion. Specialization involved specific courses, concentrations, certifications, or other programmatic offerings that expanded on generalist or foundational content and provided learners with expertise in a practice area (CSWE, 2017). Integration and infusion were combined, as both incorporation models consisted of multifaceted approaches that determined the content in a program’s curriculum. In particular, the integration model incorporated content

into specific parts of the curriculum, whereas the infusion model transformed the curriculum to include content throughout courses, competencies, and objectives (Brooks-Danso, n.d.). In contrast, the implicit curriculum involved the learning environment and culture, including student admission, retention, and involvement; faculty and administrative structures and supports; and resource availability and utilization (CSWE, 2022).

I reported the following essential measures for the selected articles: author(s), publication year, journal, population(s) studied, and subject matter area(s). I followed Epperson et al. (2013) and Copeland et al.'s (2022) definitions of explicit criminal legal content as “dual/joint degree programs”, “concentrations or specializations”, and “coursework”, and added Scheyett et al.'s (2012) inclusion of field instruction to the explicit curriculum. Additionally, I reported on two explicit curricular components and one implicit curricular component: 1) the acquisition of knowledge and skills related to the criminal legal system, 2) pedagogical tools and approaches that facilitated the learning of criminal legal content, and 3) attitudes and perspectives of learners (e.g., students, practitioners) regarding the criminal legal system and system-impacted individuals, families, and communities.

#### ***3.4.6 Consultations***

I consulted with four faculty members, two university librarians, six consultants at the university's writing center, and one colleague who concurrently conducted a scoping review. Consultations occurred throughout the scoping review process, including the identification of research questions, objectives, key terms, search strategy, and databases; reviewing of inclusion and exclusion criteria; identification of selected articles; and mapping and reporting of the study's findings.

#### ***3.4.7 Qualitative Deductive Content Analysis***

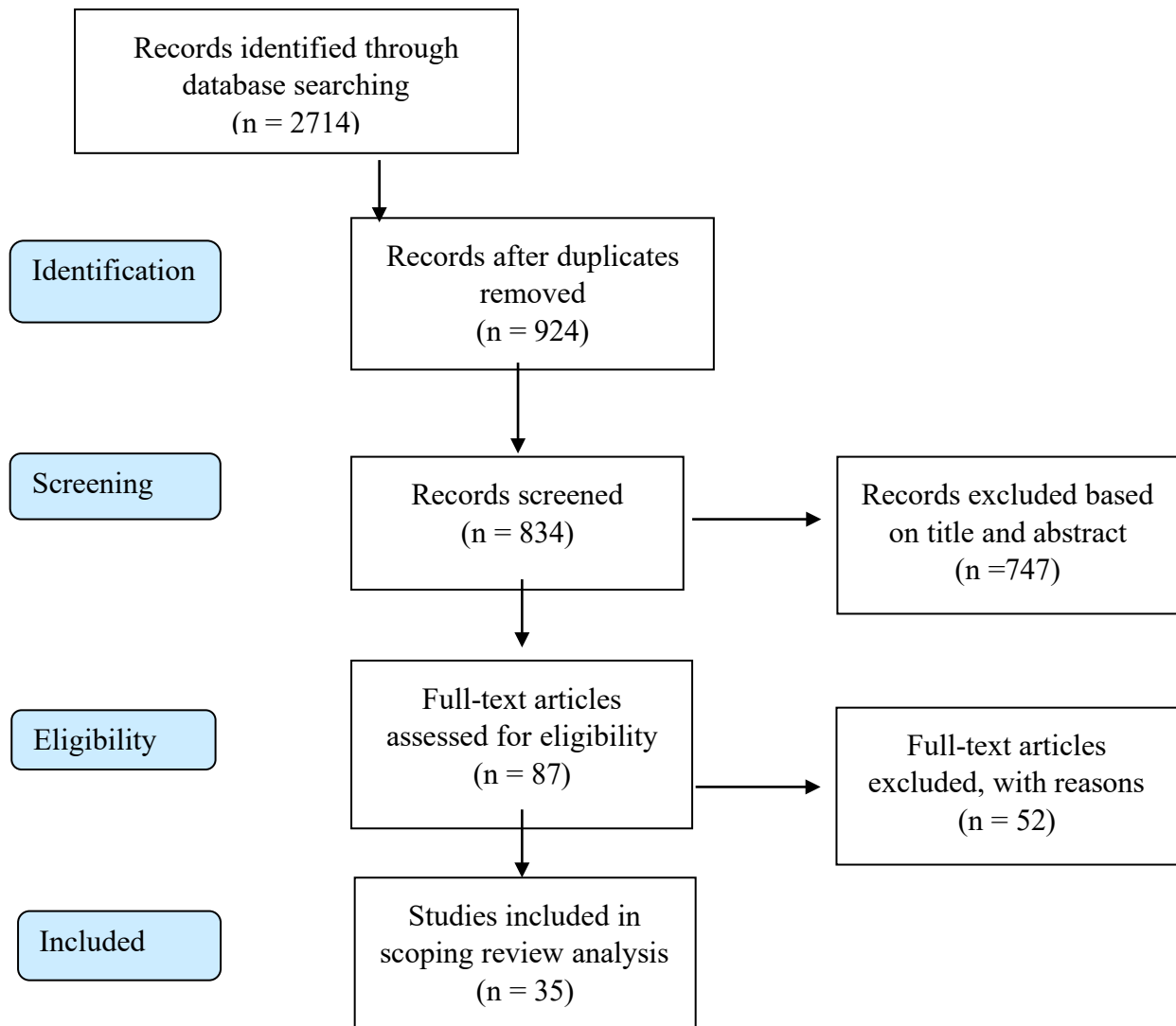
I utilized Elo & Kyngäs's (2008) deductive content analysis process to qualitatively determine the extent of criminal legal social work education in the existing literature. First, I identified three categories based on the Council on Social Work Education's Educational Policy and Accreditation Standards (CSWE, 2022): 1) explicit curricular offerings, 2) explicit pedagogical tools and approaches, and 3) implicit curriculum. Next, I completed coding by reviewing the articles included in the scoping review and determined whether each article included content in each of the three categories. After completing the coding of each article, I analyzed the categorization matrix to determine if additional concepts were needed. In particular, I further divided explicit curricular offerings into incorporation model, population, and subject matter, and I further divided the implicit curriculum into population and subject matter. Finally, I mapped the categories onto tables and reported the results.

### **3.5 Results**

The database article extraction occurred on March 18, 2021, where 2714 articles were identified, extracted to a local computer, and imported into Mendeley, and 1790 articles were automatically de-duplicated. An additional 90 articles were manually removed due to duplication, which left 834 articles for a title and abstract review. Although general inclusion and exclusion criteria were created at the outset of this study, I finalized criteria post-hoc. Articles that discussed 1) social work in baccalaureate, master's, and continuing educational settings, 2) explicit or alluded references to the criminal legal system, and 3) references to curricular pedagogy were included. Articles that were not published in English, studied outside the United States, did not allude or explicitly refer to the criminal legal system, discussed transformative topics but did not allude or explicitly refer to the criminal legal system, and book reviews were excluded. Eighty-seven relevant articles underwent full review. Relevant articles included 1)

explicit curricula, including infusion, integration, or specialization models of curricular incorporation or 2) implicit curricula, including student, faculty, program, and practitioner attitudes and perceptions related to the criminal legal system. Any remaining articles studying outside the U.S. that were not previously identified, inaccessible dissertations, articles that did not provide concrete explicit or implicit curricular concepts or recommendations, articles that did not explicitly refer to the criminal legal system (e.g., civil law, child welfare and maltreatment, mediation and facilitation), and articles that primarily studied students or curricula outside the social work discipline were excluded. Thirty-five articles met inclusion criteria for analysis (Figure 3.1).

**Figure 3.1: PRISMA-ScR Diagram**



A mixed-methods approach guided data analysis. In particular, the publication year and journal, incorporation model or implicit curricula studied, population, and subject matter were quantified into a characteristics table (Table 3.2). Additionally, a qualitative synthesis summarized each article's report of knowledge and skills, pedagogical tools and approaches, and implicit curricula studied. Due to the heterogeneous collection of included articles, each article did not report on all qualitative measures.

### **3.5.1 Characteristics**

Table 3.2 reported six characteristics: publication year, journal, incorporation model, implicit curricula studied, population, and subject matter. The included articles were published from 1963-2020. The bulk of the articles (n = 30, 86%) were published since 2000, with 14 (40%) published in the last five years. One-quarter of the articles (n = 9) were published in the *Journal of Social Work Education*, one-quarter of articles (n = 9) were published in either the journal *Social Work Education* or the *Journal of Teaching in Social Work*, three articles were published dissertations, and the remaining fourteen articles were individually published in different journals. Of the twenty-six articles on explicit curricula, 4 (15%) examined courses, 5 (19%) examined field instruction, and 17 (65%) examined integration and infusion models. Of the nine implicit curricular studies, three (33%) focused on gatekeeping, two (22%) on the use of technology in criminal legal settings, and the remaining articles on older adults, individuals experiencing homelessness, individuals involved in sex work, and conflict resolution and mediation. Nearly half of the articles (49%) studied students, five studied social work programs (14%) or practitioners (14%), two examined social work students and faculty/staff (6%) or students and practitioners (6%), and the remaining studies examined faculty, syllabi, programs

and practitioners individually, or a combination of programs, practitioners, and professional organizations.

The remaining data comprised of three curricular elements: specialized explicit curricula (n = 9), integrated or infused explicit curricula (n = 17), and implicit curricula (n = 9). The collected explicit curricular data consists of the author(s), year of publication, incorporation model, population studied, subject matter, knowledge and skills, and pedagogical approaches and tools. The data collected from the implicit curricula encompassed the content studied and summary of the findings.

**Table 3.2: Article Characteristics**

<b>Category</b>	<b>Characteristic</b>	<b><i>n</i> (%)</b>
Publication Year	1960-1969	1 (2.9)
	1970-1979	3 (8.6)
	1980-1989	0 (0.0)
	1990-1999	1 (2.9)
	2000-2009	9 (25.7)
	2010-2019	18 (51.4)
	2020	3 (8.6)
Journal	Journal of Social Work Education	9 (25.7)
	Social Work Education	5 (14.3)
	Journal of Teaching in Social Work	4 (11.4)
	ProQuest Dissertations Publishing	3 (8.6)
	Social Work	1 (2.9)
	Journal of Baccalaureate Social Work	1 (2.9)
	Journal of Religion & Spirituality in Social Work	1 (2.9)
	Journal of Social Service Research	1 (2.9)
	Journal of Human Behavior in the Social Environment	1 (2.9)
	Health & Social Work	1 (2.9)
	Journal of Evidence-Informed Social Work	1 (2.9)
	Families in Society: Journal of Contemporary Social Services	1 (2.9)
	Journal of Ethnic & Cultural Diversity in Social Work	1 (2.9)
	Urban Social Work	1 (2.9)
	Race and Justice	1 (2.9)

**Table 3.2: Article Characteristics (cont.)**

	Field Educator	1 (2.9)
	School Community Journal	1 (2.9)
	Smith College Studies in Social Work	1 (2.9)
Explicit ( <i>n</i> = 26)	Specialization: Courses	4 (15.4)
	Specialization: Field Instruction	5 (19.2)
	Infusion/Integration	17 (65.4)
Implicit ( <i>n</i> = 9)	Gatekeeping	3 (33.3)
	Older Adults	1 (11.1)
	Houselessness	1 (11.1)
	Sex Work	1 (11.1)
	Conflict Resolution & Mediation	1 (11.1)
	Technology	2 (22.2)
Population	Students	17 (48.6)
	Practitioners	5 (14.3)
	Syllabi	1 (2.9)
	Programs	5 (14.3)
	Students and Faculty/Staff	2 (5.7)
	Students and Practitioners	2 (5.7)
	Syllabi and Instructors	1 (2.9)
	Programs and Practitioners	1 (2.9)
	Programs, Practitioners, and Organizations	1 (2.9)
Subject Matter	General Social Work Practice/Education in Criminal Legal Settings	4 (11.4)
	Law Enforcement	4 (11.4)
	Legal/Judicial System	2 (5.7)
	Corrections: Incarceration, Probation/Parole	4 (11.4)
	Death Penalty	1 (2.9)
	Background Checks	3 (8.6)
	Preparation for Practice	1 (2.9)
	Domestic Violence / Child Maltreatment	1 (2.9)
	Social Determinants of Health	1 (2.9)
	War on Drugs	1 (2.9)
	Perceptions & Microaggressions	4 (11.4)
	Racial Justice	5 (14.3)
	Restorative Justice	1 (2.9)
	Community Connections	3 (8.6)

### **3.5.2 Explicit Curricula**

Studies examining explicit curricula were divided by specialization and integration or infusion. Incorporation model, population and subject matter were reported separately; knowledge and skills, as well as pedagogical tools and approaches, were reported collectively.

**3.5.2.1 Specialization.** Nine studies utilized specialization, ranging from courses (Ives, 1963; Wright & Heeren, 2002; Jewell & Owens, 2017; Maschi et al., 2019) to field instruction (Treger, 1976; Harris, 2014; Gallagher, 2015; Franke et al., 2017; McDermott et al., 2018). Seven studies examined students, while one study examined practitioners and one study examined syllabi. The studies examined across the criminal legal system, including law enforcement (Treger, 1976), forensics (Maschi et al., 2019), probation (Ives, 1963; Gallagher, 2015), and returning citizens (Franke et al., 2017). Several studies challenged the criminal legal system, including the school-to-prison pipeline (Williams & Guz, 2017), carceral power (Jewell & Owens, 2017), and racial justice (McDermott et al., 2018; Rodriguez, 2020). Additionally, studies explored family dynamics, including school-family-community connections (Wright & Heeren, 2002) and reunification of incarcerated mothers and their children (Harris, 2014),

**3.5.2.2 Infusion and Integration.** Infusion and integration models were combined due to the difficulty in discerning the incorporation models. Sixteen studies incorporated assortments of the following: incorporation of content into baccalaureate and graduate foundational courses (e.g., HBSE, research, and policy, and practice courses), electives, field instruction, concentrations and specializations, certificate programs, continuing education, community-based trainings and workshops, task forces and committees, dissemination of curricular resources (e.g., syllabi), and conference presentations. Similarly, the populations studied were complex. In addition to independently examining students (n = 4), programs (n = 4), and practitioners (n = 3),

integrated/infused studies examined a combination of students and faculty/staff (n = 2), students and practitioners (n = 2), programs and practitioners (n = 1), and programs, practitioners, and professional organizations (n = 1). Like studies examining specialized models, these studies examined across the legal system, including domestic violence and child maltreatment (Spath, 2003), law enforcement (Roberts, 1978), the judicial system (Lynch & Brawley, 1994; Madden, 2000), correctional settings (Viegas, 1974), and the encompassing criminal legal system (Reamer, 2004; Lowe & Bohon, 2008; Warde, 2014). Additionally, these studies challenged the criminal legal system, utilizing restorative justice models (van Wormer, 2006), examining social determinants of health and mental health disparities (Bowen & Walton, 2015), addressing the War on Drugs (Bowen & Redmond, 2016), and mitigating the death penalty (Kheibari et al., 2021). Five studies highlighted racial inequities in the criminal legal system, including racial microaggressions (Otuyelu et al., 2016), institutional and structural racism (Wagaman et al., 2019), police brutality (Moore et al., 2018) and accountability (Yusef et al., 2019), and the simultaneous confrontation of the Coronavirus (COVID-19) pandemic and systematic oppression (Rodriguez, 2020).

Due to similarities among specialized and integrated/infused curricula, the following two sections summarized explicit curricula for both specialization and infusion and integration: 1) knowledge and skills and 2) pedagogical approaches and tools (Table 1).

### **3.5.2.3 Key Concepts of Explicit Curricula.**

**3.5.2.3.1 Knowledge and Skills.** The studies incorporated a vast array of knowledge and skills, categorized into four themes: legal knowledge, theories and frameworks, interpersonal skills, and intervention techniques. Legal knowledge encompassed federal and state policies, parental rights, civil rights, family involvement in multiple systems (e.g., schools, child welfare,

social services, criminal legal), components and procedures of the criminal legal system (e.g., forensics, criminal law, law enforcement, courts, corrections), legal testimony, administrative duties, components of drug and mental health courts, juvenile legal system, War on Drugs policies and mass incarceration, microaggressions and disparities (e.g., police brutality, institutional and structural racism, prison-industrial complex), and impacted populations (e.g., children with incarcerated parents, juvenile justice, people with mental health and substance use disorders, death penalty). The studies reported eclectic theories and frameworks: crime and delinquency, domestic violence, social control, administration of justice, continuum of care (e.g., assessment, intervention, evaluation, and monitoring), prevention and harm reduction, social justice, human behavior and social development, strengths-based, critical race, anti-oppressive, critical consciousness, transcultural, empowerment, liberation, emancipatory, and restorative practices (e.g., victim-offender conferencing, community reparations, family group conferencing, healing circles). Interpersonal skills included the use of authority, self-awareness, navigating ethical dilemmas, attorney-client privilege, confidentiality, rapport, self-efficacy, fairness, integrity, human relations, leadership, critical dialogue, and inclusive language. Intervention techniques comprised of theory-practice integration, standards of care, problem-solving, psychosocial development, crisis intervention, individual and group therapeutic techniques (e.g., motivational interviewing, trauma-informed care, expressive arts, mediation and conflict resolution), expert testimony, narrative reporting, utilization of resources, community engagement and referral (e.g., alternatives to arrest and incarceration, grant writing, grassroots fundraising, protesting), parent-child reunification, reintegration, influence in social policies, advocacy, connecting social problems to the criminal legal system, challenging oppressive systems, and culturally-tailored evidence-based practices (e.g., centering Black voices).

**3.5.2.3.2 Pedagogical Tools and Approaches.** The explicit curricular studies incorporated eclectic, intricate pedagogical approaches and tools categorized into three themes: active engagement techniques, learning from others, and assignments and assessments. Active engagement techniques in the classroom involved problem-based learning utilizing case scenarios, role plays, debates, mock trials and court testimonies; critical dialogue; and multimedia (e.g., books, documentaries and films, case vignettes, news articles, social media). Active engagement techniques outside the classroom consisted of experiential and service learning, organization of community-based trainings, case management, direct action through attending protests, and engagement in grassroots organization. Learning from others included didactic lectures, group work, collaboration with other disciplines (e.g., multidisciplinary, interdisciplinary, transdisciplinary, interprofessional), community engagement and service learning, instructor “train-the-trainer” models, observing or interviewing stakeholders, client life history reports, faculty-practitioner team teaching, panels of individuals with criminalized records or survivors of criminalized behaviors, practitioners as guest speakers, and community workshops. Assignments and assessments included literature reviews, examination of statutes, program evaluation, examining and analyzing databases, preparing questions for guest speakers, integration of course readings into a case study analysis, observations, self-reflections, journaling, creation of problem statements, policy analyses and advocacy plans, supervision and field evaluations, group seminars, client life history reports, court reports, presentations on a particular subject or population, and exams.

### **3.5.3 Implicit Curricula**

Of the thirty-five articles meeting inclusion criteria, nine examined implicit curricula. Unlike studies on explicit curricula that examined content across the criminal legal system, these

studies highlighted distinctive populations: prospective or current social work students with criminalized records (Magen & Emerman, 2000; Zellmer & Knothe, 2011; Vliek, 2018), microaggressions regarding older adults (Kane, 2007) and individuals experiencing homelessness (Torino & Sisselman-Borgia, 2017), perceptions of individuals involved in sex work (Panichelli, 2018), law enforcement (Ricciardelli et al., 2020; Lemieux et al., 2020), and the impact of education on preparedness for social work practice (Sanchirico, 2010). The majority of these articles studied students; however, Zellmer & Knothe (2011) sampled programs, Sanchirico (2010) recruited practitioners, and Panichelli (2018) examined instructors and course syllabi. Overall, the studies highlighted three topics: the role of gatekeeping among social work programs, students and programs possessing punitive attitudes toward populations involved in the criminal legal system, and practitioners requiring additional learning post-graduation to competently practice in criminal legal settings. However, social work learners reported fewer punitive attitudes, when compared with students from other disciplines; social work learners possessing non-punitive attitudes were more likely to challenge oppressive systems.

### **3.6 Discussion**

The articles included in this study demonstrate the eclectic, heterogeneous nature of the social work profession, presenting endless opportunities to further engage in criminal legal content. This section summarizes the existing knowledge uncovered by this study, methodological and content limitations, and suggestions for further examination.

#### ***3.6.1 Summary of Evidence***

This study utilizes scoping review methodology to determine where, whom, what, and how social work educators and programs teach criminal legal content. The following section re-

examines the research questions in light of the evidence presented. The included articles highlight criminal legal education as a key social justice issue (Lane et al., 2017). Additionally, this study confirms that principles of social work pedagogy guide students in the obtainment of knowledge and skills, examination of biases, and utilization of human-centered connections (Larrison & Korr, 2013).

The first research question considers where criminal legal content is taught in the social work continuum. This study is consistent with Epperson et al. (2013) and Copeland et al.'s (2022) exploration of criminal legal content in MSW programs, which supports criminal legal content as an area of advanced specialization. However, one study examined the implicit curriculum among BSW and criminal justice students, and another study examined practitioner training. Therefore, this study reveals that criminal legal content may cover the educational continuum, both within and beyond formal educational programs; in other words, criminal legal content exists in BSW and MSW programs, as well as in practitioner continuing education.

The second research question considers who is involved in criminal legal social work education. Nearly half of the included studies (49%) examine students; however, studies additionally include social work programs, instructors and course syllabi, faculty and staff, practitioners, and community organizations. These results indicate how the social work profession values student-centered learning to improve learning outcomes (Thomlison & Seidl, 1974; Abel & Campbell, 2009), but research on social work education can include all stakeholders, including system-impacted individuals and communities, as well as stakeholders across disciplines. However, only three studies examine people with criminalized records, and four studies explore interprofessional collaboration. In particular, the voices of system-impacted individuals are paramount, as these individuals have lived experiences with navigating criminal

legal policies, systems, and procedures. Therefore, social work should reconsider key stakeholders when partaking in research on criminal legal social work education. In particular, social work educators should consider centering the voices of system-impacted individuals when creating and modifying their courses, inviting guest speakers, collaborating with community organizations, and engaging in interprofessional education.

The third research question examines how social work programs incorporate criminal legal content into the curriculum. First, this scoping review contributes to the generalization-specialization debate by supporting a preference for integration or infusion models. In particular, nearly two-thirds of the included articles utilize an integration or infusion model. This finding supports the notion that a specialization model, despite its benefits in providing advanced knowledge to students, may not be a practical approach for programs to incorporate criminal legal content due to overloaded curricular requirements and diverse student interests (Constable, 1984; see Chapter 5). With an infusion or integration model, *all* students and practitioners can receive education on a social issue or population (Dodd & Katz, 2020; Smith-Osbourne & Daniel, 2017). Additionally, this finding supports Csiernik & Hillock's (2021) assertion that social work is "too diverse, too rich, and simply too heterogeneous to subscribe to any one pedagogy" (p. 19). Second, among the included articles in this study on specialized criminal legal content, over half involve field instruction. This finding supports the notion that field instruction serves as the "signature pedagogy" (Shulman, 2005) of the social work profession (CSWE, 2008; Wane et al., 2010), where students apply the knowledge and skills learned during their coursework into their practice areas of interest. If students are interested in criminal legal social work, they can learn additional knowledge and skills specific to the criminal legal system during their field placements. Fortunately, nearly every MSW program offers field placements

that directly or indirectly involve the criminal legal system (Copeland et al., 2022; Epperson et al., 2013).

The fourth research question assesses the subject matter taught to learners. Each article included in the scoping review provides content on a range of topics directly and indirectly related to the criminal legal system, from who is affected by the criminal legal system to where social workers engage with system-impacted individuals. However, few studies examine critical and alternative approaches to the criminal legal system, including abolitionism. I argue that, with proper education, the social work profession can contribute a social justice-oriented perspective, collaborate with abolitionist activists and system-impacted individuals, and provide alternatives to community safety. Therefore, future research can consider punitive, reformative, and abolitionist approaches when engaging with the criminal legal system.

The fifth research question speculates pedagogical approaches and tools utilized to facilitate the learning of criminal legal content. The included studies reveal the lack of standardization in teaching criminal legal content, as each study presents unique combinations of pedagogical approaches and tools. However, three themes encompass how the included studies teach criminal legal content: active learning, experiential learning, and technology. First, active learning promotes the application of knowledge, values, skills, and affective processes to challenge learners. Active learning encompasses numerous activities, including group work (Steinberg, 2019), reflections (McGuire & Lay, 2020), critical dialogue (Wagaman et al., 2019), and inquiry-based learning (Archer-Kuhn, 2020). However, the included articles did not utilize quizzes and exams, a crucial component for social work licensure (Association of Social Work Boards, 2021). While many states have revised social work licensure requirements to provide alternatives to the ASWB examination, it is important to continue to prepare students who are

required to take the examination. Second, experiential learning offers low-risk exposure to realistic situations that learners could encounter in social work practice. The included studies align their pedagogy with social justice practices, including service learning (Madden et al., 2014) and community-based participatory research (CBPR, Branom, 2012). However, the included articles missed simulation-based learning (SBL, Kourgiantakis et al., 2019; Roberson, 2020) and underrepresented collaboration with other disciplines. Third, technology offers opportunities for learners to engage with active and experiential learning (McInroy, 2021). However, reflecting the existing literature, the included articles barely infiltrate the literature on utilizing technology in social work education. For example, the articles do not consider the utilization of technology in a “flipped classroom” or collaborative technologies (e.g., Microsoft 365, Google Application Suite), which diminishes opportunities for active learning (Holmes et al., 2015). The aforementioned themes support a variety of pedagogical tools and approaches for social work learners to engage with criminal legal educational content.

### ***3.6.2 Limitations***

Although this study uncovers key insights into criminal legal education among the social work profession, notable methodological and content limitations exist. First, by nature of the scoping review methodological approach, this study is a preliminary examination of the existing empirical literature on criminal legal content in social work education. Due to the broad scope of available literature, rather than engaging in quality assessment measures (Grant & Booth, 2009), this study laid the foundation of existing research in this sub-field of social work. Second, this study only includes peer-reviewed journal articles written in English and concentrated in the United States. This leaves open key studies from countries with different criminal legal systems, such as the UK, India, and Australia, where social justice-oriented practices—such as restorative

justice—are more prevalent (Preston-Shoot, 2003; Preston-Shoot & McKimm, 2013). Third, this study’s search strategy may bias the results. Most included articles were published within the last five years, which may indicate a missing search strategy. Additionally, this study did not analyze course content, including syllabi. Therefore, limitations exist on how the included studies selected pedagogical tools and approaches to teach criminal legal content. The following suggestions provide opportunities for future research to address these limitations.

### ***3.6.3 Future Directions***

This study reveals numerous gaps in the existing empirical literature on criminal legal content throughout the social work educational continuum. To address this study’s methodological limitations, future research may examine the following: specific elements of a research objective, comparing criminal legal education in United States social work programs with other countries, re-examining the search strategy to include historical terminology, and follow existing initiatives on infusing content into the social work curriculum. In addition to aforementioned suggestions, to address this study’s content limitations, future research may examine course syllabi, attitudes and perceptions of social work educational leaders, and collaborations with other disciplines. Additionally, future research can inquire about studies published before 2000 and determine whether the search strategy should be revised to include publications from the 20<sup>th</sup> century.

### ***3.6.4 Conclusion***

This study reveals the desolate availability of research on criminal legal content in social work education. To fulfill the profession’s social justice mission, social work educators and research must invest into exposing students to the criminal legal system before entering practice settings. There are numerous opportunities to advance the profession’s knowledge base,

including further examination of explicit curricula, implicit curricula, and pedagogical approaches and tools. With additional research and education, the social work profession can work toward the amelioration of injustices espousing the United States criminal legal system and repair the harms experienced by impacted individuals, families, and communities.

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## **CHAPTER 4: INVESTIGATING SOCIAL WORK PROGRAM DIRECTORS’ POSITIONALITY TOWARD CRIMINAL LEGAL CONTENT**

### **4.1 Abstract**

Social work Program Directors play a significant role in overseeing CSWE accreditation and program curricula. However, Program Directors are required to understand a broad array of knowledge, from policies and procedures to topic areas and pedagogy. Because the social work profession proclaims a mission of social justice, it becomes essential to educate students on the history of the War on Drugs, the structural racism embedded in the criminal legal system, and efforts to reform and abolish the criminal legal system. However, few studies exist on criminal legal social work education, particularly in BSW programs and from the perspectives of social work Program Directors. In this study, I surveyed BSW and MSW Program Directors with “Accredited” or “Candidacy” status from United States CSWE-accredited institutions. Seventy-five participants completed a 35-item survey on institutional, program, and individual sociodemographic characteristics; criminal legal content in participants’ programs; and participants’ attitudes toward criminal legal issues and initiatives. The results indicate that the majority of programs infuse or integrate criminal legal content throughout their programs, incorporate content that both directly and indirectly pertains to the criminal legal system, and do not have a program or university policy requiring applicants to undergo a criminalized background check. This study uncovered the lack of knowledge associated with common phrases to discuss criminal legal issues. Therefore, it is recommended that additional education is provided to social work educational administrators and instructors in order to enhance criminal legal system competencies and enhance social work students’ educational experiences with criminal legal social work content.

## **4.2 Introduction**

### ***4.2.1 The History of Social Work Programs***

In the mid-nineteenth century, social work emerged as a profession in the United States to address societal injustices. While some charity social workers provided services and resources to immigrants and poor families struggling to survive (Austin, 2001), others engaged in criminal legal reform. By the turn of the twentieth century, social workers supported and led many movements that supported the profession's social justice mission, including child labor laws, white women's suffrage, the rise of the working class, and implementing a separate criminal legal system for youth. To adequately prepare social workers for practice in labor, settlement, charity, and criminal and juvenile legal settings, the profession's educators developed curricular offerings (Richmond, 1898), including post-graduate training, coursework within social science programs, and schools of social work. While white social workers and Black social workers in the North received comprehensive undergraduate- and graduate-level training and education in schools of social work, Black social workers had fewer opportunities to access higher education. Therefore, Black social workers in the South received undergraduate-level training and education at Historically Black Colleges and Universities (HBCUs) in collaboration with community organizations and churches (Gary & Gary, 1994).

By the end of the 1920s, the social work curriculum dichotomized graduate-level micro work and undergraduate-level macro work, which affected the development of the profession's curriculum and accreditation standards (Austin, 1997). To meet the social service demands brought on by the Great Depression, social work graduate and undergraduate educational programs expanded. Social work programs disjoined from sociology, and undergraduate programs formed a separate accrediting body (Austin, 1997). To resolve the undergraduate-

graduate and macro-micro disharmonies, the Joint Committee studied the profession's curricular requirements and accreditation standards. As a result, undergraduate and graduate programs received the following recommendations: a) incorporate generalist practice into graduate programs and b) establish an "undergraduate-graduate continuum" (Hollis & Taylor, 1951). Additionally, Hollis and Taylor's (1951) report led to the foundation of the Council on Social Work Education in 1952 to accredit graduate schools of social work and encourage social work practice in diverse settings, including criminal legal settings (Hollis & Taylor, 1951; Austin, 1997; CSWE, n.d.).

Throughout the late-20th century, the social work profession rapidly changed and expanded its educational programs. Although social work associate-level programs were dismantled (Rempel, 2020), BSW programs became recognized as accredited programs (Austin, 1997; Anderson, 1985), MSW programs enhanced flexibility by including part-time and accelerated options (Raggett, 1978; Task Force on Quality in Graduate Social Work Education, 1986), and social work doctoral programs emerged (Austin, 1997). Regarding the social work curricular content, five core courses emerged as central to the curriculum: human behavior and the social environment, social work policy, social work research, social work practice, and field education (Constable, 1984). In particular, an introductory social work course previewed the profession's history, values, and roles, including practice in correctional settings (Poppo, 1991). However, the social work profession experienced deprofessionalization (Specht, 1972; Brawley, 1981; Dominelli, 1996; Sheafor, 2001). For example, the War on Drugs initially heightened social work practice in victim services and diversion, transitional, and rehabilitation programs (Hughes & O'Neal, 1983; Roberts & Brownell, 1999; Barker & Branson, 2000; Maschi & Killian, 2011), and social work practitioners' major role as treatment providers quickly lost

influence and funding. As social workers shifted from community engagement to psychotherapeutic practice, social work practice in criminal legal settings declined (Gumz, 2004; Pettus-Davis, 2012; Bartol & Bartol, 2013). Therefore, the changing curriculum did not prioritize criminal legal content.

#### ***4.2.2 Program Directors' Influence on Curricular Content***

Educational administrators oversee curricular development, implementation, and evaluation. In particular, “social work program directors have the responsibility of providing the best educational experiences possible for the students who come to be educated in social work knowledge and skills.” (Clark et al., 2011, p. 1019). However, Program Directors may perceive and hold attitudes differently from faculty and students. For example, McCarty-Caplan (2018) found that Program Directors, faculty, and MSW students perceived their programs’ competence on LGBT issues differently, with Program Directors reporting the highest competency ratings. Additionally, Program Directors are required to oversee a BSW or MSW program’s entire curriculum, but due to a diverse, broad curriculum, Program Directors may possess gaps in knowledge, from topic areas to pedagogy. For example, Valutis & Rubin (2010) found “a much greater lack of knowledge by social work program directors and deans than we anticipated” (p. 209). Although Valutis and Rubin (2010) studied attitudes IRBs, it is possible that there are gaps in knowledge in specific practice areas, such as the criminal legal system.

Program Directors frequently report a lack of resources that assist with incorporating content into their programs. For example, Mapp & Boutté-Queen (2021) identified in BSW programs a lack of support for implementing curricular content, faculty to teach courses, and faculty and interdepartmental understanding of CSWE accreditation standards. Additionally, Minnick (2021) identified barriers that inhibited the adequate preparation of MSW students for

substance use practice: a full curriculum and a lack of integrating substance use content throughout the curriculum, faculty, courses, and course materials. Although calls have been made to increase criminal legal content (van Wormer, 2006; Ward, 1979; Young & LoMonaco, 2001). With gerontology, substance use, and additional topic areas at the forefront of social work's educational priorities, similar barriers may be encountered with criminal legal content.

### **4.3 Methods**

This study examined how the social work profession educated students and practitioners on the extent of criminal legal content in BSW and MSW programs and identified Program Directors' perspectives on criminal legal issues and initiatives.

#### ***4.3.1 Survey Design***

The online Qualtrics survey included 35 questions and took approximately 15 minutes to complete. Participants were asked demographic questions relating to themselves as individuals and Program Directors, as well as demographics on their program and institution. Additionally, participants responded to two items on the explicit criminal legal content offered in their programs, as well as two items on their individual attitudes pertaining to issues and initiatives in the criminal legal system.

#### ***4.3.2 Measures***

**4.3.2.1 Demographic Variables.** Several questions were asked to collect sociodemographic data from participants as individuals, participants' roles as Program Director, and participants' program and institution. Five questions contained items on program and institution demographics: type of program, Carnegie classification, program's college, disciplines within the program's college, and number of criminal legal experts in the program. Seven questions contained program director demographics, including highest educational degree

earned, years of experience in higher education, years served as program director, years of experience in social work or related practice, education and training on the criminal legal system, direct research or practice experiences in the criminal legal system, and indirect research or practice experiences. Eight items consisted of survey participants' demographic information, including generational age, gender identity, sexual orientation, romantic orientation, race, ethnicity, religious affiliation, and political party affiliation. For individual characteristics, participants were permitted to select all response categories that applied, respond with "I prefer to self-describe" and write in the designated text box, or declare "prefer not to respond". For two questions on social and economic political ideology, participants were asked to rate their ideologies on a seven-point Likert scale, from "very conservative" to "very liberal".

To identify the barriers that social work programs face when incorporating criminal legal content into the curriculum, one question listed 11 items for participants to indicate whether the item was a benefit and/or barrier for incorporating criminal legal content in their program. These items included: lack of knowledge, trained or experienced faculty/staff, community resources, collaborations across disciplines, and funding; administrative, student, and faculty resistance; political pressure; full or overcrowded curriculum; and the criminal legal system as a low-priority topic.

**4.3.2.2 Outcome Variables.** Two items were created to measure the outcome variable: explicit criminal legal content offered in a participant's program. One question contained 13 items on curricular offerings, which was expanded from Copeland et al. (2022) and Epperson et al. (2013): dual/joint degrees, concentrations/focus areas, majors, minors, certificate programs, courses (excluding Social Work and the Law), Social Work and the Law course with at least one lesson on the criminal legal system, coursework (e.g., class lessons, discussions, in- or out-of-

class activities, assignments, and other components of a course), experiential learning, practicum opportunities, internal workshops for students and faculty/staff, workshops open to the public, and professional development or continuing education for alumni and practitioners. The second question was measured by 15 items pertaining to topics directly and indirectly related to the criminal legal system: law enforcement, criminal legal courts, corrections- incarceration (i.e., jails, prisons), corrections- community supervision (i.e., probation, parole), youth/juvenile justice, re-entry/re-integration/returning citizens, criminal legal policy, victim/survivor services, court-mandated mental health treatment, court-mandated substance use treatment, Child Protective Services/Department of Children and Families, at-risk services, violence prevention services, restorative justice, transformative justice, and abolitionism. Both questions were dichotomized as yes/no, with “unsure” and “does not apply” response options available and the opportunity to report “other” curricular offerings and course content, respectively.

**4.3.2.3 Independent Variables.** Two questions measured social justice attitudes on a seven-point Likert scale (1 = strongly disagree, 7 = strongly agree). To determine Program Directors’ attitudes on criminal legal issues, I created the 13-item Attitudes on the Criminal Legal System - Issues Scale (ACLS-Issues), which consisted of phrases commonly used during the War on Drugs era and the Black Lives Matter movement (see Chapter 4.2, Appendix A). For this question, participants were given the option to respond with “I have not heard this phrase” for each scale item.

To determine Program Directors’ attitudes on criminal legal initiatives, I created the 20-item Attitudes on the Criminal Legal System - Initiatives Scale (ACLS-Initiatives), where each item referred to efforts to reform or abolish the criminal legal system (see Chapter 4.3, Appendix A). The following criminal legal reformist and abolitionist initiatives were included in the

survey: supporting the public health approach to mental health and substance use disorders, diversion of people from incarceration to community-based supervision, decriminalization of substances, ending War on Drugs policies, ending the death penalty and mandatory life sentences, reducing sentences of incarceration and community supervision, expanding compassionate release programs, expunging convictions, and ending disenfranchisement and social service bans. These are initiatives that social workers have undertaken through Grand Challenges, research projects, and interdisciplinary initiatives.

To identify the number of components in attitudes on criminal legal issues scale (ACLS-Issues), I conducted an exploratory factor analysis (EFA), with considerations taken for small sample sizes (de Winter et al., 2009). First, I re-coded participants' responses who indicated "I have not heard this term" for each item. Then, I reverse coded six items (see Appendix A, items 1, 3, 4, 8, 13, and 14), as these items referred to phrases that held historical significance, perpetuated the War on Drugs' objective of structural racism, and/or responded against the Black Lives Matter movement (see section 4.2). I used this analysis to determine the appropriate number of factors existing in the ACLS-Issues measure. This analysis uses the scree plot and an Eigenvalue of one in order to identify variance between scales.

### ***4.3.3 Participants***

**4.3.3.1 Eligibility Criteria.** Participants were eligible to complete the study survey if their primary position included a BSW or MSW Program Director role at a United States Council on Social Work Education (CSWE)-accredited institution. Program Directors of equivalent social work or social welfare programs (e.g., BA in Social Welfare, MSSW in Social Work) were also eligible to participate in this study. Program Directors were invited to participate in this study due to their roles in administering program mission and goals,

monitoring the program's curriculum, and supervising instructors. In addition to MSW Program Directors (Epperson et al., 2013; Copeland et al., 2022), BSW Program Directors were eligible for participation in this study to examine the incorporation of criminal legal curricular content at the baccalaureate level. Additionally, participants were required to read and write in English and have access the technology required to complete an online survey (i.e., a device with Internet connection and the ability to complete a Qualtrics survey).

**4.3.3.2 Exclusion Criteria.** The following individuals were excluded from participation in this study: former BSW or MSW Program Directors; faculty who were not charged with leading a BSW or MSW program; Program Directors from CSWE accredited institutions in Canada; and non-CSWE-accredited social work programs. These individuals were excluded from participation in this study for two reasons. First, participants that did not meet inclusion criteria were excluded from this study due to the focus of the research in the United States, particularly among programs that were held to CSWE accreditation standards. Second, participants were excluded if they did not meet inclusion criteria, as the study focused on BSW and MSW program leaders, their perspectives, and the current content of their programs. Additionally, because this study focused on an overall perspective of BSW and MSW curricular content, programmatic design, and administrative decision-making, instructors and other administrative faculty or staff (e.g., Department Assistants, Deans, Department Chairs) were not considered for participation unless these individuals met inclusion criteria (i.e., served as BSW or MSW Program Directors as their primary role). Furthermore, BSW and MSW programs with a "pre-candidacy" accreditation status were excluded from participation due to these programs having a primary focus on initial accreditation.

#### ***4.3.4 Sampling Procedures***

This study recruited from a total population sample of 896 Program Directors. As of October 2022, there were 538 accredited BSW programs, 313 accredited MSW programs, 16 BSW programs in candidacy, and 29 MSW programs in candidacy (CSWE, 2023). In particular, I used a non-probability sampling approach to obtain perspectives of all Programs Directors eligible for participation, which could enhance the depth of the results. The population size is manageable and eligible participants' contact information is publicly available on the CSWE Directory of Accredited Programs and on each program's website. The targeted participant number was 50-100 participants, as this study sought to obtain preliminary data. Additionally, Hendra & Hill (2019) identified no relationship between survey non-response bias and response rates; therefore, after four to six weeks of participant recruitment, and due to financial and time restrictions, the research team ended recruitment.

#### ***4.3.5 Recruitment***

The research team collected contact information from the CSWE Accreditation Directory and each program's website, and each listed Program Director and department was directly contacted through email. Additionally, recruitment information was sent out through the CSWE newsletter and the Grand Challenges for Social Work newsletter. The recruitment information was also sent through the researcher's networks through email and social media. Additionally, participants were recruited by word-of-mouth through the research team and university's social networks. Participants were contacted a total of three times to encourage participation.

#### ***4.3.6 Data Analysis***

Study data were analyzed using Statistical Package for Social Sciences (SPSS). Frequencies were reported for all data collected. Additionally, sociodemographic variables were

analyzed using descriptive statistics and frequencies for categorical demographic variables, including university and program characteristics, program director characteristics, participant characteristics, and benefits and barriers to incorporating criminal legal content (see section 4.3.2.1).

## **4.4 Results**

### ***4.4.1 Participant Characteristics***

Participant characteristics can be found in Table 1. Of the 75 participants, 55 (73.3%) identified as Program Directors of BSW programs, with the remaining participants ( $n = 20$ , 26.7%) identifying as Program Directors of MSW programs. The majority of participants reported their highest degree as a PhD in social work or social welfare ( $n = 39$ , 52.0%), with over one-quarter earning an MSW degree and the remaining one-fifth earning a DSW or PhD in another discipline, respectively ( $n = 8$ , 10.7%). Participants reported an average of 15 years of experience in higher education ( $SD = 8.5$ ), 5.8 years of experience as Program Director ( $SD = 5.0$ ), and 18.9 years of social work practice experience ( $SD = 12.0$ ). Nearly one-third of participants reported criminal legal education or training ( $n = 24$ , 32.0%), over one-quarter reported direct criminal legal research or practice experiences ( $n = 21$ , 28.0%), and over two-thirds reported indirect criminal legal research or practice experiences ( $n = 51$ , 68.0%).

Participants' average year of birth was 1970 ( $SD = 11.2$ ), with the majority of participants reporting their year of birth during Generation X ( $n = 41$ , 54.7%) and fewer than one-fifth of participants reporting their year of birth during the Baby Boomer generation ( $n = 14$ , 18.7%). The majority of participants identified as female ( $n = 64$ , 85.3%), heterosexual ( $n = 61$ , 81.3%), heteroromantic ( $n = 59$ , 78.7%), white ( $n = 60$ , 80.0%) or African American/Black ( $n = 13$ , 17.3%), and not Hispanic or Latinx/e ( $n = 70$ , 93.3%). Nearly one-half of participants

reported their religious affiliation with Christianity, including 24 (32.0%) with Protestantism and 12 (16.0%) with “other” (i.e., not Protestantism, Christianity, or Mormonism); additionally, over one-third of participants reported their religious affiliation as Unaffiliated, Secular, Atheism, or Agnosticism ( $n = 26$ , 34.7%). Approximately 70% of participants reported an affiliation with the Democratic Party ( $n = 52$ ) and identified with a “very liberal” or “liberal” social political ideology ( $n = 26$  and  $27$ , respectively). In contrast, fewer participants identified with a “very liberal” or “liberal” economic political ideology ( $n = 15$  and  $28$ , respectively), with one-quarter of participants reporting “somewhat liberal” or “neither conservative nor liberal” ( $n = 10$  and  $9$ , respectively).

**Table 4.1: Participant Characteristics**

Type of Program	<i>n</i>	%
BSW	55	73.3
MSW	20	26.7
Highest Degree Earned	<i>n</i>	%
<i>DSW</i>	8	10.7
<i>PhD in Social Work or Social Welfare</i>	39	52.0
<i>PhD in Other Discipline</i>	8	10.7
<i>MSW</i>	20	26.7
Experiences	Avg.	SD
Years of Experience in Higher Education	15.0	8.5
Years as Program Director	5.8	5.0
Years in Social Work Practice (or Related Field)	18.9	12.0
Criminal Legal Experiences	<i>n</i>	%
Education or Training in the Criminal Legal System	24	32.0
Direct Research or Practice Experience in the Criminal Legal System	21	28.0
Indirect Research or Practice Experience with the Criminal Legal System	51	68.0
Sociodemographic Characteristics		
Age	Avg.	SD
Year Born	1970	11.2
Gender Identity	<i>n</i>	%
Female	64	85.3

**Table 4.1: Participant Characteristics (cont.)**

Male	11	14.7
Sexual Orientation		
Heterosexual	61	81.3
Romantic Orientation		
Heteroromantic	59	78.7
Prefer Not to Respond	7	9.3
Race		
White	60	80.0
African American / Black	13	17.3
Ethnicity		
Not Hispanic / Latinx/e	70	93.3
Religion		
Christianity - Protestantism	24	32.0
Christianity – Other (not Protestantism, Christianity, or Mormonism)	12	16.0
Unaffiliated, Secularism, Atheism, Agnosticism	26	34.7
Political Party Affiliation		
Democratic Party	52	69.3
Independent	7	9.3
Neither Democratic nor Republican Party	6	8.0
Social Political Ideology		
Very Liberal	26	34.7
Liberal	27	36.0
Somewhat Liberal	8	10.7
Economic Political Ideology		
Very Liberal	15	20.0
Liberal	28	37.3
Somewhat Liberal	10	13.3
Neither Liberal nor Conservative	9	12.0

Note: Sociodemographic characteristics with fewer than five responses were not included to protect participants' identities. Additionally, participants were given the option to "self-describe" or "prefer not to respond" for all sociodemographic characteristics.

#### ***4.4.2 Institutional and Program Characteristics***

Institutional and program characteristics can be found in Table 2. The majority of programs were associated with doctoral-granting research universities ( $n = 33, 44.0\%$ ) and master's colleges and universities ( $n = 25, 33.3\%$ ). Participants' universities were located in diverse areas. Approximately one-quarter ( $n = 18, 24.0\%$ ) of participants reported that their

university was located in a Democratic state, and one-third ( $n = 24, 32.0\%$ ) reported that their university was located in a “split” state; the remaining programs ( $n = 33, 44.0\%$ ) were located in Republican states (World Population Review, 2023). Programs were dispersed throughout rural ( $n = 14, 18.7\%$ ), microcore ( $n = 12, 16.0\%$ ); and small ( $n = 14, 18.7\%$ ), medium ( $n = 17, 22.7\%$ ), and large ( $n = 17, 22.7\%$ ) metro areas (National Center for Health Statistics, 2013). Additionally, participants’ programs were affiliated with college units of various types, most frequently Health Science ( $n = 17, 22.7\%$ ); Letters and Sciences, Arts and Sciences, or Liberal Arts and Sciences ( $n = 14, 18.7\%$ ); Social Work ( $n = 12, 16.0\%$ ); Social and Behavioral Sciences ( $n = 10, 13.3\%$ ); and Professional or Applied Studies ( $n = 8, 10.7\%$ ). The average enrollment amongst programs was 179 students ( $SD = 232.4$ ), with approximately one-quarter of programs enrolling fewer than 50 students ( $n = 18, 24.0\%$ ) and one-fifth of programs enrolling 100-149 students ( $n = 15, 20.0\%$ ); additionally, six programs (8.0%) enrolled at least 700 students.

**Table 4.2: Institutional and Program Characteristics**

Carnegie Classification	<i>n</i>	%
<i>Doctoral Universities</i>	33	44.0
<i>Doctoral/Professional Universities</i>	5	6.7
<i>Master’s Colleges and Universities</i>	25	33.3
<i>Baccalaureate Colleges</i>	11	14.7
Geographic Location by County		
<i>Rural County (Non-metropolitan area)</i>	14	18.7
<i>Microcore County (10,000 – 49,000)</i>	12	16.0
<i>Small Metro County (&lt; 250,000)</i>	14	18.7
<i>Medium Metro County (250,000 -999,999)</i>	17	22.7
<i>Large Metro County (&gt; 1 million)</i>	17	22.7
<i>Virtual / Online</i>	1	1.3
Political Party Affiliation by State		
<i>Democratic</i>	18	24.0
<i>Split</i>	24	32.0
<i>Republican</i>	33	44.0
College of Program		
<i>Social Work</i>	12	16.0
<i>Social and Behavioral Sciences</i>	10	13.3

**Table 4.2: Institutional and Program Characteristics (cont.)**

<i>Letters/Arts and Sciences, Liberal Arts and Sciences</i>	14	18.7
<i>Health Sciences</i>	17	22.7
<i>Education Human/Social Services</i>	6	8.0
<i>Humanities and Social Sciences</i>	4	5.3
<i>Public Policy/Affairs, Urban Affairs, Community Engagement</i>	3	4.0
<i>Professional/Applied Studies</i>	8	10.7
	<b>Avg.</b>	<b>SD</b>
Number of Students Enrolled in Program	179.2	232.4
Number of Criminal Legal Experts in Program	0.8	1.54
Participants' Level of Support for Background Checks on Program Applicants	3.3	2.3
Background Check Policy for Program Applicants	<b><i>n</i></b>	<b>%</b>
<i>Policy at the Program-Level</i>	11	14.7
<i>Policy at the University-Level</i>	9	12.0
Program Excludes Applicants Due to Criminalized Record – Yes	3	4.0

Note: “Participants’ Level of Support for Background Checks on Program Applicants” was rated on a seven-point Likert scale (1 = strongly disagree, 7 = strongly agree).

#### **4.4.3 Social Justice Content**

Social justice content can be found in Table 3. Forty-two programs (56.0%) reported that their program did not offer a social justice or human rights student organization. Additionally, participants reported positive or neutral agreement with their program incorporating all components of the seven Es. Participants reported the strongest agreement with infusing the person-in-environment perspective, acknowledging all social injustices, and challenging the discrimination and oppression of all disadvantaged groups into their programs. Program Directors reported neutral agreement with centering the needs of system-impacted individuals, families, and communities, as well as teaching love and liberation throughout their programs.

**Table 4.3: Social Justice Content**

<b>Characteristic</b>	<b><i>n</i></b>	<b>%</b>
Program Offers a Social Justice or Human Rights Student Organization - No	42	56.0
<b>Tenet</b>	<b>Avg. (SD)</b>	
My program distributes resources in different amounts based on need.	4.7 (1.6)	
My program encourages students, faculty, and staff to <i>speak</i> freely, including voices that dissent from the program's priorities.	5.5 (1.5)	
My program encourages students, faculty, and staff to <i>participate</i> in opportunities freely, including opportunities that dissent from the program's priorities.	5.3 (1.5)	
My program is open to policy changes that dissent from the program's priorities.	4.7 (1.7)	
My program offers resources for people from disadvantaged groups that fulfill their educational needs.	5.2 (1.5)	
My program challenges discrimination and oppression of <i>all</i> disadvantaged groups.	5.8 (1.3)	
My program infuses the person-in-environment perspective throughout the curriculum.	6.7 (0.9)	
My program acknowledges all social injustices in the curriculum.	5.8 (1.2)	
My program engages in anti-racist reparative actions to restore resources and services in disadvantaged communities.	4.3 (1.7)	
My program teaches critical consciousness throughout the curriculum.	5.0 (1.7)	
My program teaches love and liberation throughout the curriculum.	3.9 (1.7)	
My program centers the needs of individuals, families, and communities most harmed by the criminal legal system throughout the curriculum.	4.1 (1.7)	
My program infuses collaborations between students, faculty, staff, and community members throughout the curriculum.	5.1 (1.7)	

Note: Participants rated questions on a 7-point Likert scale (1 = not at all, 7 = completely).

#### ***4.4.4 Criminal Legal Content***

Criminal legal content can be found in Table 4. The majority of participants reported that criminalized background checks were not required for program applicants, with 9 participants (12.0%) reporting a university-level policy and 11 participants (14.7%) reporting a program-level policy. When asked about their level of support for criminalized background checks, nearly half of participants reported “strongly disagree” ( $n = 23$ , 30.7%) or “disagree” ( $n = 12$ , 16.0%) on a seven-point Likert scale; however, there was a varying range of responses (avg. = 3.3, SD = 2.3), with nearly one-fifth of participants ( $n = 14$ , 18.7%) responding with “strongly agree” to this question.

Most programs integrated or infused criminal legal content, with 72 programs (96.0%) reporting field placement opportunities, 68 programs (90.7%) reporting coursework, and 40 programs (53.3%) reporting experiential learning opportunities. Approximately one-third of programs offered minors ( $n = 26$ , 34.7%) and “Social Work and the Law” courses with at least one lesson on the criminal legal system ( $n = 24$ , 32.0%). Approximately one-quarter of programs offered courses besides “Social Work and the Law” ( $n = 21$ , 28.0%); dual or joint degrees ( $n = 20$ , 26.7%); internal workshops for faculty, staff, and students ( $n = 17$ , 22.7%); and continuing education or professional development for alumni and practitioners ( $n = 17$ , 22.7%). Furthermore, approximately 20% of programs offered public workshops ( $n = 16$ ), 13% offered majors ( $n = 10$ ), 10% offered concentrations or focus areas ( $n = 8$ ), and 5% offered certificate programs ( $n = 4$ ) on the criminal legal system.

Regarding criminal legal topics, the majority of programs offered both direct and indirect criminal legal content. The three most frequently reported topics included child welfare ( $n = 66$ , 88.0%), juvenile justice, and corrections- incarceration ( $n = 64$ , 85.3%). Over three-quarters of

programs offered content on corrections- community supervision ( $n = 60, 80.0\%$ ), at-risk services ( $n = 58, 77.3\%$ ), criminal courts, and violence prevention ( $n = 57, 76.0\%$ ). Over two-thirds of programs offered content on criminal legal policy ( $n = 56, 74.7\%$ ), law enforcement ( $n = 54, 72.0\%$ ), and victim/survivor services ( $n = 52, 69.3\%$ ). Over one-half of programs offered content on restorative justice, returning citizens ( $n = 47, 62.7\%$ ), court-mandated substance use treatment ( $n = 45, 60.0\%$ ), and court-mandated mental health treatment ( $n = 41, 54.7\%$ ). The least frequently reported topics included transformative justice ( $n = 34, 45.3\%$ ) and abolitionism ( $n = 15, 20\%$ ).

**Table 4.4: Criminal Legal Content**

<b>Programmatic Offering</b>	<b>N</b>	<b>%</b>
<i>Dual/Joint Degrees</i>	20	26.7
<i>Concentrations or Focus Areas</i>	8	10.7
<i>Majors</i>	10	13.3
<i>Minors</i>	26	34.7
<i>Certificate Programs</i>	4	5.3
<i>Courses (excluding Social Work and the Law)</i>	21	28.0
<i>Social Work and the Law course with 1+ lesson on the criminal legal system</i>	24	32.0
<i>Coursework</i>	68	90.7
<i>Experiential Learning</i>	40	53.3
<i>Field Placement Opportunities</i>	72	96.0
<i>Internal Workshops</i>	17	22.7
<i>Public Workshops</i>	16	21.3
<i>Professional Development or Continuing Education</i>	17	22.7
<i>Other</i>	5	6.7
<b>Topic</b>	<b>N</b>	<b>%</b>
<i>Law Enforcement</i>	54	72.0
<i>Criminal Courts</i>	57	76.0
<i>Corrections: Incarceration</i>	64	85.3
<i>Corrections: Community Supervision</i>	60	80.0
<i>Youth/Juvenile Justice</i>	64	85.3
<i>Returning Citizens</i>	47	62.7
<i>Criminal Legal Policy</i>	56	74.7
<i>Victim/Survivor Services</i>	52	69.3
<i>Court-Mandated Mental Health Treatment</i>	41	54.7

**Table 4.4: Criminal Legal Content (cont.)**

<i>Court-Mandated Substance Use Treatment</i>	45	60.0
<i>Child Welfare / Family Policing</i>	66	88.0
<i>At-Risk Services</i>	58	77.3
<i>Violence Prevention</i>	57	76.0
<i>Restorative Justice</i>	47	62.7
<i>Transformative Justice</i>	34	45.3
<i>Abolitionism</i>	15	20.0

Factors contributing to the incorporation of criminal legal content can be found in Table 5. The most frequently reported beneficial factors for incorporating criminal legal content included community partnerships ( $n = 63, 84.0\%$ ) and collaborations across disciplines ( $n = 62, 82.7\%$ ). The most frequently reported barriers to incorporating criminal legal content included program resources ( $n = 57, 76.0\%$ ), university resources ( $n = 56, 74.7\%$ ), funding, and curricular load/capacity ( $n = 54, 72.0\%$ ). Conflicting factors—reported as both beneficial factors and barriers—included knowledge of the criminal legal system, training or experience of faculty/instructors, faculty interests, university-level administrative interests, and political influences.

**Table 4.5: Factors that Influence the Incorporation of Criminal Legal Content**

<b>Factor</b>	<b>Benefit <i>n</i> (%)</b>	<b>Barrier <i>n</i> (%)</b>
Geographic Region	51 (68.0)	16 (21.3)
Political Influences	37 (49.3)	28 (37.3)
Knowledge of the Criminal Legal System	38 (50.7)	32 (42.7)
Training or Experiences of Faculty, Staff, and Instructors	36 (48.0)	35 (46.7)
Administrative Interests (Program-Level)	47 (62.7)	23 (30.7)
Administrative Interests (University-Level)	38 (50.7)	32 (42.7)
Community Partnerships, Resources, and Training Sites	63 (84.0)	9 (12.0)
Collaborations Across Disciplines	62 (82.7)	8 (10.7)
Funding	16 (21.3)	54 (72.0)
Student Interests	52 (69.3)	19 (25.3)
Faculty Interests	36 (48.0)	35 (46.7)
Curricular Load/Capacity	17 (22.7)	54 (72.0)
Program Resources	13 (17.3)	57 (76.0)
University Resources	13 (17.3)	56 (74.7)

**Table 4.5: Factors that Influence the Incorporation of Criminal Legal Content (cont.)**

Other	11 (14.7)	21 (28.0)
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Note: Participants could select both “helps” and “barrier”; thus, totals may be greater than 100%.

#### *4.4.5 Attitudes on Criminal Legal Issues and Initiatives*

Results from the exploratory factor analysis (EFA) using Alpha extraction and Quartimax rotation with Kaiser normalization can be found in Table 6. Cronbach’s Alpha ( $\alpha$ ) was 0.740 for the 14-item scale. The scale was divided into three subscales: historical phrases, reformative phrases, and abolitionist phrases. The historical phrases included six items with average levels of agreement ranging between 1.6 (“moderately oppose”) and 3.0 (“slightly oppose”): “Tough on Crime”, “Lock Them Up”, “Back the Blue”, “All Lives Matter”, “All Cops are Bastards”, and “When the looting starts, the shooting starts”. The reformative phrases included four items with average levels of agreement ranging from 4.8 (“slightly support”) to 6.3 (“strongly support”): “Criminal Injustice System”, “Ban the Box”, “Black Lives Matter”, and “End Mass Incarceration”. The abolitionist phrases included four items with averages ranging from 2.2 (“moderately opposed”) to 3.5 (between “slightly opposed” and “neutral”): “The system is not broken, it is operating exactly the way it was designed”, “Defund the Police”, “Abolish Police”, and “Abolish Prisons”. There were 53 (58.0%) nonredundant residuals, which explained 62.16% of variance in the data.

Only 18 participants responded to all 14 criminal legal issues (24.0%). When taking out “Ban the Box”, the sample size raised to 29 participants. Twelve participants did not respond to “Ban the Box”, with an additional 26 responding with “I have not heard of this term before”. While 7 participants did not respond to “When the looting starts, the shooting starts”, 16 responded with “I have not heard this term before”. The third most common was “All cops are

bastards”, with 5 participants not responding and 18 participants responding with “I have not heard this term before”.

**Table 4.6: Scale of Attitudes on Criminal Legal Issues (ACLS-Issues)**

<b>Item</b>	<b>Factor 1</b>	<b>Factor 2</b>	<b>Factor 3</b>
<u>Historical Phrases</u>			
Item 1: “Tough on Crime”	.887	-.152	.015
Item 2: “Lock Them Up”	.764	.008	-.614
Item 3: “Back the Blue”	.829	.269	-.015
Item 4: “All Lives Matter”	.735	.374	.056
Item 5: “All Cops Are Bastards”	.343	-.512	.199
Item 6: “When the looting starts, the shooting starts”	.572	-.473	-.186
<u>Reformative Phrases</u>			
Item 7: “Criminal Injustice System”	-.103	.829	.171
Item 8: “Ban the Box”	.273	.699	.252
Item 9: “Black Lives Matter”	.082	.460	.392
Item 10: “End Mass Incarceration”	.182	.670	.139
<u>Abolitionist Phrases</u>			
Item 11: “The system is not broken, it is operating exactly the way it was designed”	.209	.329	.566
Item 12: “Defund the Police”	-.014	.002	.640
Item 13: “Abolish the Police”	-.452	.278	.703
Item 14: “Abolish Prisons”	-.152	.360	.669

Note: Extraction Method: Alpha Factoring. Rotation Method: Quartimax with Kaiser Normalization. Rotation converged in 10 iterations. This scale was rated by participants on a 7-point Likert scale (1 = strongly oppose, 7 = strongly in favor). Responses indicating “I have not heard this term before” were removed before calculating the mean and standard deviation.

Regarding criminal legal initiatives, participants strongly and consistently supported five criminal legal initiatives: 1) “approaching mental health and substance use disorders as a public health issue” ( $\bar{x}$  = 6.9, SD = 0.4), 2) “body cameras for law enforcement” ( $\bar{x}$  = 6.7, SD = 0.7), 3) “raising educational/training requirements for law enforcement” ( $\bar{x}$  = 6.5, SD = 0.7), 4) “implicit bias training for all professionals who work in criminal legal settings” ( $\bar{x}$  = 6.5, SD = 1.1), and 5) “ending lifetime bans on social services / welfare assistance for individuals with felony convictions” ( $\bar{x}$  = 6.5, SD = 1.3). In contrast, participants’ perspectives moderately agreed with

“eliminating qualified immunity for law enforcement” ( $\bar{x} = 5.2$ ,  $SD = 2.0$ ), and agreement with this initiative varied.

Participants’ perspectives on expungement, voter re-enfranchisement, diversion, and decriminalization varied by who would benefit from the initiative, with stronger support for initiatives that benefitted youth, people convicted of cannabis-related and non-violent offenses, and individuals who were not currently serving felony sentences. Participants strongly supported “expunging convictions of non-violent drug offenses” ( $\bar{x} = 6.1$ ,  $SD = 1.4$ ). Additionally, participants strongly supported “ending the voting disenfranchisement of individuals serving probation and parole sentences” ( $\bar{x} = 6.4$ ,  $SD = 1.5$ ), “ending the voting disenfranchisement of individuals with felony convictions (who are not currently incarcerated or serving probation or parole sentences)” ( $\bar{x} = 6.3$ ,  $SD = 1.5$ ), and “ending the voting disenfranchisement of individuals who are incarcerated with a felony conviction” ( $\bar{x} = 5.9$ ,  $SD = 1.9$ ). In contrast, participants more strongly supported “ending youth life without parole” ( $\bar{x} = 6.4$ ,  $SD = 1.3$ ) than “ending life without parole for youth and adults” ( $\bar{x} = 5.0$ ,  $SD = 1.6$ ). Similarly, while participants moderately supported the decriminalization of cannabis ( $\bar{x} = 5.7$ ,  $SD = 1.9$ ), participants’ perspectives varied greatly on the decriminalization of all substances ( $\bar{x} = 3.6$ ,  $SD = 2.3$ ). Regarding diversion initiatives, while participants strongly supported “diverting people arrested for non-violent criminalized behaviors to mental health and substance use treatment” ( $\bar{x} = 6.3$ ,  $SD = 1.1$ ) and “diverting 911 emergency calls for behavioral health issues to social workers” ( $\bar{x} = 5.9$ ,  $SD = 1.3$ ) and remained neutral with “diverting all people arrested for criminalized behaviors to mental health and substance use treatment” ( $\bar{x} = 4.1$ ,  $SD = 1.8$ ).

Regarding War on Drugs policies, participants demonstrated slight agreement with moderate to high standard deviations for “ending the death penalty” ( $\bar{x} = 6.0$ ,  $SD = 1.7$ ) “ending

mandatory minimum sentences” ( $\bar{x} = 5.4$ ,  $SD = 2.0$ ), and “ending three-strikes laws” ( $\bar{x} = 5.5$ ,  $SD = 1.8$ ). Participants were less slightly supportive of “reducing prison sentences” ( $\bar{x} = 5.0$ ,  $SD = 1.5$ ) and “reducing probation and parole sentences” ( $\bar{x} = 4.5$ ,  $SD = 1.7$ ). Similarly, participants were slightly to moderately supportive of “expanding prison compassionate release during the COVID-19 pandemic” ( $\bar{x} = 4.8$ ,  $SD = 1.8$ ) and “expanding prison compassionate release (pre-pandemic, during the COVID-19 pandemic, and post-pandemic)” ( $\bar{x} = 4.7$ ,  $SD = 1.7$ ).

**Table 4.7: Attitudes on Criminal Legal Initiatives (ACLS-Initiatives)**

<b>Initiative</b>	<b>Avg. (SD)</b>
Raising educational/training requirements for law enforcement.	6.5 (0.7)
Body cameras for law enforcement.	6.7 (0.7)
Eliminating qualified immunity for law enforcement.	5.2 (2.0)
Approaching mental health and substance use disorders as a public health issue.	6.9 (0.4)
Diverting 911 emergency calls for behavioral health issues to social workers.	5.9 (1.3)
Implicit bias training for all professionals who work in criminal legal settings.	6.5 (1.1)
Diverting people arrested for non-violent criminalized behaviors to mental health and substance use treatment.	6.3 (1.1)
Diverting all people arrested for criminalized behaviors to mental health and substance use treatment.	4.1 (1.8)
Decriminalizing cannabis.	5.7 (1.9)
Decriminalizing all substances.	3.6 (2.3)
Ending mandatory minimum sentencing.	5.4 (2.0)
Ending three-strikes laws.	5.5 (1.8)
Ending the death penalty.	6.0 (1.7)
Ending youth life without parole.	6.4 (1.3)
Ending life without parole for youth and adults.	5.0 (1.6)
Reducing prison sentences.	5.0 (1.5)
Reducing probation and parole sentences.	4.5 (1.7)
Expanding prison compassionate release during the COVID-19 pandemic.	4.8 (1.8)
Expanding prison compassionate release (pre-pandemic, during the COVID-19 pandemic, and post-pandemic).	4.7 (1.7)

**Table 4.7: Attitudes on Criminal Legal Initiatives (cont.)**

Expunging convictions of non-violent drug offenses.	6.1 (1.4)
Ending the voting disenfranchisement of individuals who are incarcerated with a felony conviction.	5.9 (1.9)
Ending the voting disenfranchisement of individuals serving probation and parole sentences.	6.4 (1.5)
Ending the voting disenfranchisement of individuals with felony convictions (who are not currently incarcerated or serving probation or parole sentences).	6.3 (1.5)
Ending lifetime bans on social services / welfare assistance for individuals with felony convictions.	6.5 (1.3)

Note: On a 7-point Likert scale (1 = strongly oppose, 7 = strongly in favor)

## **4.5 Discussion**

### ***4.5.1 Major Themes***

Regarding social justice content in BSW and MSW programs, the results were expected. For example, because the person-in-environment perspective is a CSWE requirement (CSWE, 2015), most programs reported including this perspective to a great extent in their programs. In contrast, because ADEI was recently added to the CSWE Educational Policy and Accreditation Standards (CSWE, 2022), content that centered theories, frameworks, and practices among Black, Indigenous, and system-impacted communities—love and liberation, centering system-impacted people, and anti-racist reparative actions—were reported less frequently.

A concerning number of participants reported “unsure” response rates for content on re-entry and returning citizens, restorative justice, and transformative justice. While this could mean a variety of things—such as participants not knowing whether this content is taught in their programs or not knowing what the content entails—this finding indicates that criminal legal content on alternative and abolitionist perspectives remains limited. Similarly, these findings

reflected participants' responses on the ACLS-Issues and ACLS-Initiatives scales. Regarding criminal legal issues, "end mass incarceration" and "Black Lives Matter" phrases received high averages and were least frequently reported as "I have never heard of this term". Regarding initiatives, nearly every participant supported a public health response to criminalized behaviors. For example, participants more frequently agreed with initiatives such as diversion to treatment and raising education and training requirements for law enforcement. However, in contrast to stronger agreement with decriminalizing cannabis, participants reported less agreement with the decriminalization of all substances. These findings indicate that social work Program Directors may support reformative responses to the criminal legal system but may hold neutral or opposing opinions on abolitionist initiatives.

Regarding benefits and barriers to incorporating criminal legal content in BSW and MSW programs, the results indicated a high discrepancy between student and faculty interest: more students are interested in criminal legal content than faculty. Additionally, program and university administrative interests differed, with the results for "curricular load/capacity" and "program resources" consistent with other studies (Ogden et al., 2017). Participants reported high levels of collaboration, which is consistent with studies that demonstrate how the social work profession is an asset in interprofessional education and interprofessional collaboration. However, many participants shared that either a) their programs were housed in the same college unit as sociology and criminal justice departments or b) the departments operate separately. These results indicate that the social work profession should continue to develop interdisciplinary and interprofessional collaborations with other professions who work in direct and indirect criminal legal settings. Furthermore, the results indicate that work programs should utilize the expertise of their communities, including collaborations with community agencies. By

infusing the knowledge, experiences, and approaches of community agencies, social work programs can benefit in several ways, including a) providing experiential learning opportunities such as simulation-based learning, service learning, and field placements; b) providing guest speakers and instructors with knowledge of the criminal legal system; and, most importantly, c) centering system-impacted individuals and communities.

#### ***4.5.2 Limitations and Future Directions***

The primary limitation of this study is the small sample size ( $n = 75$ ). Due to the small sample size, the standard deviations for the criminal legal initiatives varied from 0.4 to 2.3 (ACLS-Initiatives, see section 4.4.5). However, the trends in the data are revealing: participants demonstrated greater support for initiatives that benefitted certain groups (e.g., youth, people with non-violent offenses, cannabis decriminalization), as opposed to benefiting all individuals (e.g., adults, people with violent offenses, individuals currently serving felony sentences, decriminalization of all substances). Additionally, only 18 participants responded to all 14 items in the ACLS-Issues scale. The “Ban the Box” item most likely affected this result, as nearly half of the participants ( $n = 37, 49.3\%$ ) responded to this item. Due to the exploratory nature of this study, two conclusions can be made: 1) additional data should be collected and b) the social work profession should increase knowledge of criminal legal issues, particularly regarding the history of the War on Drugs and current events. Therefore, the researchers will continue to collect data in order to solidify the exploratory factor analysis (EFA), conduct tests of association, and conduct logistic regressions with the predictor and outcome variables. While collecting additional data, the research team can consider adding additional questions, such as whether participants’ programs or field partners conduct background checks for field placements or adding case vignettes with brief video examples that demonstrate the use of the phrases in the

ACLS-Issues scale. Also, additional data can determine if the reported trends continue with a larger sample size that is more indicative of the perspectives of all Program Directors. Then, the research team can consider comparing representative data of Program directors with other populations, including students, instructors, the general public, and system-impacted individuals. Furthermore, qualitative data can be collected to understand participants' rationale for supporting or opposing the items presented in the ACLS-Issues and ACLS-Initiatives scales. A contextualized understanding of the findings can indicate clearer future directions for criminal legal social work content.

#### ***4.5.3 Recommendations***

This study supports the call to educate social work BSW and MSW programs on issues facing system-impacted individuals, families, and communities. In particular, this study adds to the existing literature by examining phrases commonly used to indicate criminal legal issues, both from a historical context and current issues and initiatives facing communities throughout the United States. The study findings demonstrate student interest in the criminal legal system; therefore, it is important that BSW and MSW programs offer active and experiential learning opportunities in the classroom, as well as community-based field placements that both directly and indirectly involve the criminal legal system. To fulfill students' interests, the research team recommends the education of administrators, faculty, and instructors on criminal legal issues and initiatives. With a fully educated, informed team of administrators, faculty, and instructors, social work programs can discuss the history of the criminal legal system; infuse current events affecting local communities and the broader society; and educate students and practitioners on historical, reformative, and abolitionist perspectives on criminal legal issues and initiatives.

#### **4.5.4 Conclusion**

This study finds that BSW and MSW programs indicate a preference toward the infusion of criminal legal content into the social work curriculum. Additionally, this study finds that Program Directors may not be fully aware of common phrases associated with the War on Drugs, Black Lives Matter movements, and other current events presented in the media. The researchers plan to collect additional quantitative and qualitative data on the perspectives of BSW and MSW Program Directors toward criminal legal issues and initiatives in order to further understand the relationships between criminal legal issues and initiatives with criminal legal content in BSW and MSW curricula.

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## CHAPTER 5: THEORETICAL FRAMEWORK OF CRIMINAL LEGAL SOCIAL WORK CONTENT

### 5.1 Abstract

Philosophers asserted people's undeniable human rights through the theory of "social justice", beginning as a social contract necessary for human socialization and survival (Pogge, 1988; Johnston, 2011; Platz, 2011; Simmons, 2016). Although the United States colonized the country by applying Locke's (1689) social justice tenets of life, liberty, and property, the criminal legal system was created under the interpretation of Kant's punitive response to societal injustices. The social work profession and its curriculum developed throughout the twentieth century (Austin, 1997); however, as a result of colonization, racism, and classism, BIPOC individuals, families, and communities were disproportionately both entrapped in the criminal legal system and underserved by social work practice and social work education (Gary & Gary, 1994; Hopps et al., 2021; Kovera, 2019; Parker, 2022).

Throughout the 20<sup>th</sup> century, social justice remained central to social work education, practice, research, and policy (CSWE, 2015; NASW, 2021). Despite the modernization of social justice theory to centralize fairness (Rawls, 1971, 1999), the theory remained individualized and excluded people affected by the criminal legal system, including BIPOC communities. Therefore, social justice tenets lacked consistent applications to all populations and settings (Hawkins et al., 2001; Pettus-Davis, 2012; Scheyett et al., 2012).

Recently, Nicotera (2018, 2019) defined social justice tenets for the social work profession through a "Circle of Insight", contesting that justice is both a process and product; surpasses both equality and equity; and incorporates empowerment, critical consciousness, restorative justice, and transformative justice frameworks. Additionally, this definition has

acknowledged the social work profession's attention to the micro, mezzo, exo, and macro levels. However, few studies exist on criminal legal explicit and implicit curricula (see Chapter 3). Therefore, a need exists to infuse social justice theoretical tenets (Hodge, 2009; Funge, 2011, 2012; Watts & Hodgson, 2019) and criminal legal content into the social work curriculum.

First, I examined the historical contexts of three topics: a) social justice theory, from justice as a social contract to justice as fairness; b) the criminal legal system, from the racist criminalization of substances to hyper-incarceration; and c) social work's educational and professional development, such as the exclusion of BIPOC social workers in higher education settings and addressing the injustices that BIPOC communities face. Next, I compared historical interpretations of social justice theory with Nicotera's (2019) tenets, with applications to the criminal legal system. Finally, I examined literature on current practices in criminal legal social work education, including the incorporation of explicit (Ivanoff et al., 1993; Young & LoMonaco, 2001; Roberts & Springer, 2009; Maschi & Killian, 2011; Epperson et al., 2013; Warde, 2014; Kubiak & Milanovic, 2017; Maschi et al., 2019) and implicit curricula (Young, 2014, 2015; Toi, 2015; Knight, 2017; Secula, 2018). The infusion of social justice theory into criminal legal social work education in order to enhance the effectiveness of social work practice in direct and indirect criminal legal settings. Thus, social work education can facilitate the practical application of social work-aligned social justice tenets into education on the criminal legal system, which can be applied globally to all sub-fields of social work.

## **5.2 Introduction**

### ***5.2.1 Social Justice in the U.S. Criminal Legal System***

From Aristotle and Plato to Kant and Rousseau, social justice theory existed and evolved in Western culture, asserting the undeniable protection of human rights and liberties through

social contracts (Johnston, 2011; Simmons, 2016; Pogge, 1988). Fifty years ago, Rawls (1971, 1999) modernized the theory in the United States, asserting that justice existed through the fair distribution of laws, policies, and resources between governing bodies and constituents. Within the last three decades, this theory expanded to include various identities (Nussbaum, 2006) and contexts (Sen, 2009) that impacted the fulfillment of social contracts and justice (Rawls, 2001). However, individuals, families, and communities most impacted by the criminal “justice” system, from disparities in law enforcement contact through post-sentencing (Robinson, 2010; The Sentencing Project, 2018; Kovera, 2019), remained excluded and harmed. The United States criminal justice system has not been fair or just due to conflicts with social justice theory at societal, community, familial, and individual levels (Robinson, 2010). For this reason, this article hereinto refers to the “criminal justice system” as the “criminal legal system”.

The injustices of the criminal legal system were deeply rooted in the history of the United States, from policing to incarceration. The American policing system oversaw social control (Adamson, 1983; Brown, 2019; Dettlaff, 2023), where law enforcement responded to accusations of criminalized behaviors (NAACP, n.d.). As a “punishment”, the United States idolized rehabilitation and reform for individuals deemed “deviant” or “delinquent” from the social contract by removing them from society (Rothman, 1990) to perform labor-intensive work on sharecropping sites (Wacquant, 2002) or penitentiaries (Devereaux, 1999). Although slavery and “convict leasing” were abolished, imprisonment lived on. Thought of as efforts for rehabilitation and reform, imprisonment was more accurately “conceived as an institution for inflicting punitive vengeance”, and despite quickly becoming “obsolete” and “demoralizing” to society (Devine, 1915, p. 174), laid the groundwork for prevailing punitive policies. The retributive mindset bled into the 20<sup>th</sup> century through the War on Drugs (Sterling, 2004), where

attempts to resolve social issues, such as substance use and drug trafficking, were resolved with excessive punishment (Kelly, 2018). Efforts to obtain justice from this “Drug War”, such as D.A.R.E. educational programs, mandatory minimum sentences, and three-strikes laws proved ineffective (Clayton et al., 1996; West & O’Neal, 2004), yet policies remained unchanged. As a result of the injustices espousing the system, marginalized communities in the United States faced severe consequences.

Social control policies, from slavery to the War on Drugs, disempowered individuals, families, and communities across the criminal legal system. At first contact with law enforcement, one person was arrested every three seconds (Vera Institute of Justice, 2018). Of those arrested, three-quarters of people incarcerated in jails awaited trial, not yet convicted of criminalized behaviors (Sawyer & Wagner, 2020). Once convicted, people faced retributive punishment, including 7 million people with incarceration, probation, parole sentences (Sawyer & Wagner, 2020). Additionally, the system espoused recidivism, with nearly half to two-thirds experiencing re-arrest within one to three years, respectively, after release from incarceration (Alper et al., 2018). Despite requiring incarceration in jails and prisons, the criminal legal system did not prepare people for reintegration into their communities, who faced entrapment in the system and lifelong collateral consequences, including voter disenfranchisement, housing instability, and denial to educational and employment opportunities (American Bar Association, 2018). These statistics supported the conflict of justice and fairness in the criminal legal system, costed the United States \$182 billion annually (Wagner & Rabuy, 2017) and disproportionately affected Black, Indigenous, and People of Color (BIPOC), LGBTQ+ people, women, people with disabilities, and people experiencing poverty (Vera Institute of Justice, 2018; The Sentencing Project, n.d.; Ruesink & Free Jr., 2005; Hall, 1997; Cammett, 2009;

Snyder, 2015; Hereth & Bouris, 2019; Crawford & Scheyett, 2020). To repair the harm caused by these oppressive policies, justice-oriented change agents called for the overhaul of the criminal legal system. In particular, the social work profession, guided by social justice values, was called to serve under-resourced and oppressed individuals, families, and communities to challenge and ameliorate these injustices.

### ***5.2.2 Social Work and Social Justice in the Criminal Legal System***

The social work profession centered social justice as a core value (NASW, 2021), educational competency (CSWE, 2022), and guiding practice. However, social work neglected to operationalize social justice as a theoretical framework for the profession; to resolve this issue, researchers faced inconsistencies in defining, teaching, and practicing social justice. According to the profession, social justice constituted beyond individual factors; additionally, historical, environmental, cultural, institutional, and structural factors impacted access to justice (Nicotera, 2019; Atteberry-Ash, 2020). Therefore, the structure of the criminal legal system required re-examination. However, tensions arose that impacted the extent of the profession's engagement in criminal legal settings, limiting the contributions in eradicating oppression and restoring justice.

Since the conceptualization of the profession, social work has identified criminal legal justice as a priority (Maschi & Killian, 2011). Social workers engaged directly and indirectly with the system, serving as law enforcement officers, expert witnesses, competency evaluators, mental health and substance use treatment providers, mediators, and advocates (Gothard, 1989; Meeker, 1962; Deardorff, 1925; Robbins et al., 2014). In these settings, social workers provided services, resources, and treatment to improve the quality of life for people accused, convicted, victimized, and impacted by criminalized behaviors (Devine, 1915; Roberts & Springer, 2007). However, the profession never fully solidified its presence as leaders in the criminal legal

system, due to bi-directional harm caused by the criminal legal system and the social work profession, and became a profession that operated in a system embedded with systemic racism. For example, society undervalued social work as a profession (Flexner, 1915; Austin, 1983; Williams & Register, 1986), and later, the War on Drugs era reduced a crucial role of social workers as treatment providers (Brennan & Khinduka, 1970). Additionally, the criminal legal system presented moral conflicts with social work values and ethics. The retributive nature of the system and punitive consequences collided with the profession's social justice mission to provide access to fair and equitable treatment of all individuals (NASW, 2021; CSWE, 2022). This resulted in "disjuncture" (Fenton, 2012) and dual loyalties between the criminal legal system and people who were directly involved or indirectly affected by the system (Pont et al., 2012; Winters, 2019). Although the social work profession has endorsed professional practice in criminal legal settings (Meeker, 1962), the profession hesitated to engage and withdrew from this practice area—particularly working with system-impacted adults—in the mid-20<sup>th</sup> century (Pettus-Davis, 2012). Instead of challenging the criminal legal system and advocating for transformative measures, social work has abandoned criminal legal justice endeavors.

To restore fairness to those impacted by the criminal legal system, social work re-engaged. Although social workers have served in criminal legal settings, in the last decade, NASW (2016) listed criminal and juvenile justice as a priority and the American Academy of Social Work and Social Welfare (AASWSW) declared "Smart Decarceration" as a Grand Challenge initiative (Pettus-Davis & Epperson, 2014). In addition to tackling injustices in criminal legal settings, the social work profession examined social work education on criminal legal content. This study adds to the existing literature on criminal legal social work education by qualitatively analyzing 35 studies identified in a scoping review (see Chapter 3), a study on

criminal legal content in BSW and MSW programs and Program Directors' perspectives on criminal legal issues and initiatives (see Chapters 4), and additional literature. With this analysis, I provide recommendations for the infusion of explicit and implicit criminal legal social work content in BSW and MSW programs.

### **5.3 Methods**

This study consisted of a theoretical framework informed by a combined dataset of new and existing data. In particular, I utilized two datasets: 1) a scoping review of criminal legal content (see Chapter 3) and 2) a survey of BSW and MSW Program Directors, including the explicit and implicit criminal legal content in their programs, as well as their perspectives on criminal legal issues and initiatives (see Chapter 4). To create the theoretical framework, I applied critical realist lens and constructivist grounded theory methodologies and centered Nicotera's (2019) seven tenets ("seven Es"). This theoretical framework was supplemented with curricular recommendations for the infusion of explicit and implicit criminal legal content in BSW, MSW, and continuing education programs. In this study, I answered the following research question: *How can social work education apply Nicotera's seven Es to explicit and implicit criminal legal curricula in BSW, MSW, and continuing education programs?*

To answer this research question, I applied Hoddy's (2019) critical realist lens and Danermark et al.'s (1997) four stages of critical realist-informed constructivist grounded theory. Critical realism is a philosophical orientation that maps "...the components of a social phenomenon across stratified reality, spelling out what the relevant objects, structures, mechanisms, and conditions are to that phenomenon" (Hoddy, 2019, p. 6). Additionally, critical realism considers empirical observations, perceptions, and experiences; observed and unobserved events; and mechanisms and structures that inform a person's understanding of the

world (Bhaskar, 1978; Bhaskar & Danermark, 2006). Additionally, I applied constructivism, which is a philosophical orientation that acknowledges how meaning-making comes from explicit and implicit information (Charmaz, 2006; 2017). In particular, social constructivism explains the co-construction of knowledge through active, collaborative learning. In this process, an instructor acts as a facilitator in a student-centered, scaffolded learning process. Social constructivism honors, acknowledges, and incorporates prior knowledge and experiences into learning. By combining critical realism and social constructivism to grounded theory methodology, I mapped empirical data theory's components (Corbin & Strauss, 2008; Danermark et al., 1997; Glaser & Strauss, 1967; see 5.7).

In Danermark et al.'s (1997) first stage of critical realist research, I combined the findings from the scoping review and survey of Program Directors (see Chapters 3-4, respectively). I triangulated these two datasets by conducting a content analysis on the survey data to transform the dataset into qualitative data (Srnska & Koeszegi, 2007). Then, I applied the content that arose from the two qualitative datasets to describe the extent of explicit and implicit social work curricula on the criminal legal system. Finally, I centered a social justice theoretical lens as I applied open coding (Corbin & Strauss, 2008) to historical criminal legal policies and structures (e.g., War on Drugs policies and reformative policies); existing studies on criminal legal social work education (e.g., Copeland et al., 2022); modern criminal legal issues and initiatives (e.g., voter disenfranchisement, decriminalization of substances); and voices and perspectives of system-impacted individuals, families, and communities.

In Danermark et al.'s (1997) second stage, I identified the key components of criminal legal social work education. In particular, I completed axial coding by drawing connections between codes and categorizing each code into categories (Corbin & Strauss, 2008). I identified

four major trends in social work curricular content: infusion, specialization, pedagogical tools, and implicit curricula. These categories were identified through the existing literature and the CSWE Educational Policy and Accreditation Standards (EPAS; CSWE, 2022). The following courses were included in the infusion model: Introduction, Diversity and/or Social Justice, Human Behavior and the Social Environment (HBSE), Research, Policy, Practice, Field, and Continuing Education (see 5.7.1). In the specialization model, the following courses and electives included: Correctional Settings, Juvenile Justice System, Substance Use, Social Work with Children and Families, Gerontological Social Work, Sexuality and Social Work, Violence Prevention, and Mediation and Conflict Resolution (see 5.7.2). The following pedagogical tools were identified: didactic lecture; assigned readings; tests and exams; technology and multimedia; discussions; cases, vignettes, role plays, and simulations; written assignments; individual and group assignments; guest speakers; involvement of governmental and community agencies; field placements, experiential learning, service learning, and volunteering; and affective processes (see 5.7.3). Additionally, the categories for the implicit curriculum included the four components identified in the EPAS: Student Development, Faculty, Administration, and Resources (CSWE, 2022; see 5.7.4).

In Danermark et al.'s (1997) third stage, I engaged in induction, abduction, and retroduction, to explain historical, social, and cultural factors (Ramsay, 1992) pertaining to the criminal legal system. I utilized induction by re-reviewing the articles identified in the scoping review, analyzing the survey dataset's deidentified aggregated responses, and categorizing explicit and implicit criminal legal content found in each dataset. I observed overlaps between content pertaining directly (e.g., law enforcement, courts, corrections) and indirectly (e.g., crisis intervention, substance use, casework, counseling, social assistance) to the criminal legal system

across the core social work courses. Additionally, I found patterns in four areas: 1) theories and frameworks that contextualize criminalized behaviors, 2) responses to criminalized behaviors that directly and indirectly involve the criminal legal system, 3) addressing environmental conditions that lead to criminal legal involvement, and 4) applying techniques and interventions to address criminal legal involvement. I utilized abduction to incorporate the pre-existing categories found in the CSWE EPAS (CSWE, 2022). These patterns reinforce the findings from the survey of Program Directors that support an infusion model and the incorporation of electives that focus on the criminal legal system. Additionally, I utilized retroduction to contextualize the liabilities and powers present in the criminal legal system (Hoddy, 2019). In particular, I infused the foundations of the criminal legal system in the United States, major policies and social movements that shifted attitudes toward the criminal legal system and system-impacted individuals, current issues faced by system-impacted individuals, and current initiatives that were proposed by criminal legal activists. I found that the following factors contributed to today's criminal legal system: institutional and structural racism and slavery, poverty and classism, substance criminalization, the criminalization of sex trades, the War on Drugs, and the role of social workers as governmental agents to aid the implementation of social assistance programs. Additionally, I observed that following theories and frameworks were utilized to explain and address the engagement in criminalized behaviors and criminal legal system involvement: developmental, environmental, and sociological theories and frameworks; theories of learning, motivation, and development; biopsychosocial theories; theories of crime, violence, strain, control, and delinquency; critical race theory (CRT); Black feminism and anti-carceral feminism; queer theories; critical consciousness; and empowerment and liberation (see Chapter 5.4, 5.7.1).

In Danermark et al.'s (1997) fourth stage, I cross-examined my application of Nicotera's seven Es with the explicit and implicit curricular recommendations (see sections 5.4 and 5.7). In particular, I modified the seven Es in the context of the criminal legal system and provided curricular recommendations for social work education (Sayer, 2010).

#### **5.4 Application of the Seven Es to Criminal Legal Social Work Education**

This article considers how Nicotera's (2019) social justice tenets apply to criminal legal social work education. As an educator, my positionality is to provide all perspectives on criminal legal social work. According to Chapter 4, BSW and MSW Program Directors generally disagree with traditional/punitive and abolitionist responses to criminalized behaviors. In contrast, there was general agreement with criminal legal reforms. Although there was a small sample size ( $n = 75$ ), the large standard deviations may indicate that social work Program Directors have different perspectives on criminal legal issues. However, students' and practitioners' exposure to diverse perspectives assists with critical thinking skills. In particular, as abolitionist perspectives on the family policing and criminal legal systems gain prominence in the social work field (Brock-Petroshius et al., 2022; Byrd, 2023; Dettlaff, 2023; James, 2021), it is essential to teach social work students about this perspective. The seven Es (Nicotera, 2019) can assist social work educators with teaching abolitionist perspectives, as the tenets align with abolitionist values.

As Chapter 4 indicates, social work Program Directors support an infusion model, with most programs offering field placements, experiential learning, and course content on criminal legal content. In general, topics on the criminal legal system were well-covered, but court-mandated mental health and substance use treatment, restorative justice, and abolitionism were the least provided topics. Although minors and courses on the criminal legal system were common among social work programs, many Program Directors indicated that their programs

collaborated with criminal justice departments to provide these opportunities. Additionally, only one-quarter of programs offered professional development and continuing education opportunities on the criminal legal system, which indicates a need to consider both students and practitioners as learners of criminal legal content.

In alignment with the infusion model, I applied Nicotera's (2019) seven Es to the criminal legal system. Then, I provided recommendations for the infusion of criminal legal content into core social work courses (Table 5.1), specialized courses and electives (Table 5.2), pedagogical tools, and the implicit curriculum (Table 5.4).

#### ***5.4.1 Tenet 1: Equity***

The first tenet advocates for equitable resource distribution. This tenet stems from Aristotle's (1984) and Rawls's (1971, 1999) principle of distributive justice: the assurance that all people have access to resources, services, goods, and the administration of the law. Additionally, an equity lens considers individual, family, and community needs (Kang, 2022; Nicotera, 2019), identifies the roles of racism and classism perpetuating the criminal legal system, and acknowledges that some people may need more resources to achieve the same outcomes as others. To fulfill this tenet, social workers can utilize their roles as educators, service providers, political advocates, and agents of governmental systems.

To learn about the equitable distribution of resources, educators can apply humanistic, Indigenous-based, Black feminist, and anti-racist frameworks. For example, educators can discuss the housing-first model by applying the Siksika (Blackfoot) Nation's beliefs on a person's sense of being and belonging, which influenced Maslow's (1943) hierarchy of needs (Blackstock, 2011; Heavy Head & Blood, 2011). In other words, the housing-first model can both establish a physical sense of space and being within one's community and environment, as

well as meet a person's human need for shelter. Additionally, this model can decrease homelessness, the utilization of emergency services, and involvement in the criminal legal system (Woodhall-Melnik & Dunn, 2016). When individuals and families are housed, they can feel a sense of safety and privacy; decrease their risk of trauma exposure; and increase their capacity to engage educational and employment opportunities; mental health and substance use treatment; and community engagement. Similarly, mutual aid and grassroots organizing efforts can provide support to fulfill people's physical, mental, social, and spiritual sense of purpose. Social workers can support communities by advocating for the reallocation of funding from the criminal legal system to under-resourced communities. This advocacy can support food pantries, educational and employment training centers, and community-based mental health and substance use services. Not only will these resources help individuals fulfill their sense of self-actualization; these resources can also fulfill community-based actualization.

In the criminal legal system, the Constitution guarantees the rights to due process, representation by legal counsel in criminal trials, a grand jury, an impartial jury, and a speedy trial, as well as protections against double-jeopardy, self-incrimination, excessive bail and fines, and cruel and unusual punishment (U.S. Const. amend. V, 1791; U.S. Const. amend. VI, 1791; U.S. Const. amend. VIII, 1791; U.S. Const. amend. XIV, 1868). Individuals accused of criminalized behaviors who cannot afford an attorney can receive representation from a public defender. However, many public defenders—like social workers—face an overburdened system, and defendants may not understand the procedures, processes, and rules of the legal system (Fleming-Klink et al., 2023). Thus, people with public defenders may not have their rights and protections guaranteed to the same extent as people who can afford attorneys. Social work educators can advocate for the equitable distribution of legal resources—including (but not

limited to) an attorney's time and preparation on their defendants' cases. To advocate, students and practitioners should learn the rights and protections of people who face criminal legal charges, proper representation in court, and preparation and appearance in court.

#### ***5.4.2 Tenet 2: Equality***

The second tenet incorporates Locke's (1689) and Rawls's (1971, 1999) notion of the equal access to rights, liberties, opportunities, and privileges. According to Locke and Rawls, if inequalities exist, the social contract must benefit individuals most disadvantaged. Currently in the United States, these rights are protected by the Constitution and federal, state, and local laws. Despite the United States Constitution ratifying the protection of human rights, many human rights experience inconsistent application between states. For example, while there is a general consensus on certain rights, such as a person's right to privacy and personal property without a search warrant (U.S. Const. amend. IV, 1791), other rights are debated. To fulfill the second tenet, social workers should engage in discussions on human rights, particularly the rights of system-impacted individuals.

The 9<sup>th</sup> Amendment protects individuals' unenumerated rights (U.S. Const. amend. IX, 1791); however, the lack of explicit protection by Constitutional Amendment has led states to exercise the 10<sup>th</sup> Amendment for all rights not explicitly protected by the Constitution (U.S. Const. amend. X, 1791). For example, various Constitutional Amendments protect the right to vote by gender, race, sex, age of adults, ability to pay poll tax "or another tax", and "previous condition of servitude", all of which empower Congress to "enforce this article by appropriate legislation" (U.S. Const. amend. XV, 1870; U.S. Const. amend. XIX, 1920; U.S. Const. amend. XXIV, 1964). However, people with felony convictions are denied the right to vote in 26 states (American Civil Liberties Union, n.d.; Brennan Center for Justice, n.d.). Educators can discuss

the voter disenfranchisement of system-impacted individuals, including people who are currently or formerly incarcerated, as well as people who are currently or formerly serve probation and parole sentences.

Progressive, feminist, and abolitionist perspectives additionally argue that the 9<sup>th</sup> Amendment protects individuals' equal access to educational opportunities, health and mental health care, and bodily autonomy (U.S. Const. amend. IX, 1791). While the 1<sup>st</sup> Amendment protects free speech (U.S. Const. amend. I, 1791), the debate lies in the responsibility of the public education system providing education to school-aged youth on all identities and perspectives, particularly pertaining to issues related to race, ethnicity, nationality, and anti-racism; gender and sexuality; and political ideologies such as Marxism and socialism. States have utilized the 10<sup>th</sup> Amendment (U.S. Const. amend. X, 1791) to ban the education of Critical Race Theory (CRT; Bell, 2008; Crenshaw et al., 1996), the 1619 Project (Hannah-Jones, 2021), and gender and sexual identity (Parental Rights in Education, 2022). The legal consequences for teaching this content include the right of parents to sue schools, schools losing funding, and the rescinding of teachers' licenses. While the political left promotes the discussion of this content as exposure to diversity, equity, and inclusion (DEI), the political right considers the inclusion of this content as indoctrination, age-inappropriate, and anti-American. However, this legislation has far-reaching implications; when critical race theory and LGBTQ+ content are banned, the history of the criminal legal system and discussions of individuals and communities affected by the criminal legal system are erased. Similarly, a political divide exists with human rights pertaining to health and mental health care. Similar to educational bans on LGBTQ+ content, several states are passing bills to criminalize reproductive and gender-affirming care. Social work educators can discuss the implications of criminalized behaviors—including receiving

abortions and gender-affirming care—and whether these behaviors infringe on people’s rights to religion, access to health care, and the role of the states in protecting or banning health care.

The aforementioned issues can be applied across the social work curriculum through the infusion of current events, including substance use, sex work, reproductive health care, and gender-affirming care (see Chapter 3). For example, *Griswold v. Connecticut* established the precedent that the right to contraception can be inferred as the right to privacy (381 U.S. 479, 1965). Educators can be encouraged to discuss whether this precedent extends to unmarried people, all reproductive healthcare, gender-affirming care, as well as all health and mental health care. Additionally, this issue raises several broad questions that can be discussed in social work programs: Is religion—particularly Christianity—influencing people’s access to reproductive and gender-affirming care? Are these laws unconstitutional according to the First Amendment, particularly the “freedom of religion” clause, or are states exercising their rights listed in the Tenth Amendment? Can social workers oppose reproductive and gender-affirming care while upholding equal access to rights, liberties, opportunities and privileges?

### ***5.4.3 Tenet 3: Empowerment***

The third tenet concerns Rousseau’s (1782) and Rawls’s (1971, 1999) devotion to the collective good through the empowerment of all people, particularly those most disadvantaged, under-resourced, and oppressed. This tenet endorses the trust in the good will of all people to make decisions that promote both their individual and collective well-being. However, as previously mentioned (see Tenet 2), resources are not equitably distributed and rights are not equally protected across the United States. Therefore, ethical questions arise: To what extent should social workers empower people—any decision that they want to, within the purview of the law, without coercion?

To navigate ethical dilemmas pertaining to empowerment and the criminal legal system, social workers can apply self-efficacy and empowerment theories, decolonization frameworks, community-based participatory research, mutual aid and grassroots organizing practices, and restorative (see Tenet 5) and transformative justice principles (see Tenet 6). These practices can decenter dominant discourses perpetuated by white supremacy, Christianity, colonialism, and capitalism (Goode et al., 2021), and instead center individuals and communities harmed by the criminal legal system.

Social work Program Directors can provide oversight that enhances their program's commitment to challenging discrimination and oppression (see Chapter 4.5). First, social work educators can identify individuals and populations who experience disempowerment in the criminal legal system, including women, transgender, and non-binary individuals; Black, Indigenous, and People of Color; older adults; youth and emerging adults; people who are unhoused, experience poverty, and identify as middle and working class; immigrants; and Disabled and neurodivergent individuals. Then, social work educators can ask several questions to students and practitioners: What are the primary and secondary needs of individuals and communities with whom we engage? Does the community provide services and resources that meet these primary and secondary needs? How can social workers provide services, resources, and treatment to system-impacted individuals? How can social workers improve the protective factors of system-impacted individuals? How can social workers advocate for legal protections for individuals and communities that minimize harm and maximize safety, and how do these legal protections combat disempowerment of system-impacted individuals? How can social workers mediate, facilitate and intervene to repair relationships between individuals, their

communities, and their governmental systems? How do social workers work with system-impacted individuals, families, and communities to optimize their safety, health, and well-being?

#### ***5.4.4 Tenet 4: Environment***

The fourth tenet honors the contributions of social work pioneers and Bronfenbrenner's (1977) person-in-environment perspective. This tenet considers the social, cultural, and political factors that impact the lives of individuals and families, and the mission of the social work profession in addressing social injustices. Additionally, Nicotera (2019) contends that the person-in-environment perspective situates social workers to challenge discrimination and oppression in order to improve the well-being of individuals, families, and communities. The findings from Chapter 4.5 indicate that the person-in-environment perspective is infused into social work programs' BSW and MSW curricula. However, social work programs can enhance their commitment to anti-racism, diversity, equity, and inclusion (A DEI; CSWE, 2022) in two ways. First, programs can enhance their acknowledgement of all social injustices in the curriculum; second, programs can further their commitment to engaging in anti-racist reparative actions that restore resources and services in disadvantaged, under-resourced, minoritized, and oppressed communities.

To fulfill this tenet, social work programs can acknowledge the history of the social work profession in criminal legal settings. Social work educators can discuss the history of the social work profession in the administration of justice through the criminal legal system. In addition to the profession's advocacy for a separate criminal legal system for youth, social workers have provided services to people who have served probation and parole sentences for over 100 years (see Chapter 1). As Ives (1963) identified, social workers purposefully collaborate with system-impacted individuals to provide services and resources that address environmental problems,

from intergenerational trauma to structural racism. However, professionals in correctional settings have undervalued “movement from a disorganized, problem-ridden pattern of living to minimally adequate social functioning” (Ives, 1963, p. 55). Thus, it is essential for social workers to critically evaluate the environmental context of a person’s behavior—particularly a person’s engagement in criminalized behaviors, resistance to court-mandated treatment, and involvement in criminal legal processes and procedures. For example, because services and resources are not equitably distributed and equally accessible (see Tenets 1-2), individuals from marginalized communities may engage in criminalized behaviors (e.g., selling substances, participating in the sex trades) to earn an income that can provide food, housing, and other basic human needs. However, due to the criminal legal system’s imposition of punitive punishments for engaging in criminalized behaviors, system-impacted individuals are forcibly removed from their homes, coerced into accepting plea bargains, and mandated to mental health and substance use treatment. Social work educators can discuss how criminalized behaviors are both influenced by an individual's environment, as well as how an individual’s environment influences engagement in criminalized behaviors, at the micro, mezzo, and macro levels.

In addition to discussing the role of the social work profession in direct and indirect criminal legal settings, social work educators can discuss the structural racism, classism, and sexism embedded in the criminal legal system. In particular, educators can engage in conversations on the criminalization of substances, sex trades, and houselessness. In the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, the United State implemented laws to criminalized opium, psychedelics, cannabis, alcohol and other substances. Although the 21<sup>st</sup> Amendment repealed alcohol criminalization (U.S. Const. amend. XVIII, 1919; U.S. Const. amend. XXI, 1933), cannabis decriminalization efforts were left to the states. Despite cannabis decriminalization efforts

beginning in the 1960s, the War on Drugs re-criminalized cannabis. While opium, psychedelics, cocaine, and other substances have remained criminalized, cannabis has experienced waves of decriminalization and medical and recreational legalization since the mid-1990s and early-2010s, respectively (Compassionate Use Act, 1996; Initiative 502, 2012; Medical Cannabis, 1998). Today, cannabis is decriminalized for personal use in 31 states and legalized for personal recreational use in 21 states and personal medicinal use in 41 states, with CBD legalized in an additional 4 states (Lozier et al., 2023; World Population Review, 2023). However, cannabis remains a Schedule I substance, has not been decriminalized or legalized at the federal level, and the manufacturing and distribution of cannabis remains criminalized. Additionally, employees may experience termination due to positive THC metabolites on drug tests (Armentano, 2023).

To fulfill Nicotera's (2019) fourth tenet, conversations on the War on Drugs policies; federal and state laws; and the effects of the criminalization of substances, sex work, houselessness, and other criminalized behaviors are essential. In particular, social work educators can discuss the effects of substance use and misuse on the engagement in criminalized behaviors, involvement in the criminal legal system, job insecurity, family and interpersonal conflict, and houselessness. Additionally, social workers can apply the person-in-environment perspective to advocate for anti-racist policies, particularly as the United States moves toward substance decriminalization and legalization, diverting funding toward housing services and mental health and substance use treatment, and decarcerating jails and prisons. Although there is a general consensus among social work administrators in support of criminal legal reforms, there are differences in attitudes toward historical and abolitionist approaches (see Chapter 4.5). Despite this disagreement, social work educators can raise students' and practitioners' awareness of

historical, reformative, and abolitionist perspectives to challenge discrimination and oppression, combat racism, and address inequities in the criminal legal system.

#### ***5.4.5 Tenet 5: Engagement***

The fifth tenet concerns the principles of restorative justice, which has roots in Indigenous communities in New Zealand, Africa, and North America (Mangena, 2015; Zehr, 2008; see Chapter 1.2, p. 5). Restorative justice is an approach that addresses the impacts of harmful behavior by gathering a person who caused harm and a harmed party, and may include community stakeholders. In particular, restorative justice focuses on healing, reconciling, and repairing intrapersonal, interpersonal, and community relationships. Restorative justice involves various practices, such as mediation, peacemaking circles, community reparative boards, and family group conferencing practices (Bazemore & Umbreit, 2001). These practices are used in conjunction with the criminal legal system to address the impact of criminalized behaviors—such as family conflict, theft, and community violence—on interpersonal and community relationships.

Social work educators can teach students and practitioners to center the stakeholders involved in restorative justice practices in settings (e.g., schools, tribes, communities) that work concurrently with the criminal legal system or separately from the system. van Wormer (2006) provided recommendations throughout the social work curriculum, including role plays in practice courses, experiential learning in elective courses, program evaluations in research courses, field placements, and community workshops. For example, Inside-Out programs offer the opportunity for social work students and incarcerated students to co-learn alongside one another (Kubiak & Milanovic, 2017). These active learning opportunities can teach social

workers to respond to harm through a non-violent, system-impacted, and survivor-impacted approach.

#### **5.4.6 Tenet 6: Education**

The sixth tenet concerns critical consciousness and liberation pedagogies, which assert that deliberate education on oppressive, discriminatory structures leads to the freedom of all people, particularly those most impacted, harmed, and oppressed (Freire, 1970; Nicotera, 2019; Rawls, 1970, 1999; Nicotera, 2019). Critical consciousness emphasizes the importance of raising conscious awareness of contradictions in social, political, and economic systems that create and maintain structural violence and oppression (Freire, 1970). To understand how governmental systems and structures work, it is essential for educators and practitioners to work *with* communities who are oppressed by laws, policies, and procedures, and deconstruct *how* oppressive structures both consciously and unconsciously influence system involvement. In particular, this tenet recommends that educators facilitate the learning of how systems socially condition society to normalize punishment through governmental supervision, incarceration, and rehabilitation; collaboratively create and share knowledge, skills, and lived experiences among community members on barriers and facilitators to freedom and liberation; and collectively and freely act against systemic oppression at the individual, community, and societal levels. Thus, individuals and communities can become empowered to create their own narratives; assert autonomy and self-control in decisions at the individual, community, and societal levels; establish freedom from mandated punishments; and live their own authentic and liberated lives.

It is essential to teach social workers how the profession has historically maintained oppressive systems, such as child welfare, health and mental health care, and the criminal legal system. However, results from the survey of Program Directors indicate the hinderance of

critical consciousness into the curriculum (see Chapter 4.4). In particular, social work programs reported a neutral tendency of their programs centering the needs of individuals, families, and communities most harmed by the criminal legal system; a neutral tendency of their programs teaching love and liberation; and slight agreement with teaching critical consciousness throughout the curriculum. To increase social work programs' alignment with the sixth tenet, educators can infuse these concepts throughout their program's curriculum. First, educators can deconstruct the hierarchical instructor-student relationship and create a co-constructed learning process that facilitates collective learning and social action. Then, educators can introduce students and practitioners to critical consciousness as a conscious, intentional decision to better the lives of individuals through the changes of individual and structural policies and practices. In particular, educators can focus on the social work profession's history and roles in oppressive systems, such as social services, poverty, slavery, Civil Rights, the War on Drugs, immigration detention, and the history of the criminal legal system in the US. Additionally, educators can discuss how Westernized intrinsic values and cultures influenced social messaging and conditioning of harmful stereotypes, such as the impoverished as "lazy", the working class as "uneducated" and therefore "inferior", and the system-impacted as "delinquent". After discussing historical and current criminal legal issues and initiatives, educators can assert that social workers have a responsibility to co-empower their clients individually, interpersonally, and socially. Educators can incorporate a variety of pedagogical techniques that support collective community-based actions. For example, educators can utilize lived experience-informed practices, evidence-based practices, problem-based learning, dialoguing, cultural humility, social activism, and community-based participatory research (CBPR). These

approaches can facilitate the learning of social workers as facilitators—rather than oppressors—through criminal legal system processes and procedures.

To navigate social workers' roles in direct and indirect criminal legal settings, educators can ask students and practitioners critical ethical questions. For example, educators can inquire on the role of laws in society. Are the current laws just, and do these laws help or harm system-impacted individuals? What if people are unable to follow local, state, and/or federal laws? Is it the role of the government, the community, or some other entity to respond to breaches of laws? Is it ethical to take a person out of a community (e.g., a home, school, or workplace; invoke deportation or incarceration) for not adhering to laws? How should social workers respond to criminalized behaviors? Does the context of criminalized behaviors matter; in other words, what if the criminalized behavior was conducted in response to unmet basic human needs and/or structural oppression? In essence, these philosophical questions can encourage critical thinking and the re-examination of curricular design centered in critical consciousness as social justice.

#### ***5.4.7 Tenet 7: Enlightenment***

The seventh tenet regards the principle of enlightenment to unite people toward a common objective of social justice (Nicotera, 2019). This tenet considers inclusivity, interconnectedness, and love as common features of the human experience (hooks, 1984, 2000, 2014). As a collective society, the United States has navigated hardships such as the flu pandemic, the Great Depression, two World Wars, 9/11, the Great Recession, and the COVID-19 pandemic. During these times, millions of people suffered from illness, poverty, unemployment, and food and housing insecurity. At the same time, communities came together; governmental programs provided support for basic human needs; and people relied on their social support systems, including churches, neighbors, family, and friends. Today, at a time of political and

social unrest, individuals, communities, and society can honor differences while uniting toward the common goals of freedom, public safety, and well-being. In the words of Audre Lorde, “it is not our differences that divide us. It is our inability to recognize, accept, and celebrate these differences.” Thus, it is important to recognize individuals and groups that are more susceptible to criminal legal system involvement by centering the needs of system-impacted individuals who face discrimination and oppression due to their perceived and actual differences. By considering differences in race, ethnicity, nationality, gender, sexual orientation, ability, educational attainment, and socioeconomic status, the United States can celebrate human diversity while working toward interconnectedness and social justice.

To fulfill the seventh tenet, social workers can identify common experiences that individuals, families, and communities face. According to the survey on Program Directors (see Chapter 4.4), common goals among social workers include the reformation of unjust laws, as well as the consideration of conditions, factors, and outcomes that contribute to criminal legal system involvement. For example, educators could ask: *How are we interconnected?* In general, people want to contribute to society and be perceived in a positive light but possess limited knowledge and skillsets in some manner; people experience hard times, stress and anxiety, anger and despair, guilt and shame, and social injustices; and people make difficult choices that conflict with local, state, and federal laws. However, some behaviors are criminalized, and social workers can identify oppression, discrimination, intergenerational trauma, health and mental health conditions, economic stress and poverty, and relationship strains as contributors to criminalized behaviors. Therefore, social workers can use similarities to relate to the client, provide services and resources, and empathize, as anyone can be in a similar situation as a system-impacted individual. Additionally, social workers—as people in authority positions

(Treger, 1976)—can ask how social workers navigate positions of authority to meet their clients' needs. Through interconnection, social workers can provide and advocate for services and resources at the individual, community, and societal levels to meet the needs of system-impacted individuals, such as loan forbearance, compassionate release, and reduced carceral punishment. To adequately connect and serve system-impacted individuals, families, and communities, social workers can incorporate positive psychology, culturally-affirmative services, and self-actualization and strengths perspectives. By incorporating the roles of the social work profession as service and treatment providers, community advocates, and human-centered professionals, the social work profession can lead society toward interconnectedness and inclusion.

## **5.5 Discussion**

### ***5.5.1 Limitations***

This article is merely a start toward applying Nicotera's (2019) definition of social justice for the social work profession to criminal legal social work content. Although this framework exhaustively reviews the existing literature, provides concrete applications of the seven Es, and offers examples of content and critical questions, additional research is needed. For example, the curricular recommendations have not been tested and therefore cannot be generalized. Additional research can apply this framework in programs that offer BSW, MSW, and continuing education programs. This research could examine which topic areas are of interest to students, instructors, and programs; the effectiveness of teaching historical and traditional; reformative; and critical and abolitionist perspectives; and/or the efficacy of applying this framework to meet CSWE competencies and prepare students for practice.

### **5.5.2 Future Directions**

This article fulfills the social work profession's social justice mission by applying Nicotera's (2019) seven tenets to criminal legal social work education. In particular, the seven Es consist of a comprehensive, concrete definition of social justice that was sorely needed for the social work profession. This article highlights how each tenet aligns with social work education and practice in the criminal legal system and provides guidance for social work programs and competencies. Additionally, although this study can address every Grand Challenge (AASWSW, n.d.) in some manner, the three most relevant challenges include *Promote Smart Decarceration*, *Eliminate Racism*, *Achieve Equal Opportunity and Justice*, and *Create Social Responses to a Changing Environment*. Future research can apply this framework in educational and practice settings and examine whether modifications are needed to achieve these Grand Challenges.

Future research can enhance the theoretical framework provided in this article by examining each tenet more thoroughly. In particular, researchers can identify the effectiveness of criminal legal content suggested in each tenet. Additionally, because social work Program Directors vary on their opinions toward criminal legal issues and initiatives, the content recommended for BSW, MSW, and continuing education programs contains an exhaustive list. Program Directors and educational administrators should consider content that is feasible for their programs, respond to students' interests, and utilize instructors' strengths when incorporating this framework into their curricula. The suggestions offered in this framework provide three key components essential for students and practitioners: 1) justice-aligned content, 2) applications to direct and indirect criminal legal focus areas, and 3) critical probing questions for students and practitioners. The supplemental tables (see Chapter 5.7) should be utilized in

conjunction with the application of the seven Es (see Chapter 5.4) when infusing criminal legal content into the curriculum.

This article supports Lowe & Bohon's (2008) assertion that "more research is needed to explore the most effective methods of exposure to students... perhaps a concerted effort for offender education" (p. 300). This suggestion can be expanded to include all content that relates indirectly and directly to the criminal legal system, including system-impacted families and communities. Similarly, as recommended by Copeland et al. (2022), social work program administrators should prioritize the criminal legal system by utilizing this framework, which compiles the research on US criminal legal social work content. By prioritizing criminal legal content, social work programs can meet students' interests and practitioners' needs for continuing education.

This article raises several questions. First, *Which criminal legal perspectives should be taught?* Sanchirico (2010) encourages each program to decide whether they infuse, integrate, specialize, or offer post-graduate curricula. I suggest a similar approach and emphasize the provision of accessible, feasible content to students and practitioners. With in-person, hybrid, and online BSW programs, MSW programs, workshops, and continuing education opportunities, schools of social work have endless opportunities. While this article provides recommendations (e.g., content on the branches of the criminal legal system, alternative responses to the criminal legal system, interactive classroom activities, activities outside the classroom), additional data is required to determine which courses, class assignments and activities, and pedagogical tools and approaches are essential to teach social work students and practitioners. Second, *Which professional social work organizations, government entities, and community agencies should be involved?* I encourage social work programs to involve and compensate system-impacted

individuals, practitioners, and community stakeholders who are willing to share their stories and collaborate in the development of classroom activities. Third, *Who should oversee the development, implementation, and evaluation of criminal legal content?* I recommend that social work programs utilize an interdisciplinary and interprofessional approach; in particular, administrators can collaborate with Sociology, Criminology, and Law departments on existing criminal legal courses and content. Finally, *How could educational policies assist the infusion of criminal legal content?* I recommend that CSWE models substance use, integrated health care, gerontological, and international social work educational initiatives. In addition to this theoretical framework, the following materials should be utilized when creating educational standards and curricular guides: Copeland et al.'s (2018) competencies, the Smart Decarceration Project's Social Work and Criminal Legal System Directory, and data from criminal legal social work research institutes.

### **5.5.3 Conclusion**

Nicotera's (2019) seven tenets ("seven Es") of social justice—equitable distribution, equal opportunity, empowerment, person-in-environment perspective, restorative engagement, critical education, and interconnected enlightenment—offer unique opportunities to a) concretely conceptualize social justice from a social work lens and b) apply this concrete definition of social justice to social work practice. In this article, I apply the seven Es to criminal legal social work education. In particular, I highlight how each tenet is defined, connects to the criminal legal system, and can be applied throughout BSW and MSW curricula. This framework provides social work program administrators with concrete guidance for infusing criminal legal content throughout undergraduate and graduate curricula, instructors with recommendations for criminal legal topics that align with social justice tenets, researchers with areas for future research,

practitioners with critical questions to consider when working with system-impacted individuals, and educational policymakers with a resource for creating curricular standards and guidelines.

## 5.6 Tables

**Table 5.1: Curricular Recommendations for Infusion Model**

Course	Recommendations
Introduction	<ul style="list-style-type: none"> <li>- Roles of social workers               <ul style="list-style-type: none"> <li>o Working with women and children</li> <li>o Crisis intervention</li> <li>o Interviewing, assessment, casework, treatment, and referral</li> <li>o Commitment to social justice and pursuit of justice</li> <li>o Confronting social injustices through social and political advocacy</li> </ul> </li> <li>- Organization and structure for the delivery of social services               <ul style="list-style-type: none"> <li>o Components of the criminal legal system</li> <li>o Relationships with governmental and community agencies</li> <li>o Interdisciplinary collaboration</li> </ul> </li> <li>- History of the social work profession               <ul style="list-style-type: none"> <li>o Policing</li> <li>o Probation and parole</li> <li>o Juvenile legal system</li> <li>o Clinical mental health and substance use treatment</li> <li>o Criminalization of substances</li> <li>o Diversion, mediation, and restorative justice</li> </ul> </li> </ul>
Diversity / Social Justice	<ul style="list-style-type: none"> <li>- ADEI and cultural competence               <ul style="list-style-type: none"> <li>o Systems of oppression and the prison-industrial complex</li> <li>o White supremacy</li> <li>o Oppressed, marginalized, and vulnerable groups</li> <li>o Biases, stereotypes, and microaggressions</li> <li>o Intersectionality</li> <li>o Social determinants of health, mental health, and substance use</li> <li>o Culturally-responsive assessment, engagement, and treatment</li> </ul> </li> <li>- Access to criminal courts               <ul style="list-style-type: none"> <li>o Bail system</li> <li>o Representation in court</li> </ul> </li> <li>- Responses to criminalized behaviors               <ul style="list-style-type: none"> <li>o Retribution through supervision and incarceration</li> <li>o Rehabilitation through treatment</li> <li>o Restorative justice</li> <li>o Transformative justice, liberation, emancipation, and abolitionism</li> <li>o Social action at the interpersonal, intrapersonal, and institutional levels</li> <li>o Social policy changes in criminal legal policing, courts, and correctional settings at the constitutional, federal, state, local, and agency levels</li> </ul> </li> </ul>

**Table 5.1: Curricular Recommendations for Infusion Model (cont.)**

<p>HBSE</p>	<ul style="list-style-type: none"> <li>- Developmental and environmental theories and frameworks               <ul style="list-style-type: none"> <li>○ Person-in-environment perspective</li> <li>○ Biopsychosocial perspective</li> <li>○ Cognitive-behavioral theory</li> <li>○ Ecological framework</li> <li>○ Systems framework</li> <li>○ Erikson’s stages of psychosocial development</li> <li>○ Attachment theory</li> <li>○ Bandura’s social learning theory</li> <li>○ Life course perspective</li> <li>○ Motivational theory</li> <li>○ Intersectionality</li> <li>○ Empowerment theory</li> <li>○ Black feminist theory</li> <li>○ Critical race theory</li> <li>○ Critical consciousness</li> <li>○ Queer theories</li> <li>○ Liberation and emancipatory theories (MSW)</li> <li>○ Anti-carceral feminism (MSW)</li> <li>○ Marxist theory (MSW)</li> <li>○ Theories of family violence (MSW)</li> <li>○ Structural violence (MSW)</li> <li>○ Theories of child abuse (MSW)</li> </ul> </li> <li>- Sociology of crime and delinquency               <ul style="list-style-type: none"> <li>○ Conflict theory</li> <li>○ Social strain theory</li> <li>○ Social control theory</li> </ul> </li> <li>- Addressing environmental problems               <ul style="list-style-type: none"> <li>○ Poverty and criminalization</li> <li>○ Racism, oppression, and criminalization</li> <li>○ Collective mutual aid and grassroots organizing</li> <li>○ Resolving social conditions to reduce risk of criminalization</li> </ul> </li> <li>- Abnormal psychology               <ul style="list-style-type: none"> <li>○ Assessment of mental and substance use disorders</li> </ul> </li> </ul>
<p>Research</p>	<ul style="list-style-type: none"> <li>- Using criminal legal datasets, research databases, library databases, and academic journals</li> <li>- Problem identification               <ul style="list-style-type: none"> <li>○ Institutional/structural racism</li> <li>○ Mass incarceration</li> <li>○ Collateral consequences and permanent punishments</li> </ul> </li> <li>- Culturally-tailored evidence-based practice models               <ul style="list-style-type: none"> <li>○ Ban the Box</li> <li>○ Restoration of voting rights</li> <li>○ Trauma healing interventions</li> </ul> </li> </ul>

**Table 5.1: Curricular Recommendations for Infusion Model (cont.)**

<p>Research (cont.)</p>	<ul style="list-style-type: none"> <li>- Needs assessments (MSW) <ul style="list-style-type: none"> <li>o Returning citizens</li> <li>o Unhoused citizens</li> <li>o Sex trades workers</li> <li>o Older adults</li> <li>o Communities with high rates of violence</li> </ul> </li> <li>- Program and clinical intervention evaluations (MSW) <ul style="list-style-type: none"> <li>o Drug court, mental health court, and veterans court programs</li> </ul> </li> <li>- Restorative justice programs</li> </ul>
<p>Policy</p>	<ul style="list-style-type: none"> <li>- Types of legal cases <ul style="list-style-type: none"> <li>o Criminal legal cases</li> <li>o Juvenile legal cases</li> <li>o Family cases</li> <li>o Civil cases on tenant rights and eviction</li> <li>o Civil cases on voting rights</li> </ul> </li> <li>- Court appearances <ul style="list-style-type: none"> <li>o Procedural and substantive law</li> <li>o Expert witness</li> <li>o Lay witness</li> <li>o Perpetrator, witness, and survivor court advocate</li> </ul> </li> <li>- Legal rights and entitlements <ul style="list-style-type: none"> <li>o Constitutional rights</li> <li>o Federal and state laws and policies</li> <li>o Voter disenfranchisement</li> <li>o Bodily autonomy and sex work</li> <li>o Access to records</li> <li>o Attorney-client privilege, confidentiality, and mandated reporting</li> <li>o Privacy rights and protections on social media</li> </ul> </li> <li>- Policy advocacy <ul style="list-style-type: none"> <li>o Policy analysis</li> <li>o Case and class advocacy</li> <li>o Policy proposals in criminal legal settings and community agencies at the constitutional, federal, state, local, and agency levels</li> </ul> </li> <li>- Methods and practices <ul style="list-style-type: none"> <li>o Crisis intervention</li> <li>o Mediation and mitigation</li> <li>o Multidimensional investigation, data collection, examination, and evaluation</li> <li>o Consulting with legal teams</li> <li>o Preparing reports</li> <li>o Cross-examination</li> <li>o Navigating ethical dilemmas</li> </ul> </li> </ul>

**Table 5.1: Curricular Recommendations for Infusion Model (cont.)**

Practice	<ul style="list-style-type: none"> <li>- Direct service provision               <ul style="list-style-type: none"> <li>○ Assessment and interviewing methods</li> <li>○ Crisis intervention</li> <li>○ Casework methods</li> <li>○ Counseling methods (MSW)</li> <li>○ Discharge planning, transfer of care, and re-integration into the community</li> <li>○ Cross-agency collaboration</li> <li>○ Referrals to diversion, community-based, and social assistance programs</li> <li>○ Administration of social programs (MSW)</li> <li>○ Social entrepreneurship (MSW)</li> </ul> </li> <li>- Techniques, approaches, and interventions               <ul style="list-style-type: none"> <li>○ Helping method</li> <li>○ Problem-solving casework process</li> <li>○ Collaborative expectation-setting and SMART goal development</li> <li>○ Self-determination and motivational interviewing</li> <li>○ Preparing reports</li> <li>○ Case documentation</li> <li>○ Anti-racist activism</li> <li>○ Parent-child reunification</li> <li>○ Alternative dispute resolution, conflict resolution, and restorative justice</li> <li>○ Integration of mental health and substance use treatment with criminal legal case processing (MSW)</li> <li>○ Trauma healing interventions (MSW)</li> <li>○ Expressive arts interventions (MSW)</li> <li>○ Transformative healing interventions (MSW)</li> <li>○ Program development (MSW)</li> <li>○ Justice advocacy and social change strategies (MSW)</li> <li>○ Community organization, mobilization, resourcing, and empowerment (MSW)</li> <li>○ Mutual aid (MSW)</li> <li>○ Social demonstrations (MSW)</li> <li>○ Grant writing (MSW)</li> <li>○ Risk assessments (MSW)</li> </ul> </li> <li>- Ethical dilemmas               <ul style="list-style-type: none"> <li>○ Working with clients mandated to treatment</li> <li>○ Confidentiality and mandated reporting</li> <li>○ Use of authority</li> </ul> </li> <li>- Dual loyalty</li> </ul>
Field	<ul style="list-style-type: none"> <li>- Contracts with community agencies</li> <li>- Field placements in direct criminal legal settings               <ul style="list-style-type: none"> <li>○ Courts and public defender’s offices</li> <li>○ Drug court programs</li> <li>○ Probation and parole departments</li> <li>○ Jails and prisons</li> </ul> </li> </ul>

**Table 5.1: Curricular Recommendations for Infusion Model (cont.)**

Field (cont.)	<ul style="list-style-type: none"> <li>- Field placements in indirect criminal legal settings               <ul style="list-style-type: none"> <li>o Mediation centers and restorative justice programs</li> <li>o Community service agencies</li> <li>o Educational and employment agencies</li> </ul> </li> <li>- Mental health and substance use treatment (MSW)</li> </ul>
Continuing education	<ul style="list-style-type: none"> <li>- Dynamic presentations, seminars, workshops, institutes, and short courses</li> <li>- Community forums and trainings</li> <li>- Specialized post-graduate certificates</li> <li>- Conference presentations</li> <li>- In-service trainings</li> <li>- Interdisciplinary continuing education</li> <li>- Practice-based continuing education opportunities</li> </ul>

**Table 5.2: Curricular Recommendations for the Specialization Model**

<b>Criminal Legal Courses</b>	<b>Recommendations</b>
Correctional Settings	<ul style="list-style-type: none"> <li>- Policies and procedures of probation, parole, jails, and prisons</li> <li>- Social conditions assessments</li> <li>- Case management</li> <li>- Documentation</li> <li>- Treatment interventions</li> </ul>
Juvenile Justice System	<ul style="list-style-type: none"> <li>- Policies and procedures of juvenile adjudication, supervision, and incarceration</li> <li>- Behaviors in schools and introduction to the juvenile justice system</li> <li>- Social conditions assessments</li> <li>- Case management</li> <li>- Documentation</li> <li>- Involvement with multiple governmental systems</li> </ul>
<b>Electives</b>	<b>Recommendations</b>
Substance Use	<ul style="list-style-type: none"> <li>- War on Drugs policies and the criminalization of substances</li> <li>- Treatment with mandated clients</li> <li>- Diversion programs and drug courts</li> </ul>
Social Work with Children, and Families	<ul style="list-style-type: none"> <li>- History of the social work profession working with children and families</li> <li>- Incarceration and parent-child connections</li> <li>- Parent-child reunification after incarceration</li> <li>- Issues faced by parents who are incarcerated</li> <li>- Dual system involvement</li> </ul>
Gerontological Social Work	<ul style="list-style-type: none"> <li>- Adult protection services</li> <li>- Legal rights and responsibilities of older adults</li> </ul>

**Table 5.2: Curricular Recommendations for the Specialization Model (cont.)**

Sexuality and Social Work	<ul style="list-style-type: none"> <li>- Structural violence, human trafficking, and sex trafficking</li> <li>- Anti-carceral feminism</li> <li>- Patriarchy and attitudes toward women and LGBTQ+ people</li> <li>- Federal and state policies on sex trades and criminal legal system involvement</li> <li>- Third-parties who facilitate sex trafficking and sex trades</li> <li>- LGBTQ+ people in the sex trades</li> <li>- Trauma healing interventions</li> <li>- Vigilante rescue</li> </ul>
Violence Prevention	<ul style="list-style-type: none"> <li>- Gun violence</li> <li>- Domestic violence</li> <li>- Human trafficking and sex trafficking</li> <li>- Court advocacy for perpetrators, witnesses, and survivors</li> <li>- Service provision for survivors</li> <li>- Trauma healing practices</li> </ul>
Mediation and Conflict Resolution	<ul style="list-style-type: none"> <li>- Conflict escalation and de-escalation</li> <li>- Mediation techniques</li> <li>- Conflict resolution strategies</li> <li>- Solutions-focused strategies</li> <li>- Critical consciousness and empowerment strategies</li> <li>- Restorative justice practices</li> </ul>

**Table 5.3: Recommended Pedagogical Tools for Criminal Legal Social Work Education**

<b>Tool (Activity, Assignment)</b>	<b>Components</b>	<b>Assessment</b>
Didactic lecture	<ul style="list-style-type: none"> <li>- Knowledge on topics affecting system-impacted individuals</li> </ul>	<ul style="list-style-type: none"> <li>- Understanding of content</li> <li>- Identification</li> </ul>
Assigned readings	<ul style="list-style-type: none"> <li>- Books, academic articles, news articles, blogs</li> <li>- Knowledge on topics affecting system-impacted individuals</li> <li>- Knowledge on the experiences of system-impacted individuals, families, and communities</li> </ul>	<ul style="list-style-type: none"> <li>- Understanding of content</li> <li>- Exposure to diverse perspectives</li> <li>- Text analysis</li> </ul>
Tests and exams	<ul style="list-style-type: none"> <li>- Multiple-choice and short-answer</li> <li>- Midterm and final exams</li> </ul>	<ul style="list-style-type: none"> <li>- Knowledge attainment</li> <li>- Identification and demonstration of knowledge</li> </ul>
Technology and multimedia	<ul style="list-style-type: none"> <li>- Videotaped presentations and examples</li> <li>- Documentaries</li> <li>- Websites and datasets</li> <li>- Artwork</li> </ul>	<ul style="list-style-type: none"> <li>- Understanding of content</li> <li>- Exposure to diverse perspectives</li> <li>- Research skills</li> </ul>

**Table 5.3: Recommended Pedagogical Tools for Criminal Legal Social Work Education (cont.)**

Technology and multimedia (cont.)	<ul style="list-style-type: none"> <li>- Read news articles, blogs, and podcasts</li> <li>- Create a blog on a social problem or population of interest</li> </ul>	
Discussions	<ul style="list-style-type: none"> <li>- Co-learning among students, instructors, and community members</li> <li>- Meaningful dialogues about race and criminalization that center the voices of Black people</li> <li>- Develop anti-racist and anti-carceral tips, strategies, and recommendations</li> </ul>	<ul style="list-style-type: none"> <li>- Exposure to diverse perspectives</li> <li>- Dialogue skills</li> <li>- Theory-practice integration skills</li> <li>- Research-practice integration skills</li> <li>- Self-reflection skills</li> <li>- Demonstration and articulation of knowledge</li> </ul>
Case scenarios, case studies, case vignettes, role plays, and simulations	<ul style="list-style-type: none"> <li>- Theory-practice integration skills</li> <li>- Assessment of needs for all stakeholders</li> <li>- Service identification and provision skills</li> <li>- Cases that involve multiple disciplines</li> <li>- Cases that involve multiple governmental systems</li> <li>- Cases that involve system-impacted individuals, families, and communities</li> </ul>	<ul style="list-style-type: none"> <li>- Understanding of the complex experiences of clients</li> <li>- Theory-practice integration skills</li> <li>- Critical thinking skills</li> <li>- Communication skills</li> <li>- Active learning skills</li> <li>- Problem-based learning skills</li> <li>- Interdisciplinary and interprofessional collaboration skills</li> <li>- Service identification and provision</li> </ul>
Written assignments	<ul style="list-style-type: none"> <li>- Autobiographies of personal identities, positionality, values, beliefs, biases, and attitudes</li> <li>- Reflection papers and journals</li> <li>- Text analysis</li> <li>- Court reports</li> <li>- Policy proposals</li> </ul>	<ul style="list-style-type: none"> <li>- Application of knowledge</li> <li>- Written skill development</li> <li>- Critical thinking skills</li> <li>- Theory-practice integration skills</li> <li>- Critical thinking skills</li> <li>- Self-generated knowledge skills</li> </ul>
Individual and group assignments	<ul style="list-style-type: none"> <li>- Presentations on social problems and populations of interests</li> <li>- Case law reports and presentations</li> <li>- Case files</li> <li>- Client life history reports</li> <li>- Policy debates</li> <li>- Needs assessment</li> </ul>	<ul style="list-style-type: none"> <li>- Written and verbal skill development</li> <li>- Self-generated knowledge skills</li> <li>- Theory-practice integration skills</li> </ul>

**Table 5.3: Recommended Pedagogical Tools for Criminal Legal Social Work Education (cont.)**

Individual and group assignments (cont.)	<ul style="list-style-type: none"> <li>- Program evaluation</li> <li>- Policy analysis</li> <li>- Social change action plan</li> <li>- Resource guides</li> </ul>	<ul style="list-style-type: none"> <li>- Research-practice integration skills</li> </ul>
Guest speakers	<ul style="list-style-type: none"> <li>- Speakers and panels from oppressed, marginalized, vulnerable, and diverse populations</li> <li>- Interprofessional and interdisciplinary speakers in direct and indirect criminal legal settings</li> <li>- Community members involved with system-impacted community-based organizations</li> </ul>	<ul style="list-style-type: none"> <li>- Interviewing techniques</li> <li>- Perspective-taking skills</li> <li>- Reflection skills</li> </ul>
Involvement of governmental and community agencies	<ul style="list-style-type: none"> <li>- Agency tours and observations</li> <li>- Social assistance agencies</li> <li>- Law enforcement, court, and correctional agencies</li> <li>- Community-based agencies and organizations</li> <li>- Churches</li> <li>- Team-teaching</li> </ul>	<ul style="list-style-type: none"> <li>- Interprofessional and interdisciplinary collaboration skills</li> <li>- Perspective-taking skills</li> </ul>
Field placements, experiential learning, service learning, and volunteering	<ul style="list-style-type: none"> <li>- Agency tours and observations</li> <li>- Agency orientation</li> <li>- Case management</li> <li>- Implementation of services and treatment (change wording!!!!!!)</li> <li>- Supervision</li> <li>- Racial equity projects</li> <li>- Sustainable “train the trainer” models</li> <li>- Tours to community sites</li> </ul>	<ul style="list-style-type: none"> <li>- Theory-practice integration</li> <li>- Interprofessional and interdisciplinary collaboration skills</li> <li>- Adaptability skills</li> <li>- Self-reflection skills</li> </ul>
Affective processes	<ul style="list-style-type: none"> <li>- Awareness and understanding of identities, characteristics, personal qualities, values, and beliefs</li> <li>- Self-reflection of values, beliefs, perceptions, and attitudes</li> <li>- Identification of attitudes toward criminal legal laws, policies, procedures, and agencies</li> <li>- Challenging white supremacist, racist, sexist, classist, ageist, and colonialist biases, stereotypes, and attitudes</li> <li>- Processing personal thoughts, emotions, and feelings</li> </ul>	<ul style="list-style-type: none"> <li>- Understand the complex experiences of clients</li> <li>- Develop and enhance affective skills</li> <li>- Align values, beliefs, and attitudes with ADEI and social justice</li> <li>- Apply of affective processes in practice</li> <li>- Assess readiness for practice roles and responsibilities</li> </ul>

**Table 5.3: Recommended Pedagogical Tools for Criminal Legal Social Work Education (cont.)**

	<ul style="list-style-type: none"> <li>- Navigating discomfort, resistance, overwhelm, and resentment</li> <li>- Transferability of knowledge, values, skills, and affective processes</li> <li>- Attitudes on interdisciplinary collaboration in direct criminal legal settings</li> <li>- Attitudes on interdisciplinary collaboration in indirect criminal legal settings</li> <li>- Patience for individual, agency, regional, and institutional change</li> </ul>	-
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**Table 5.4: Recommendations for the Implicit Curriculum**

<b>Component</b>	<b>Recommendations</b>
Student Development	<ul style="list-style-type: none"> <li>- Recruitment and admission of system-impacted students</li> <li>- Clear, transparent policies on background checks at program admission, field placement, and licensure that align with social work values and ethics</li> <li>- Clear, transparent policies on options for system-impacted people at admission, field placement, and licensure that align with social work values and ethics</li> <li>- Clear, transparent policies on retention, termination, and academic performance for system-impacted students that align with social work values and ethics</li> <li>- Clear, transparent policies on participation for system-impacted students that align with social work values and ethics</li> <li>- Equitable opportunities for system-impacted students</li> <li>- Equitable participation in student and professional organizations, committees, and extracurricular activities</li> <li>- Support for system-impacted students to navigate barriers at program admission, course attendance and participation, field placement, licensure</li> <li>- Support for peer mentorship opportunities</li> </ul>
Faculty	<ul style="list-style-type: none"> <li>- Identification of faculty with direct criminal legal social work experience</li> <li>- Identification of faculty with indirect criminal legal social work experience</li> <li>- Establish safe classroom spaces for students to navigate identities, share diverse perspectives and experiences, engage in interracial dialogue, validate and process feelings, and challenge biases</li> <li>- Communicate expectations, voice positionality, voice limitations and biases, model inclusive language, and acknowledge and validate all perspectives and feelings</li> <li>- Intentional incorporation of content on race and anti-racist activism at the interpersonal, intrapersonal, and institutional/structural/systemic levels</li> </ul>

**Table 5.4: Recommendations for the Implicit Curriculum (cont.)**

Administration	<ul style="list-style-type: none"> <li>- Clear mission statement and program goals that align with ADEI, social justice, and social work values and ethics</li> <li>- Recruitment and hiring of system-impacted faculty, staff, instructors, directors, and administrators</li> <li>- Recruitment and hiring of faculty, staff, instructors, directors, and administrators with expertise on the criminal legal system</li> <li>- Clear policies for hiring and retaining system-impacted faculty, staff, instructors, directors, and administrators that align with social work values and ethics</li> <li>- Equitable opportunities for the promotion and tenure of system-impacted faculty, staff, instructors, directors, and administrators</li> <li>- Provide justification and empirical evidence for restrictive policies</li> <li>- Buy-in and sustainability for racial equity and criminal legal justice projects</li> <li>- Establishment of ADEI and social justice committees, collaboratives, and task forces that consider the needs of system-impacted students</li> <li>- Dismantle academic-community structural barriers and power dynamics</li> <li>- Invite system-impacted community members to join classroom spaces and committees</li> <li>- Establish and sustain partnerships with system-impacted community agencies and organizations, law schools</li> <li>- Identify educators and community members to curricular and continuing education committees tasked with the infusion of ADEI, social justice, and criminal legal content</li> <li>- Sufficient time and workload dedicated to program directors' administration of the social work program, including program administration with system-impacted students, faculty, staff, and instructors</li> <li>- Sufficient time and workload dedicated to field directors' administration of the social work field education program, including program administration with system-impacted students</li> <li>- Sufficient personnel and technological support to support system-impacted students</li> </ul>
Resources	<ul style="list-style-type: none"> <li>- Sufficient financial resources to infuse criminal legal content into the social work program</li> <li>- Sufficient support staff and personnel to infuse criminal legal content into the social work program</li> <li>- Sufficient access to library, informational, educational, and research resources to infuse criminal legal content into the social work program</li> <li>- Sufficient technological access and support to infuse criminal legal content into the social work program</li> <li>- Sufficient technological access and support to support system-impacted students</li> <li>- Sufficient office, classroom, and student spaces to infuse criminal legal content into the social work program</li> <li>- Sufficient student services to support system-impacted students</li> </ul>

**Table 5.4: Recommendations for the Implicit Curriculum (cont.)**

	<ul style="list-style-type: none"><li>- Sufficient support from professional organizations at the federal and chapter levels to infuse criminal legal content in the social work program</li><li>- Sufficient support from professional organizations at the federal and chapter levels for system-impacted students, faculty, staff, instructors, and administrators</li></ul>
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## CHAPTER 6: DISCUSSION

This dissertation addressed two research questions: 1) How can the social work profession improve criminal legal social work education? 2) How can the social work profession apply a justice-oriented theoretical framework to improve criminal legal social work education? To address these research questions, I applied a convergent-parallel mixed methods research design. Findings from this three-article dissertation indicate that the social work profession can familiarize all stakeholders involved in social work education (e.g., students, instructors, administrators, practitioners) on key issues system-impacted individuals currently face and initiatives that aim to reform or abolish criminal legal policies, and procedures that harm system-impacted individuals. In particular, BSW, MSW, and continuing education programs can teach from historical, reformative, and abolitionist perspectives; cover content on the three branches of the criminal legal system; court-mandated services and treatment; and alternatives to the criminal legal system. These programs can teach criminal legal content through interactive and applied methods, including (but not limited to): case scenarios, simulations and role plays, websites and social media posts, group-based policy and research assignments, guest speakers, field placements, and reflections. Furthermore, BSW, MSW, and continuing education programs can utilize the theoretical framework presented in Chapter 5 to infuse Nicotera's (2019) seven Es into criminal legal content. Although additional research is required to identify key components, this framework provides a starting point for programs of all levels to incorporate criminal legal content into social work curricula.

### 6.1 Implications for Social Work

With over 113 million adults in the United States who have an immediate family member with a history of incarceration (Sawyer & Wagner, 2023), it is clear that families and

communities are significantly impacted and harmed by the criminal legal system. Social workers are integral in connecting communities; addressing systemic racism, violence, and oppression; and advocating for initiatives that reform and/or abolish the criminal legal system.

This dissertation considers the role of social workers as authority figures when working with system-impacted individuals, families, and communities (Treger, 1976). Jacobs et al. (2021) identifies the harms of social workers in law enforcement settings, including the role of law enforcement in perpetuating white supremacy and systemic racism, the role of the social work profession in maintaining criminalization, and a lack of evidence that demonstrates the effectiveness of police social work in addressing social injustices. Instead of engaging in these roles, I recommend that social workers consider human-centered perspectives when working with system-impacted individuals; build alternatives to policing; join organizations with policies centered in critical, anti-carceral, abolitionist, and transformative justice approaches; and utilize mutual aid, grassroots, and collective approaches. For example, the Social Work Activist Collective (*n.d.*) collects individuals from unions and labor organizations, collective action organizations, abolitionist partners, partners engaging in anti-racist work, and social work educators and practitioners across the United States. This unified collective provides a foundation for social workers and community members to dismantle authoritative hierarchies and work toward social justice in the criminal legal system on a unified, collective front.

This dissertation addresses Funge's calls for "making the abstract more concrete" (Funge, 2011, 2013; Funge et al., 2020) by providing a theoretical framework that aligns criminal legal content with Nicotera's (2019) social justice tenets. My dissertation examined two of Funge's (2013) findings: 1) effects of program mission and integration, and 2) connecting an abstract concept to concrete practices. In addition, I examined Program Directors' perceptions of social

justice in the criminal legal system. My dissertation provided a framework for BSW, MSW, and continuing education programs to feasibly and accessibly infuse into their existing curricula. Thus, this dissertation supports and considers the needs of social work programs, student interests, and instructor expertise.

Finally, the social work profession has the potential to incite change in federal, state, and local policies that align with social justice tenets. For example, advocates can work toward changing societal attitudes from punishment to human-centered treatment, destigmatize criminalized behaviors, and provide system-impacted individuals with the appropriate resources needed to thrive in society. Furthermore, this dissertation has the potential to follow Minnick's (2021) recommendations for substance use education, including the creation of networks that include academics, agencies, social work associations, social workers, and community members; create curricular guides; and enhance interdisciplinary and interprofessional education on the criminal legal system. These future directions will support practice with system-impacted individuals, families, and communities as a "universal skill set necessary for all social work practitioners" (p. 312).

## **6.2 Future Opportunities for Research, Education, and Practice**

The findings from this proposed dissertation may prompt numerous opportunities. In addition to examining the perspectives of Program Directors, future research can understand the perspectives of students; practitioners; instructors; and, most importantly, system-impacted individuals, families, and communities. Additional research on criminal legal social work education can also compare criminal legal content that is currently incorporated into BSW or MSW programs; knowledge and skills between programs that incorporate criminal legal content through specialization, integration, and infusion; knowledge and skills between required and

elective courses; teaching methods; and program and institutional supports. Recommendations for educational initiatives include the creation of curricular guides and resources, teaching modules, interprofessional collaboratives, practitioner educational programs, funded student training programs, case studies, and field activities (CSWE, *n.d.*; NASW, *n.d.*). Furthermore, this dissertation can identify policy initiatives for social workers to support at the federal, state, and local levels, as well as implement policy changes of social work organizations, including CSWE and NASW. This dissertation has the potential to influence educational and organizational priorities to ensure the adequate preparation of students and practitioners to work with system-impacted individuals, families, and communities in all social work practice settings.

Finally, I plan to qualitatively study system-impacted individuals' perceptions of the criminal legal system and their experiences with social workers; expand on the survey of Program Directors (see Chapter 4) by collecting additional data and interviewing participants (who provided their consent about being contacted for future studies) on their recommendations for infusing criminal legal content into the curriculum; and investigate students' experiences with criminal legal content in their BSW and MSW programs.

### **6.3 Limitations**

The first limitation of this dissertation is that the scoping review search strategy may not identify all articles eligible for inclusion in the deductive content analysis (see Chapter 3). To minimize this limitation, I consulted with librarians, advisors, and colleagues to ensure that all relevant terms are included in the search strategy. Additionally, while applying Nicotera's seven Es to the criminal legal system in my third article, I reviewed academic databases for articles relevant to criminal legal social work education. Although these measures were taken, it is possible that studies, books, and data could be missing from this dissertation.

There were a few limitations associated with the survey on Program Directors (see Chapter 4). For instance, low participation rates were expected due to the timing of survey dissemination, and Program Directors may not have known enough about their program's curriculum to accurately report on the criminal legal content offered in their programs (Valutis & Rubin, 2010). Additionally, Program Directors reported high rates of missing data on some criminal legal issues, particularly "Ban the Box". This limitation contributed to larger standard deviations, which led to only a moderately sufficient Cronbach's Alpha, and the impracticality of utilizing regression analyses. These limitations may result in the need for additional survey responses to fully test the factors that can influence criminal legal content in the social work curriculum.

Overall, a few additional limitations existed due to the exploratory nature of this dissertation. For example, there were limited perspectives in the existing research from system-impacted individuals, communities, and organizations. Without the voices of system-impacted people, there is a risk that the applied theoretical framework (see Chapter 5.4) may exclude educational content on the lived experiences of system-impacted individuals. To minimize this limitation, I thoroughly reviewed the articles selected for analysis in the scoping review (see Chapter 3.5), in addition to studies cited in each article (see Chapters 3-5). Additionally, upon completion of this dissertation, I will prioritize the inclusion of system-impacted individuals, families, and communities in my future research, educational, and practice endeavors. These endeavors will enhance the curricular recommendations provided in the theoretical framework by centering the voices of system-impacted individuals, communities, and organizations.

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## APPENDIX A: SURVEY QUESTIONNAIRE

### Program & Institution Demographics

The following questions pertain to your program and institution. Please provide your responses to the following questions to the best of your ability.

1. Which type of program are you a Program Director?
  - a. BSW / BS/BA in Social Work or Social Welfare (or equivalent)
  - b. MSW / MSSW / MS/MA in Social Work or Social Welfare (or equivalent)
  - c. Both BSW and MSW in Social Work or Social Welfare (or equivalent)
  - d. Other/Not a Program Director
2. Which type of Carnegie Classification: Basic Classification is your university? Please reference this website: <https://carnegieclassifications.acenet.edu/>.
  - a. R1: Doctoral Universities: Very High Research Activity
  - b. R2: Doctoral Universities: High Research Activity
  - c. D/PU: Doctoral/Professional Universities
  - d. M1: Master's Colleges & Universities: Larger Programs
  - e. M2: Master's Colleges & Universities: Medium Programs
  - f. M3: Master's Colleges & Universities: Small Programs
  - g. Baccalaureate Colleges: Arts & Sciences Focus
  - h. Baccalaureate Colleges: Diverse Fields
  - i. Baccalaureate/Associate's Colleges: Mixed Baccalaureate/Associate's
  - j. Baccalaureate/Associate's Colleges: Associate's Dominant
  - k. Tribal Colleges & Universities
  - l. Other (please specify)
3. In which type of geographic area is your institution located? You may use the NCHS 2013 Urban-Rural Classification Scheme for Counties for reference: [https://www.cdc.gov/nchs/data\\_access/urban\\_rural.htm](https://www.cdc.gov/nchs/data_access/urban_rural.htm)
  - a. Rural county (non-metropolitan areas)
  - b. Microcore county (10,000-49,000 population)
  - c. Small metro county (< 250,000 population)
  - d. Medium metro county (250,000-999,999 population)
  - e. Large metro county (> 1 million population)
  - f. Other (please specify)
4. As of 2023, what is the political party affiliation of your state? You may use this map for reference: <https://worldpopulationreview.com/state-rankings/states-by-political-party>
  - a. Democratic
  - b. Split
  - c. Republican
  - d. Other (please specify)
5. Which college is your program housed in?
  - a. Social Work
  - b. Social Welfare
  - c. Social and Behavioral Sciences
  - d. Letters and Sciences / Liberal Arts and Sciences / Arts and Sciences
  - e. Health and Human Services / Health Sciences
  - f. Education and Human Services / Education and Social Services

- g. Humanities and Social Sciences
  - h. Public Policy
  - i. Professional Studies / Applied Studies
  - j. Family Studies
  - k. Unsure
  - l. Other (please specify)
6. How many disciplines are in your college, including social work?
    - a. [Numeric text]
  7. How many students are currently enrolled in your program?
    - a. [Numeric text]
  8. Does your program offer a social justice or human rights student organization?
    - a. Yes
    - b. No
    - c. Unsure
  9. Does your program conduct criminal background checks on applicants who apply to your program? Select all that apply.
    - a. Yes, there is a policy at my university to conduct criminal background checks.
    - b. Yes, there is a policy within my program to conduct criminal background checks.
    - c. No
    - d. Unsure
  10. Does your program exclude applicants from admission to your program because they have a criminal record?
    - a. Yes
    - b. No
    - c. Unsure
  11. How many criminal legal experts are in staffed your program? “Expert” is defined as an administrator, faculty member, staff member, or instructor whose research, practice, and/or instructional experiences focus on the criminal legal system.
    - a. [Numeric text]

### **Program Director Demographics**

The following questions pertain to your educational background and experiences as a Program Director. Please provide your responses to the following questions to the best of your ability.

12. What is your highest degree earned?
  - a. DSW
  - b. PhD in social work or social welfare
  - c. PhD in a discipline other than social work or social welfare
  - d. MSW
  - e. Other (please specify)
13. How many years of experience do you have in higher education?
  - a. [Numeric text]
14. How many years have you served as a program director?
  - a. [Numeric text]
15. How many years of experience do you have in social work practice (or practice in a related field)?
  - a. [Numeric text]

16. Do you have education or training in the criminal legal system?
- a. Yes
    - i. If “yes”, please list the number of years of experience you have in education or training on the criminal legal system.
      1. [Numeric text]
    - ii. If “yes”, please list the type of experience you have in education or training on the criminal legal system (select all that apply):
      1. Completed an undergraduate-level course that included criminal legal content in a lesson or activity
      2. Completed a graduate-level course that included criminal legal content in a lesson or activity
      3. Completed an undergraduate-level course that focused on the criminal legal system (i.e., the entire course was about the criminal legal system)
      4. Completed a graduate-level course that focused on the criminal legal system (i.e., the entire course was about the criminal legal system)
      5. Completed an internship or experiential learning opportunity in the criminal legal system
      6. Completed CEUs or professional development trainings on the criminal legal system
      7. Completed a “train-the-trainer” workshop on the criminal legal system
      8. Other (please specify)
  - b. No
  - c. Unsure
17. Do you have direct research or practice experience in the criminal legal system? “Direct” experience refers to experience in law enforcement, criminal courts, or corrections.
- a. Yes
    - i. If “yes”, please list the number of years of direct experience you have in research or practice in the criminal legal system.
      1. [Numeric text]
    - ii. If “yes”, please list the type of direct experience you have in criminal legal system research or practice (select all that apply):
      1. I have research experience with law enforcement
      2. I have practice experience with law enforcement
      3. I have research experience with the criminal courts
      4. I have practice experience with the criminal courts
      5. I have research experience with corrections
      6. I have practice experience with corrections
      7. Other (please specify)
  - b. No
  - c. Unsure
18. Do you have indirect research or practice experience in the criminal justice/legal system? “Indirect” experience refers to experience with individuals impacted by the criminal justice system but not in law enforcement, criminal courts, or corrections.

- a. Yes
  - i. If “yes”, please list the number of years of indirect experience (numeric) you have in criminal legal system research or practice.
    - 1. [Numeric text]
  - ii. If “yes”, please list the type of indirect experience you have in criminal legal system research or practice (select all that apply):
    - 1. Criminal legal policy
    - 2. Victim/survivor services
    - 3. Court-mandated mental health or substance use treatment
    - 4. Child Protective Services / Department of Children and Families
    - 5. At-risk services
    - 6. School services for youth at-risk of involvement in the criminal legal system
    - 7. Violence prevention services
    - 8. Grassroots organizations that help individuals, families, or communities harmed by the criminal legal system
    - 9. Other (please specify)
- b. No
- c. Unsure

### **Criminal Legal Content**

The following questions pertain to criminal legal content offered in your program. Please respond to the following questions for the program in which you are a Program Director (i.e., if you are a BSW Program Director, please respond to programmatic offerings and topic areas offered in the BSW program, as well as barriers for incorporating criminal legal programming and topic areas in the BSW program). Please provide your responses to the following questions to the best of your ability.

19. Does your program offer the following programmatic offerings for criminal legal content? (Table)
- a. Dual/joint degrees
    - i. Yes
    - ii. No
    - iii. Unsure
    - iv. Not applicable
  - b. Concentrations/focus areas
    - i. Yes
    - ii. No
    - iii. Unsure
    - iv. Not applicable
  - c. Majors
    - i. Yes
    - ii. No
    - iii. Unsure
    - iv. Not applicable
  - d. Minors
    - i. Yes

- ii. No
  - iii. Unsure
  - iv. Not applicable
- e. Certificate programs
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- f. Courses (excluding Social Work and the Law)
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- g. Social Work and the Law course with at least one lesson on the criminal legal system
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- h. Coursework (e.g., class lessons, discussions, in- or out-of-class activities, assignments, and other components of a course)
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- i. Experiential learning
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- j. Practicum/field placement opportunities
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- k. Internal workshops for students, faculty, and staff
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- l. Workshops open to the public
  - i. Yes
  - ii. No
  - iii. Unsure
  - iv. Not applicable
- m. Professional development/continuing education for alumni and practitioners

- i. Yes
    - ii. No
    - iii. Unsure
    - iv. Not applicable
  - n. Other
    - i. Yes
    - ii. No
    - iii. Unsure
    - iv. Not applicable
20. Which types of criminal legal topics are offered at your university? Select all that apply.  
(Table)
- a. Law enforcement
    - i. Yes
    - ii. No
    - iii. Unsure
  - b. Criminal legal courts
    - i. Yes
    - ii. No
    - iii. Unsure
  - c. Corrections: incarceration (i.e., jails, prisons)
    - i. Yes
    - ii. No
    - iii. Unsure
  - d. Corrections: community supervision (i.e., probation, parole)
    - i. Yes
    - ii. No
    - iii. Unsure
  - e. Youth/juvenile justice
    - i. Yes
    - ii. No
    - iii. Unsure
  - f. Re-entry/re-integration/returning citizens
    - i. Yes
    - ii. No
    - iii. Unsure
  - g. Criminal legal policy
    - i. Yes
    - ii. No
    - iii. Unsure
  - h. Victim/survivor services
    - i. Yes
    - ii. No
    - iii. Unsure
  - i. Court-mandated mental health treatment
    - i. Yes
    - ii. No

- iii. Unsure
  - j. Court-mandated substance use treatment
    - i. Yes
    - ii. No
    - iii. Unsure
  - k. Child Protective Services / Department of Children and Families
    - i. Yes
    - ii. No
    - iii. Unsure
  - l. At-risk services
    - i. Yes
    - ii. No
    - iii. Unsure
  - m. Violence prevention services
    - i. Yes
    - ii. No
    - iii. Unsure
  - n. Restorative justice
    - i. Yes
    - ii. No
    - iii. Unsure
  - o. Abolitionism/transformational justice
    - i. Yes
    - ii. No
    - iii. Unsure
  - p. Other
    - i. Yes
    - ii. No
    - iii. Unsure / Does not apply
21. For the following questions, please indicate the extent to which your program addresses the following items, with 1 = “not at all” and 7 = “completely”.
- a. My program distributes resources in different amounts based on need.
  - b. My program encourages students, faculty, and staff to speak freely, including voices that dissent from the program’s priorities.
  - c. My program encourages students, faculty, and staff to participate in opportunities freely, including opportunities that dissent from the program’s priorities.
  - d. My program is open to policy changes that dissent from the program’s priorities.
  - e. My program offers resources for people from disadvantaged groups that fulfill their educational needs.
  - f. My program challenges discrimination and oppression of all disadvantaged groups.
  - g. My program infuses the person-in-environment perspective throughout the curriculum.
  - h. My program acknowledges all social injustices in the curriculum.
  - i. My program engages in anti-racist reparative actions to restore resources and services in disadvantaged communities.

- j. My program teaches critical consciousness throughout the curriculum.
  - k. My program teaches love and liberation throughout the curriculum.
  - l. My program centers the needs of individuals, families, and communities most harmed by the criminal legal system throughout the curriculum.
  - m. My program infuses collaborations between students, faculty, staff, and community members throughout the curriculum.
22. Which components influence the incorporation of criminal legal content in your program (Select all that apply). (Matrix table: this helps/this is a barrier for incorporating criminal legal content into my program)
- a. Geographic region
  - b. Political influences
  - c. Knowledge of the criminal legal system
  - d. Training or experience of faculty, staff, and instructors
  - e. Administrative interests (program-level)
  - f. Administrative interests (university-level)
  - g. Community partnerships, resources, and training sites
  - h. Collaboration across disciplines
  - i. Funding
  - j. Student interest
  - k. Faculty interest
  - l. Curricular load/capacity
  - m. Program resources
  - n. University resources
  - o. Other (please specify)

### **Attitudes About Criminal Legal Issues**

The following questions pertain to issues and initiatives pertaining to the criminal legal system. Please provide your responses to the following questions to the best of your ability.

23. What is your level of support for criminal background checks for students who apply to social work programs? (1 = strongly disagree, 7 = strongly agree)
- a. Strongly disagree
  - b. Disagree
  - c. Slightly disagree
  - d. Neither agree nor disagree
  - e. Slightly agree
  - f. Agree
  - g. Strongly agree
24. For the following phrases, please indicate your level of agreement, with 1 = strongly oppose, 7 = strongly in favor. If you have not heard this term before, please select 0: "I have not heard this term before."
- a. "Tough on Crime"
  - b. "Criminal Injustice System"
  - c. "Lock Them Up"
  - d. "Back the Blue"
  - e. "The system is not broken, it is operating exactly the way it was designed."
  - f. "Ban the Box"
  - g. "Black Lives Matter"

- h. “All Lives Matter”
  - i. “End Mass Incarceration”
  - j. “Defund the Police”
  - k. “Abolish the Police”
  - l. “Abolish Prisons”
  - m. “All Cops are Bastards”
  - n. “When the looting starts, the shooting starts”
25. For the following criminal legal initiatives, please indicate your level of agreement, with 1 = strongly oppose, 7 = strongly in favor.
- a. Raising educational requirements for law enforcement
  - b. Body cameras for law enforcement
  - c. Eliminating qualified immunity for law enforcement (i.e., a policy that restricts protections for law enforcement from individual liability or culpability)
  - d. Approaching mental health and substance use disorders as a public health issue
  - e. Diverting 911 emergency calls for behavioral health issues to social workers
  - f. Implicit bias training for all professionals who work in criminal legal settings (e.g., Law Enforcement, Judges, Expert Witnesses, Forensic Psychiatrists, Correctional Officers, Social Workers)
  - g. Diverting people arrested for non-violent criminalized behaviors to mental health and substance use treatment
  - h. Diverting all people arrested for criminalized behaviors to mental health and substance use treatment
  - i. Decriminalizing cannabis
  - j. Decriminalizing all substances (e.g., cocaine, heroin, methamphetamine)
  - k. Ending mandatory minimum sentencing
  - l. Ending three-strikes laws
  - m. Ending the death penalty
  - n. Ending youth life without parole
  - o. Ending life without parole for youth and adults
  - p. Reducing prison sentences
  - q. Reducing probation and parole sentences
  - r. Expanding prison compassionate release during the COVID-19 pandemic
  - s. Expanding prison compassionate release (pre-pandemic, during the COVID-19 pandemic, and post-pandemic)
  - t. Expunging convictions of non-violent drug offenses
  - u. Ending the disenfranchisement of individuals who are incarcerated with a felony conviction
  - v. Ending the disenfranchisement of individuals serving probation and parole sentences
  - w. Ending the disenfranchisement of individuals with felony convictions (who are not currently incarcerated or serving probation or parole sentences)
  - x. Ending lifetime bans on social services/welfare assistance for individuals with felony convictions

### **Participant Demographic Questions**

The last set of questions pertains to individual characteristics. If a question does not encompass your identity or background, you may self-describe. If you prefer not to respond, there is a

“prefer not to respond” option for each question. The following questions pertain to issues and initiatives pertaining to the criminal legal system. Please provide your responses to the following questions to the best of your ability.

26. What is your generational age?
  - a. [Text entry]
  - b. Prefer not to respond
27. What is your gender identity? (Select all that apply)
  - a. Male
  - b. Female
  - c. Transgender
  - d. Intersex
  - e. Nonbinary/genderqueer/gender non-conforming
  - f. Two-spirit
  - g. Demigender
  - h. Agender
  - i. I prefer to self-describe (please specify)
  - j. Prefer not to respond
28. What is your sexual orientation? (Select all that apply)
  - a. Heterosexual
  - b. Lesbian / Gay
  - c. Bisexual
  - d. Pansexual / Omnisexual
  - e. Asexual
  - f. Demisexual
  - g. I prefer to self-describe (please specify)
  - h. Prefer not to respond
29. What is your romantic orientation? (Select all that apply)
  - a. Heteroromantic
  - b. Homoromantic
  - c. Biromantic
  - d. Panromantic / Polyromantic
  - e. Aromantic
  - f. Demiromantic
  - g. I prefer to self-describe (please specify)
  - h. Prefer not to respond
30. What is your race? (Select all that apply)
  - a. African American/Black
  - b. Asian
  - c. Pacific Islander/Native Hawaiian
  - d. Native American/Indigenous/Alaska Native
  - e. White
  - f. I prefer to self-describe (please specify)
  - g. Prefer not to respond
31. What is your ethnicity?
  - a. Hispanic/Latinx/e
  - b. Not Hispanic/Latinx/e

- c. I prefer to self-describe (please specify)
  - d. Prefer not to respond
32. What is your religious affiliation? (Select all that apply)
- a. Christianity – Protestantism
  - b. Christianity – Catholicism
  - c. Christianity – Mormonism
  - d. Christianity – Other
  - e. Judaism
  - f. Islam
  - g. Hinduism
  - h. Buddhism
  - i. Unaffiliated / Secularism / Atheism / Agnosticism
  - j. I prefer to self-describe (please specify)
  - k. Prefer not to respond
33. What is your political party affiliation?
- a. Republican Party
  - b. Democratic Party
  - c. Neither Democratic nor Republican Party
  - d. Independent
  - e. Libertarian Party
  - f. Green Party
  - g. I prefer to self-describe (please specify)
  - h. Prefer not to respond
34. What is your social political ideology?
- a. Very Conservative
  - b. Conservative
  - c. Somewhat Conservative
  - d. Neither Conservative nor Liberal
  - e. Somewhat Liberal
  - f. Liberal
  - g. Very Liberal
  - h. Prefer not to respond
35. What is your economic political ideology?
- a. Very Conservative
  - b. Conservative
  - c. Somewhat Conservative
  - d. Neither Conservative nor Liberal
  - e. Somewhat Liberal
  - f. Liberal
  - g. Very Liberal
  - h. Prefer not to respond

## APPENDIX B: POST-SURVEY QUESTIONNAIRE

Thank you for participating in the study titled “An Investigation of Social Work Program Directors' Positionality Toward Criminal Legal Social Work Issues and Explicit Criminal Legal Content in BSW and MSW Programs: An Exploratory Study”!

This questionnaire will ask for your contact information for two purposes.

First, if you are among the first 50 participants to complete this study and/or you are selected in the raffle, you will be contacted to receive a \$20 Amazon gift card as an incentive. If you consent to providing your contact information for this purpose, your contact information will be deleted upon receipt of your incentive.

Second, you can provide your contact information to be informed by the research team of opportunities to participate in future research. If you consent to providing your contact information for this purpose, your contact information may be kept for up to seven years, only for the purpose of requesting your participation in future research. You do not have to participate in future research.

The information that you provide in this questionnaire will not be connected with the information you provided in the study survey. You can decline to provide your contact information for either purpose, and you can withdraw your information at any time by contacting the Allison Carrington at [aas6@illinois.edu](mailto:aas6@illinois.edu).

First and Last Name:

University Email Address:

Please check the box that applies to your consent for using your contact information.

I consent to this information being used to contact me to receive a \$20 Amazon gift card as an incentive for participating in this research, if I am one of the first 50 participants to complete the survey or am selected to receive the incentive from the raffle. I understand that my contact information is not connected to the information that I provided in the study. I also understand that my contact information will be deleted upon receipt of the incentive. If I wish to withdraw consent of sharing my contact information, I will contact the Allison Carrington at [aas6@illinois.edu](mailto:aas6@illinois.edu) and my contact information will be deleted immediately.

I consent to being contacted about opportunities to participate in future research. I understand that I do not have to participate in future research. I also understand that my contact information is not connected to the information I provided in the study. I understand that my contact information may be kept for up to seven years, only for the purposes of requesting my participation in future research. If I wish to withdraw consent of sharing my contact information, I will contact the Allison Carrington at [aas6@illinois.edu](mailto:aas6@illinois.edu) and my contact information will be deleted immediately.

I consent to being contacted to both receive a \$20 Amazon gift card as an incentive

for participating in this research, if I am one of the first 50 participants to complete the survey or am selected to receive the incentive from the raffle, and for opportunities to participate in future research. I understand that I do not have to participate in future research. Furthermore, I understand that my contact information is not connected to the information that I provided in the study. I understand that my contact information may be kept for up to seven years, only for the purposes of receiving an incentive and requesting my participation in future research. If I wish to withdraw consent of sharing my contact information, I will contact the Allison Carrington at [aas6@illinois.edu](mailto:aas6@illinois.edu) and my contact information will be deleted immediately.

I do not consent to being contacted for either purpose stated above. I understand that my contact information will be immediately deleted. I also understand that I will not be contacted to receive a \$20 Amazon gift card as an incentive for participating in this study, nor will my contact information be used by this research team to participate in future research opportunities.

## APPENDIX C: IRB NOTICE OF EXEMPTION DETERMINATION



### Office of the Vice Chancellor for Research & Innovation

Office for the Protection of Research Subjects  
805 W. Pennsylvania Ave., MC-095  
Urbana, IL 61801-4822

### Notice of Exempt Determination

May 3, 2023

<b>Principal Investigator</b>	Liliane Windsor
<b>CC</b>	Allision Carrington, Douglas Smith
<b>Protocol Title</b>	An Investigation of Social Work Program Directors' Positionality Toward Criminal Legal Social Work Issues and Explicit Criminal Legal Content in BSW and MSW Programs: An Exploratory Study
<b>Protocol Number</b>	24056
<b>Funding Source</b>	School of Social Work PhD Student Training Fund
<b>Review Category</b>	Exempt 2(i)
<b>Amendment Approved</b>	May 4, 2023
<b>Expiration Date</b>	May 3, 2028

This letter authorizes the use of human subjects in the above protocol. The University of Illinois at Urbana-Champaign Office for the Protection of Research Subjects (OPRS) has reviewed your application and determined the criteria for exemption have been met.

The Principal Investigator of this study is responsible for:

- Conducting research in a manner consistent with the requirements of the University and federal regulations found at 45 CFR 46.
- Requesting approval from the IRB prior to implementing major modifications.
- Notifying OPRS of any problems involving human subjects, including unanticipated events, participant complaints, or protocol deviations.
- Notifying OPRS of the completion of the study.

Changes to an exempt protocol are only required if substantive modifications are requested and/or the changes requested may affect the exempt status.

**UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN**

IRG0000014 • FWA #00008584  
217.333.2670 • irb@illinois.edu • oprs.research.illinois.edu