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A Qualitative Exploration of the Use of Contraband Cell Phones in Secured Facilities

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Walden University

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Margaret Emma Henderson

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Walden University
2016

Abstract

A Qualitative Exploration of the Use of Contraband Cellular Phones in Secured Facilities

by

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MS, New Jersey City University, 2003

BS, Upsala College, 1994

Dissertation Submitted in Partial Fulfillment

Of the Requirements for the Degree of

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Abstract

Offenders accepting contraband cell phones in secured facilities violate state corrections law, and the possession of these cell phones is a form of risk taking behavior. When offenders continue this risky behavior, it affects their decision making in other domains where they are challenging authorities; and may impact the length of their incarceration. This qualitative phenomenological study examined the lived experience of ex-offenders who had contraband cell phones in secured correctional facilities in order to better understand their reasons for taking risks with contraband cell phones. The theoretical foundation for this study was Trimpop's risk-homeostasis and risk-motivation theories that suggest an individual's behaviors adapt to negotiate between perceived risk and desired risk in order to achieve satisfaction. The research question explored beliefs and perceptions of ex-offenders who chose to accept the risk of using contraband cell phones during their time in secured facilities. Data were collected anonymously through recorded telephone interviews with 8 male adult ex-offenders and analyzed using thematic content analysis. Findings indicated participants felt empowered by possession of cell phones in prison, and it was an acceptable risk to stay connected to family out of concern for loved ones. The study contributes to social change by providing those justice system administrators, and prison managers responsible for prison cell phone policies with more detailed information about the motivations and perspectives of offenders in respect to using contraband cell phones while imprisoned in secured facilities.

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Dedication

My God

I salute and thank my family: my son, Mark and my daughter-in-law Sheril Henderson, my Grandchildren Brittany, Bryanna, Brea. Also, my nieces and nephews: Steph who talked to me daily. I cannot forget my adopted children: Duwaine, Priscilla, and many others -Charmaine-who prayed for me daily. I cannot forget all my friends

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Chapter 1: Introduction to the Study

Background

Incarcerated offenders face many institutional rules about when and how they have permission to communicate with those inside and outside of correctional facilities (Shults, 2012). These rules govern when and how they conduct telephone calls, send correspondence, or have contact with visitors in secured facilities. Some offenders perceive these rules as violations of their communication rights, specifically their right to make a telephone call, under the First Amendment to the U.S. Constitution (Shults, 2012). Correctional regulations have been inconsistent about receiving mail and making telephone calls (Black, 2010). In the fall of 2004, The Sixth Circuit Court decided against offenders' complaints, and determined that prisons and other correctional institutions upheld their First- and Eighth-Amendment rights regarding access to communications with family (Shults, 2012). In the fall of 2004, the U.S. Supreme Court upheld offenders' constitutional rights regarding noncontact visits and the need to maintain relationships with family. According to Shults (2012), "In the past, the court has shown sensitivity to prisoners' constitutional rights that often is not part of the lower court decisions" (p. 402). The Supreme Court ruled that letters and telephone calls allowed private and spontaneous conversation and should be as consistent as non-contact visits (Shults, 2012).

Contraband Telephone Use in Secured Facilities

The use of contraband cellular phones enables offenders to talk to their families using a less expensive form of communication (Gilham, 2012). Because family members and close friends continue to pay the high cost of using the prison telephone system (Christie, 2010), telephone use has promoted offenders' risk-taking behavior, as

offenders acquired smuggled contraband cellular phones at considerable risk to themselves and their family members. Prison rules and the cost of calls contribute to the use of contraband cellular phones in secured facilities (Christie, 2010).

Cellular Phones Smuggled Into Secured Facilities

In July 2010, the Federal Bureau of Investigation *Law-Enforcement Bulletin* contained the headline “Cellular Phones as Prison Contraband” (Burke & Owen, 2010, p. 1). Prison authorities identified an ongoing problem with contraband cellular phones in secure facilities (National Institute of Justice [NIJ], 2013). Inmates use contraband cellular phones to convey messages with legal outcomes, and carry out crimes internal and external to a facility (NIJ, 2013). Contraband cellular phone use has aggravated criminal activity in prison (Burke & Owen, 2010), and offenders have continued the risky behavior of using contraband cellular phones in spite of the bans (U.S. Government Accountability Office, 2011). These phones facilitate personal contacts, as well as criminal activities (U.S. Government Accountability Office, 2011).

Offenders seem to have a need to communicate with family and friends in spite of the consequences of using contraband cellular phones (Schedule of Sanctions, 2015, 10A:4-5.1). The consequences can be severe, including the possible lengthening of sentences and disruption of legal means of communicating with their families (Schedule of Sanctions, 2015, 10A:4-5.1). Although it is widely understood that offenders use contraband cellular phones to keep in contact with their families (Christie, 2010), in a search of the literature, I did not find any studies indicating why offenders would take these risks in spite of the consequences. Offenders’ decision-making process in choosing to engage in such risky behaviors is a topic for more research.

Problem Statement

This problem of offenders choosing the risky behavior of using contraband cellular phones as a mean of communication in secured facilities continues, despite regulations banning their possession and use (Burke & Owens, 2010). Stakeholders have not yet discerned how offenders perceive the risk of consequences that result from this risky behavior, although they know that cellular phones are contraband, and that continuous use creates problems (Schedule of Sanctions, 2015, 10A:4-5.1). As recently as 2014, offenders have been found using contraband cellular phones to communicate with codefendants in an open criminal case (Federal Bureau of Investigation [FBI], 2014), which illustrates one of the ongoing legal problems with offenders choosing to engage in this risky behavior.

Continued contraband cellular phone use, if discovered, carries various penalties (Schedule of Sanctions, 2015, 10A:4-5.1). Through my study, I discerned how ex-offenders perceive the risk of this behavior, and how it affected their decision to accept contraband cellular phones and break prison rules. I found no literature that directly addressed incarcerated offenders' perceptions of the risky behavior and possible consequences of the use of contraband cellular phones. To decrease this type of risky behavior on the part of offenders, stakeholders must better understand the decision making of individuals who have engaged in the risky choice of contraband cellular phone use while incarcerated.

Purpose of the Study

The purpose of this qualitative, phenomenological study was to explore the perceptions and lived experiences of ex-offenders concerning their risky behavior in

using contraband cellular phones while in secured correctional facilities in an Eastern Seaboard state. I conducted telephone interviews with eight ex-offenders who used contraband cellular phones while incarcerated. Based on the literature I reviewed, I developed interview questions and used them to answer the guiding research questions.

Research Questions

I developed the following questions based on the premise that participants' answers may disclose why offenders engage in risky behavior to achieve the desire for communication while incarcerated:

- RQ1. What are the perceptions and experiences of ex-offenders concerning their risky behavior of the use of contraband cellular phones in secured facilities to communicate with family members and friends?
- RQ2. What are the perceptions of ex-offenders of the influences that played a part in their choices to participate in the risky behavior of the use of contraband cellular phones while incarcerated in secure facilities?
- RQ3. What are the perceptions of ex-offenders as to what difference it made to their incarceration experience for them to have the use of a contraband cellular phone while incarcerated?

Theoretical Framework for the Study

The theoretical framework included components from risk homeostasis theory, risk-taking-behavior theory, and risk-motivation theory (Trimpop, 1996; Wilde, 1982). These theories provided a framework to examine offenders' choices and needs to achieve contentment. Risk homeostasis theory holds that behavior adapts to negotiate between "perceived risk and desired risk" (Trimpop, 1996, p. 119). Risk-taking behavior and risk-

motivation theory both assume collaboration between personality and conditional factors that control the physiological, emotional, and cognitive perceptions of risk (Trimpop, 1990). Researchers have used risk homeostasis theory and risk-taking behavior theory to define various risk-taking behaviors in criminal populations (see Table 1).

Table 1

Studies on Risk-Taking Behaviors in Criminal Populations

Topic	Risk-taking behavior	Source
Taiwan	Risky behaviors and personal victimization	Kuo, Cuvelier, & Sheu (2013)
Medical	Neurocognitive buffers of adolescent risk-taking behavior	Telzer, Fuligni, Lieberman, & Galván (2013)
Nigeria	Sexual attitude and risky sexual behavior of emerging youth	Williams & Aderanti (2011)
China	Substance use and risky sexual behavior of senior high school students	Shenghui et al. (2013)

Risk-Homeostasis Theory and Risk-Taking Behavior: Development and Empirical Examination of Risk-Motivation Theory

Risk homeostasis theory stems from Wilde's (1982) early work on risk compensation theory in economics. This theory borrows the term *homeostasis* from the natural sciences. Cannon (1929, 1932) coined the term to mark a condition distinct from equilibrium (Bailey, 1990): homeostasis speaks to the need to maintain a steady state, whereas equilibrium addresses the need for a balanced state (Bailey, 1990). Risk homeostasis theory works from the presumption that one's behavior oscillates between "perceived risk and desired risk" (Trimpop, 1996, p. 119). I examined both the risk-taking behavior and risk-motivation theory, and found that the teaming of personality and conditional factors control the physiological, emotional, and cognitive perceptions of risk

(Trimpop, 1990). Wilde (1982) developed risk homeostasis theory when studying the traffic safety of individuals driving cars thoughtlessly. Wilde found that a driver who recognized the difference between risk observation and risk desired would take less risk to remain in balance.

Risk-Homeostasis History

Interest in risk-taking behavior began in the 1980s when Wilde (1982) developed the risk homeostasis theory to understand human safety behaviors that led to traffic accidents (Wilde, 1982). Frahm and Palmer (2004) suggested people assess the level of risk they find acceptable, and subjectively incur risk to their values and health. The theory addresses the risk one is willing to take and continues to evaluate the level society accepts (homeostasis) in any lifestyle. Speeding, horrific accidents, and death by automobile (Wilde, 1982) are examples of what can ensue when risks are above the acceptable threshold. The risk and the person taking the risk become unbalanced. Wilde (1982) introduced the idea of the target level of risk to conceptualize individuals' comparisons of the costs and benefits of safer and riskier behavior. Trimpop (1996) enhanced the concept of risk-taking behavior to include risk-motivation theory, which inquired about the reasons for the risks. Risk homeostasis theory suggests that a behavior adapts to vacillate between "perceived risk and desired risk" (Trimpop, 1996, p. 119). The theories assume there is a crossover between personality and conditional factors controlling a person's physiological, emotional, and cognitive perceptions of risk (Trimpop, 1990).

History of Risk-Taking Behavior Theory

Risk-taking-behavior theory developed from risk homeostasis theory. Risk taking is a universal behavior motivator with cognitive costs and benefits discerned through an emotional feedback loop (Trimpop, 1990). Trimpop (1990) developed the theory of risk-taking behavior, which later developed into risk-motivation theory.

The theories are useful for understanding offenders' desires to communicate with their family members and close friends. Conditional factors control the physiological, emotional, and cognitive perceptions of risk (Trimpop, 1990). The wellbeing of the offender choosing to engage in risky behavior to communicate with their family members and close friends is measured against the satisfaction derived from the communication. The theories present a framework for speculating on and answering questions about the motivation of offenders' risky behavior and unbalanced homeostasis. In Chapter 2, I offer an in-depth discussion of these theories.

Nature of the Study

I used a rigorous hermeneutic phenomenological method to explore, describe, and investigate the offenders' lived experiences, risky behaviors, and use of contraband cellular phones. Hermeneutic phenomenology is the interpretation of experience, that is, how researchers understand individuals who have lived through different experiences and shared those experiences in a research study (Embree, 1997). Humans are interpretive and determine the significance and meaning in their lives (Draucker, 1999).

In this qualitative research, I worked to discern offenders' lived experiences of accessing and using cellular phones while incarcerated. My study provided an opportunity to explore the phenomenon from the perspective of those taking the risk.

Further, I sought to understand the offenders' stories of what drove them to break the rules of the secure facility by having a contraband cellular phone in their possession. Listening to participants' experiences provided a method to study them, and yielded a lengthy association between the participants and myself, during which patterns of individuals' experiences became evident.

Ex-offenders who used contraband cellular phones during their incarceration were an excellent population for telephone interviews about their perceptions, risky behaviors, and motivations. Specifically, I sought to understand their thinking behind decisions to take the risk to accept smuggled contraband cellular phones into secure facilities. I used thematic analysis of data from the participants to examine their motivations driving this risky behavior.

Interpretive phenomenology is most useful to examine lived experiences and blend meanings and understandings articulated by the researcher and participants (Smith, 2004). To recruit a purposeful sample of seven to 10 participants for this study, I posted flyers at transitional houses, Alcoholics Anonymous/Narcotics Anonymous meetings, and colleges that have special programs for ex-offenders. I conducted telephone interviews with participants and recorded the data collected during the telephone calls. I used thematic analysis to analyze participants' responses to the interview questions and gain insight into themes of their perceptions and motivation. I present a more detailed outline of the process in Chapter 3.

Definitions

The following definitions, used throughout the study, assure uniformity and understanding of the terms defined.

Administrative segregation: A strategy and standard for an incarcerated inmate considered an “at risk” offender, sent into confinement without contact with others for 23 hours a day in secured facilities (Motiuk & Blanchette, 2001; NIJ, 2012).

Close friends: The word friend refers to boyfriends or girlfriends of ex-offenders.

Contraband: Smuggle goods that are illicit because the goods are in a forbidden area (Galemba, 2012).

Ex-offenders: Individuals released from state- or federal prison incarceration because they have completed the required sentence (Shivy et al., 2007).

Family: Most commonly, family consists of two married adults, usually a man and a woman along with their offspring, usually living in a private and separate dwelling. A nuclear family is the oldest of the various types of families in existence, including caregivers and nonrelatives (Barnhart, Huff, & Cotte, 2014).

Offender: An individual committing crime against society (Croisdale, 2007).

Secure correctional facility: Secure correctional facilities are buildings designed to restrict persons assigned to the facility because the court decided they must remain until they have met the sentence requirements of the law (Dmitrieva, Monahan, Cauffman, & Steinberg, 2012).

Assumptions

I assumed all respondents answered all interviews questions honestly and to the best of their abilities. I also assumed that the interviewees would respond honestly to screening questions about their status as ex-offenders who had used contraband cellular phones during their incarceration.

Scope, Delimitations, and Limitations

My study included participants who are ex-offenders, released from state correctional facilities. I did not recruit federal ex-offenders. The study was limited to an exploration of the risky behaviors and motivations of participants and their experiences related to cellular phone use while incarcerated. I did not include other risk-taking behaviors.

Scope

The geographic area of the study is the northeastern United States. I interviewed ex-offenders who were at least 18 years old. Sex or gender was not factors. My study did not include the prison system's policies regarding prevention or control of smuggled contraband cellular phones in secure facilities. My research was limited to the exploration of ex-offenders' perceptions of their risky behavior, related motives, and experiences regarding the smuggling and acceptance of contraband cellular phones.

Delimitations

The study included ex-offenders who served time in a state correction facility, and who received and used contraband smuggled cellular phones while in a state correction facility. The study did not include those who served time in federal facilities.

Significance of the Study

I intended to contribute to social change by providing an understanding of how offenders used or perceived the use of cellular phones during their prison experience. Offenders responded to a need to communicate with family members and friends outside the secure facility. The results of this study may allow policy makers to change policies on cellular phone use by offenders in facilities. If policy makers change policies on

cellular phone use, perhaps offenders will have less of a need for the risky behavior of contraband cellular phone use. A change in policy could mitigate the use of contraband cellular phone use because of possible changes in the state system of phone use.

Information provided in this study may give state corrections administrators' insight to help to understand offender's choices of a less risky lifestyle than the criminal behavior because communicating with family is important and may serve as comfort to the offender. The offenders' alternatives may negate risky behavior and thereby allow them to follow the state facility regulations, which may provide opportunities to communicate with loved ones. Information provided in this study may give state corrections administrators' insight to help reduce recidivism, by facilitating better and less risky modes of communication between offenders and their families (Christie, 2010). Connection with family and friends may be the trajectory for their rejection of risky behavior, and the acceptance of their need for behavioral change.

Summary of the Organization of the Study

In Chapter 1, I introduced the problem of offenders' risky behavior choice to use contraband cellular phones in secured correctional facilities. The purpose of this phenomenological study was to explore the perceptions and lived experiences of offenders. I used the theories of risk homeostasis and risk-taking behavior to explore why offenders accept contraband cellular phones. The research questions drove the investigation. I explored relevant literature in Chapter 2.

Driving the examination are theories and their application to the study, along with rigorous investigation to answer the research questions. The literature supports the depth of the phenomenological study regarding homeostasis and risk-taking behavior. In the

study, I explored the use of contraband cellular phones through the lived experiences of ex-offenders and their risky quest to use contraband cellular phones to talk with their family members and close friends by telephone.

In Chapter 3, I describe how I recruited the participants. I used recorded transcribed telephone interviews analyzed through thematic analysis, and NVivo 10 research software to assess participants' risky behaviors. It also allowed me to gain insight into themes of their perceptions and motivations. I asked open-ended questions.

Throughout Chapter 4, I present the results of the analyses and findings, which emerged from my inquiry. The final chapter contains a summary of the study and findings, conclusions drawn from the outcomes, along with a discussion and recommendations for further investigations.

Chapter 2: Literature Review

Introduction

The literature described in this chapter relates to the topic of the use of contraband cellular phones in a secure facility and the theoretical foundation for this study. The purpose of this qualitative phenomenological study was to explore the perceptions and lived experiences of ex-offenders concerning their risky behavior in the use of contraband cellular phones while in secured correctional facilities in an Eastern Seaboard state. The problem under consideration was that stakeholders do not know the perceptions of offenders who engage in the risky behavior of contraband cellular phone use during their incarceration, and therefore may not have the tools to help offenders make better choices.

Literature-Search Strategy

My rigorous search for scholarly literature included perusing recent peer-reviewed literature using resources available from Questia, Rutgers University Library, Walden University Library, and Google Scholar. The journals articles I found provided details regarding the needs of offenders for communication with family and friends, the communication connection with their children, comprehensive details about homeostasis theory, and the risk-taking behavior consciousness of the ex-offender. To obtain information through databases, a search of the following key terms and phrases provided me valuable information: *absorbing offenders' telephone costs in secured correctional facilities, innocuous calls, jamming devices, prisons' administrative segregation, risky behavior, threats of death using a contraband cellular phone, the right of communication, sexual behavior in prison, criminal behavior including speeding and reckless driving, widening the net, HIV (revealing egregious risk-taking behavior), risk*

homeostasis, and *parenting behind bars*. I considered articles published after 2009, where possible.

History of Offenders

Historically, incarceration may not have been the procedure to punish someone for breaking laws. In the 17th and 18th century, authorities introduced many harsh treatments of prisoners in an attempt to reduce crime. In the 18th century, British prison reformer John Howard, through published writings, opposed the corruption of the police administration and the misuse of the prisoner. Howard's message stirred a movement for prison reform in both the United Kingdom and the United States; however, marked prison problems continued in the United States (Meskell, 1999). The warden's inability to measure prisoner rehabilitation encouraged a new goal: hiring prisoners out as laborers for economic profit (Meskell, 1999).

In the 18th century, authorities recognized the need for additional prisons because of the abundance of prisoners (Meskell, 1999). In 1775, the Quakers constructed the Walnut Street Prison in Philadelphia, to reduce overcrowding and provide the essential steps of classifying prisoners by crime and gender (Meskell, 1999). The Walnut Street Prison was the forerunner of solitary confinement as punishment for prisoners (Meskell, 1999). Later in 1829, they erected the Cherry Hill, Pennsylvania prison specifically for prisoner isolation, following the Walnut Street Prison's practice of discipline to stop dishonesty, bribery, vice, and extortion (Meskell, 1999).

Meskell (1999) reported cells were for the worst prisoners who were not allowed to eat with the other prisoners. Classification provided a basis for separating some prisoners from others. The Pennsylvania Separate System provided the opportunity for

prisoners to receive vocational training and perform work, including exercise. This prison made new technology available to prisoners: shower baths, central heating, and toilets that flushed in every cell was the best technology for the time.

Researchers have documented the harsh treatment of prisoners, confined to jails in Auburn, New York in 1816. The workday was 10 hours every day except Sunday when prisoners received moral training for control. This prison used hard labor for punishment and rehabilitation (Meskell, 1999). In 1829, Eastern State Penitentiary, Pennsylvania classified prisoners by crime and believed in educating prisoners. Teachers visited the prison to teach geography, natural sciences, geometry, bookkeeping, physiology, ethics, and psychology (Meskell, 1999).

The next step was to offer prisoners visits, parole, and rewards for good behavior (Meskell, 1999). Problems at the end of the 19th century included overcrowding, unsanitary conditions in the prison, and abuse of women and children who were incarcerated. Racism in southern prisons manifested in severely abused prisoners working in chain gangs, and forced to build railroads (Tonry & Petersilia, 1999). Offenders' telephone calls did not begin until the late 19th century, accompanied by various legal problems (Bromwich, 1999).

Legal Ramifications of Offenders' Communications

Shults (2012) has documented the case of Holloway, an offender at Arkansas Department of Correction with a life sentence who claimed an abuse of his First Amendment rights for fair telephone privilege. Holloway, assigned a criminal prison sentence of incarceration for life, relied on communication with family for 38 years. Shults (2012) of the *Boston University Law Review* reported that the Arkansas

Department of Corrections encroached on Holloway's and other offenders' First Amendment rights to communicate by telephone with people in the community (*Holloway v. Magness*, 2011).

The Holloway case involved the denial of First Amendment rights, the extremely high cost of each call, and the fact that the Arkansas Department of Corrections received a 45% commission from each call made by inmates. The Federal Communications Commission was critical of this practice (*Holloway v. Magness*, 2011). The use of telephone and mail has been at the center of concern for offenders' communication rights. The Supreme Court used two values to guide its resolution. The first guide indicated that prison walls do not mitigate the protection of offenders' constitutional rights (*Turner v. Safley*, 1987), and that the status of the offender does not eradicate constitutional rights (*Pell v. Procunier*, 1974). The second guide indicated that prison administrators have the right to determine how their prisons should run (*Turner v. Safley*, 1987). Prison administrators did not permit offenders to correspond with each other from prison to prison (*Turner v. Safley*, 1987).

The Supreme Court decision met opposition. Judge Deere opined that commissions paid to the department of corrections were unconstitutional (*Holloway v. Magness*, 2012). Circuits 6, 8, and 9 agreed that offenders had First Amendment rights; however, the First Circuit completely opposed the maintenance of First Amendment rights of offenders (*United States v. Footman*, 2000).

The Supreme Court met the challenges of the lower courts and ruled offenders have the rights to freedom of speech, and that the Fourteenth Amendment due-process clause allows it to be thorough and true (*United States v. Footman*, 2000). The lower

courts argued the Supreme Court was not explicit about First Amendment rights for telephone use; therefore, a lower court challenged telephone use (Shults, 2012). The other questions of offenders' communication rights pertained to visits.

The *Bazzetta v. McGinnis* case addressed the violation of the constitutional rights of noncontact visits that involved the First and Eighth Amendments, which the lawyers argued before the Sixth Circuit Court (Fleischer, 2004). The offender, Bazzetta, argued that visits from all relatives and friends should be permissible in spite of the relatives' histories of convictions. The offender claimed that the conduct of others had no reflection on his First-, Eighth-, and Fourteenth Amendment rights, and that procedures for finding visitors with criminal contempt are not a condition for one's individual visitor (Fleischer, 2004).

Fleischer (2004) documented that the court found that defendants' First and Eighth Amendments rights could be mitigated if found guilty and sentenced to prison, and contact with family could be limited to letters and telephone calls. The court noted the security of the state-prison authority should meet the highest standard. The history of the courts included refraining from interfering with prison administrators' decisions and policies.

The Supreme Court decided it could restrict offenders' association with people outside the prison because this was the central purpose of incarceration (Fleischer, 2004). The reason for confinement was to limit offenders' constitutional rights (Fleischer, 2004). The Sixth Circuit avowed there should not be noncontact visits; however, the Supreme Court ruled incarcerated criminals have constitutional First and Eighth Amendment rights (Fleischer, 2004). They found an offender's need for family is paramount for

rehabilitation (Fleischer, 2004). The state provided telephones for offenders, but the use of telephones was costly, and the needs of the demands are necessary for offenders (Fleischer, 2004).

Mass Incarceration in the 20th Century

Mass incarceration in the United States began late in the 20th century (Clemens, 2005). In the 20th century (1977–2000), states expanded the numbers of prisoners (Greenberg & West, 2001). Incarceration increased dramatically, with average increases “of 285% for every state” (Harrison, 2011, p. 1376). Disciplinary agencies and crime-control strategies used the statement “zero tolerance” to describe a culture in which unacceptable conduct is not an option. Many other social institutions, including the family, work, and education departments, used the statement to indicate no acceptance of dangerous behaviors or incidents (Simon, 2009). Crime itself became a comfortable word in society. Researchers averred that socioeconomic changes, including political power, accompanied the rise in state and federal crime (Campbell & Schoenfeld, 2013).

The increase in the number of people using or selling illegal drugs increased incarceration rates. The War on Drugs introduced changes in criminal justice sentencing laws. The three-strike law meant offenders faced mandatory sentences, some longer than 25 years. Many others faced life imprisonment with no parole option (Stevenson, 2011). The proliferation of sentencing laws for drug trafficking resulted in much longer sentences in prison and offenders’ needs to communicate with family and friends for a longer period. Thus, the need for additional state telephones for offenders’ use became an issue.

Public Telephone Use in the Facility

Public telephones are available in secured facilities, and offenders are eager to communicate with their families (Mapson, 2013). However, problems became apparent as prisoners violated rules for the use of state public telephones. For instance, the state police traced calls that disregarded rules of the public telephone system to an offender in the Metropolitan Correctional Center in New York City (Bromwich, 1999). Authorities there changed policies and began to monitor state public telephone calls to prevent any additional incidents. Authorities curtailed telephone privileges, limiting them to a certain number of minutes during certain hours, and to particular telephone numbers that meet approval before calling. Additionally, authorities imposed many strict restrictions on access to state public telephones. Because of the changes in state public-telephone procedures, authorities developed the Inmate Telephone System (ITS; Bromwich, 1999).

These changes to offenders' communication with families became a hardship in offenders' lives. The conditions to make a telephone call required alignment with various regulations, and telephone availability changed. Because the offender was not in the home, it was very important for the offender to speak with family members often (Black, 2010). The demands on the use of the state telephone presented a new problem for offenders because state vendors increased the cost of all calls. Offenders became agitated and frustrated due to the limited time and higher cost of calls. In addition, state facilities mandated additional changes to the distribution of the new telephone charges (Bromwich, 1999).

Installation of the Inmate Telephone System

In 1988, the Bureau of Prison Management changed ITS philosophy about who should pay for inmate calls. Recipients become responsible to pay for calls made by the offenders, and these collect calls became a financial burden. The Bureau of Prisons decided, in the late 1980s, that offenders should be accountable for these calls, and families should have the responsibilities for collect calls (Bromwich, 1999).

The designed ITS was to debit offenders' commissary accounts for the calls they made. Computers assigned phone access codes to all offenders with the intent to record data of all calls placed, thereby allowing correctional staff to check all details of the calls. The ITS system is only allowed direct dialing of a verified call by prison authorities (Bromwich, 1999).

The system included stipulations, including offenders only using designated telephones and their accounts would be frozen if they attempted to dial a number not on the specified list (Bromwich, 1999). Departments of corrections in 41 states allowed access to telephones, and offenders could use any public telephone that was available. Only the Texas Department of Corrections limited calls to 5 minutes, and only every 90 days (Bromwich, 1999). Changes to the public telephone system increased because of the increase of offenders, which included women (Jackson, 2005).

Changes of Prison-Telephone Communication

Late 20th-century telephone-communication policy was an important part of prisoners' ability to communicate with family. The history of the telephone phenomenon began in the late 1980s and early 1990s (Jackson, 2005). The prison telephone industry made official public telephones in facilities available to prisoners. The incarceration of all

drug offenses was a large factor in the growth of a diverse prison population. This new group included women who were mothers and wives. Prisoners were spending a longer time in prison, developing an immediate need for access to telephones because mail was insufficiently timely for prisoners. Much of the population was too far away for family to visit (Jackson, 2005).

The Federal Bureau of Prisons began preparing for additional access and times to call family. Generous telephone connection with family is important and valuable in the rehabilitation of prisoners (Jackson, 2005). The telephone charge for a 15-minute call had escalated, and operator-assisted calls added cost (Jackson, 2005). The high cost of state public telephone use and its limited use caused many prisoners to succumb to families smuggling contraband cellular phones into facilities. Communication cost was a major issue for offenders.

Communication Costs

The cost of calls was unaffordable for offenders' families; hence, frustration and desperation due to lack of communication with family provided the motivation to participate in illegal contraband cellular phone use (Christie, 2010). The Texas Department of Corrections noted that when they made changes to legal access to affordable telephone opportunities, contraband cellular phone use decreased (Beiser, 2009). Although calls were unaffordable, offenders continued to endeavor to call their families. Prison costs for telephone calls are much higher than the cost for clients who are not-offenders (Fitzgerald, 2010). Severin (2004) suggested that because other expenses for facility maintenance and security probably are not passed to visitors; telephone costs should become the family members' complete burden. A single vendor supplying

telephone service to facilities may accrue a commission between 18 and 60% of the vendor's profit (Fitzgerald, 2010). Collect calls are the lifeline of this service. Prison regulations may allow offenders to make collect telephone calls to the family, as long as they maintain good behavior; the cost for the privilege can average more than \$300 a month for two 15-minute calls to the family. Prisons' reputations for overbilling and maintaining a contract with their telephone company have families in despair about their ability to afford the cost (Christie, 2010).

The cost of telephone calls increased to approximately \$15.00 for a 15-minute collect call. The calls carried a surcharge to connect to the state correctional telephone system, initiating a fee of \$1.00 to \$3.00, depending on the distance of the call to the location of the receiving telephone number. This amount did not include the collect-call fee (Christie, 2010). Two calling accounting systems exist in prisons: debit and collection accounting systems (U.S. Government Accountability Office, 2011). Collect calls are most expensive, billed to the caller (U.S. Government Accountability Office, 2011). Officials take the debited amount from a prepaid account to pay for a connected call (Christie, 2010).

The New Jersey Legislature noted that offenders had the option of choosing to have a debit for their calls, prepay calls, or make collect calls (State of New Jersey 213th Legislature, 2008). The high cost is not charged at a competitive rate because offenders do not have the opportunity to use other systems. Because a monopoly carrier provides these systems, the calls carry abnormally high charges for offenders and their family members and close friends, causing offenders to think of other means to communicate with family.

During this time, state prisons realize a large profit from the vender's telephone contract because of higher connection fees and the cost of calls that produce a commission for the state (Christie, 2010; Jackson, 2005). The commission to the state is large because offenders have no choice, and the state prison system thought the new system was necessary to maintain a secure environment (Severin, 2004). Administrators of correctional facilities were pleased with revenues of \$96.4 million from 31 state correctional agencies in 1995 (Christie, 2010). Offenders and family members pay the overpriced cost to communicate with family.

Maintaining relationships by telephone is a very serious aspect of prison life for offenders and is the one point that gives balance to offenders' lives (Black, 2010). Some offenders who are in administrative segregation (solitary confinement) do not have the privilege of daily access to the public telephone (Black, 2010). Some affirm that these offenders have their Eighth-Amendment rights denied because of their treatment (Shalev, 2011). Calls made by offenders on the state phone were overpriced, and offenders did not have a defense. Offenders wished to communicate with loved ones to fulfill their primary need for family contact (Christie, 2010).

The monthly cost to the family is a hardship, driving family members to seek a contraband cellular phone for privacy, convenience, and lower costs (Fitzgerald, 2010). In addition, communication by telephone from secure state facilities is the offenders' connections to family and is a serious component of incarceration. Based on the Department of Correction's availability of prison cells, officials send offenders to facilities in another state. For example, a person serving time is required to serve their sentence in a prison more than two states away. It became evident the state telephone

system was the family's and offenders, only means of voice communication (Christie, 2010).

Beiser (2009) identified numerous offenders' uses of contraband cellular phones to communicate innocuously with family. Investigations resolved that offenders want to stay in touch with family. Many families are loyal to family members wherever they reside (Christie, 2010). Offenders engaged in risky behavior because of the use of the smuggled contraband cellular phone.

Risk-Homeostasis Theory and Risk-Taking Behavior Applied to This Study

Authors Trimpop (1990) and Wilde (1982) described risk homeostasis theory and risk-taking behavior to explain what motivates risk and its value for the individual. In this study, the behavioral choice was to smuggle contraband cellular phones into secure facilities for offenders to make innocuous calls to family members and close friends (Christie, 2010). Incarceration resulted from this action, but risk takers perceived the risk was worth losing their freedom. Risk theory explains life-balance (homeostasis) decision making (Trimpop, 1990).

Risk becomes an element in everyday life to endure and survive the conditions of prison. Some male offenders insisted they remain in control and head of the household, thereby requiring that communication is open and established (Black, 2010). The public-prison telephone used for collect calls is subject to a series of recorded messages is monitored and listing how many minutes the caller has available for the call. These interruptions use valuable time that is costly (Black, 2010).

In administrative segregation, offenders are in strict isolation from other offenders and the outside world. These offenders have few visits from family members or close

friends. Stakeholders realized that penitentiaries did not reform offenders (Shalev, 2011). Offenders' anger and poor judgment were out of balance, thereby leading to the decision to use contraband cellular phones in administrative segregation and on death row. Offenders on death row and in administrative segregation recognized that one kind of risk takes the place of another kind of risk. The total risk remains the same (Frahm & Palmer, 2004). These offenders' expected benefits did not accrue, and they used contraband cellular phones potentially for criminal offenses.

According to the literature, connecting to family members and close friends is part of the penology experience (*Turner v. Safley*, 1987). Those on death row or in administrative segregation do not have the opportunity to communicate with family. As a target group, they are motivated to take risks aligned with homeostasis theory, as offenders expect a benefit from the risky behavior of having a contraband cellular phone to communicate with family members and close friends, thereby achieving a sense of belonging to someone (Mapson, 2013). The expected cost of this behavior seems to be worth the expected benefit (Trimpop, 1990).

People have various reasons for smuggling contraband telephones into secured facilities. These reasons include the intent to perform a criminal activity (Burke & Owen, 2010). Individuals involved are quite cautious, smuggling phones while attempting to appear calm and unassuming (Trimpop, 1996). The FBI (2013) exposed correctional officers, lawyers, and others who smuggled contraband cellular phones and marijuana into secured facilities. Perceived risk and desired outcome theory posit that motivation, experience, and perception transcend many areas of society. The defendants operated a

contraband marketplace inside the walls of a correctional facility and felt safe and comfortable in taking this risk.

According to Trimpop (1996), defendants' target level of risk depends on the perceived costs and benefits of not being exposed. Offenders who involved their girlfriends and wives in the contraband scheme had other offenders send them money to purchase the contraband cellular phones and marijuana. Offenders and their families felt comfortable because they perceived they had protection from correctional officers and lawyers who were involved. Therefore, the target level of risk for offenders and their girlfriends and wives aligned and felt comfortable; offenders did not expect the cost of the risk to be high. The perceived expectation was a high return for the target risk they underwent (Trimpop, 1996).

The lawyer in an FBI case exemplified motivation risk-taking behavior. The lawyer and civilian had privileged access to the offender. The lawyer abused the privilege and smuggled in a contraband phone, marijuana, and tobacco to the offender, and another civilian accomplice immediately gave the lawyer cash for the goods (FBI, 2013). The risk-takers benefitted from the risk, and the cost was minimal because they did not catch or arrest the lawyer (FBI, 2013). The repeated spontaneous and financially beneficial outcome was a reliable action (Trimpop, 1996). Risk homeostasis theory and risk-taking behavior apply to this research because they present the trajectory to understand the perceived desire for risk taking, risk motivation, and the experiences that manifest from the risky behavior. These details provided a foundational explanation for the phenomena I researched in my study.

Offender–Family Communication

Mignon and Ransford (2012) found offenders believed communication between parent and child was the best means to establish emotional and lasting bonds, and, for many years, these thoughts kept parents and children secure in family connections. Letters and telephone calls are important forms of communication for incarcerated mothers because often the distance from the children’s home to the facility makes visiting impossible (Mapson, 2013). Incarcerated mothers remarked that communication with their children is vital in maintaining their focus on rehabilitation because daily contact provides an essential step in family relationships (Gilham, 2012). Incarcerated mothers perceived their mothering role must continue while they are in prison. Mothers feared their children would forget them; therefore, frequent communication with their children was important to them (Mapson, 2013). Offenders’ opportunity to use the public telephone may be the most uplifting part of offenders’ day, constituting contact with family (Black, 2010).

Offenders who maintained family relationships while incarcerated developed better attitudes (Mapson, 2013). The behavior of offenders who maintained relationships with family and friends changed in positive ways, and they were more likely to cooperate with correctional officers and comply with the regulations of the prison system (Black, 2010). Incarcerated parents have great difficulty accepting the stoic life of prisoners, the reality of separation from their children, and the guilt and stigma of prison that must part of incarceration (Mapson, 2013).

Parents recognized that part of the punishment for their crime was separation from their family; however, parenting from behind bars depends on the use of the telephone for

daily communication with their families (Mignon & Ransford, 2012). Mothers who offended used contraband cellular phones because their cultural role in the home environment is one of nurturing; the absence of the mother is a hardship and offenders consider the use of contraband cellular phones for this purpose to be a compulsory need (Enroos, 2011).

Some male offenders expressed one reason for the time delay in receiving mail is that correctional facility officers read all offenders' mail, looking for violations of regulations, as a measure of safety for the correctional facility (Black, 2010). Some suggested the telephone provided the family with temporary hope and comfort through conversation with the family and friends (Black, 2010). Some male offenders convinced their wives of the perceived risk of smuggling in a contraband cellular phone. The risky behavior of the offender's experience motivated the wife to take the risk (Black, 2010).

Incarcerated-Women Communication

Women believe that incarceration of mothers must have stakeholders understand the importance of frequent contact with their children, and it is a high priority during their imprisonment (Mignon & Ransford, 2012). Many incarcerated women desire to communicate with their children. Researchers stated that the court did not permit telephone calls to those younger than 14 years old. The mothers who communicated with children experienced happiness (Gilham, 2012). The female offenders' families who could not afford collect calls from the state public telephones employed the social service department to permit them to call their family from the social service office.

On a limited basis, authorities permitted the calls (Gilham, 2012). In the late 20th century, courts sentenced an increasing number of female offenders. Researchers related

parent's incarceration did increase in a correctional facility (Mignon & Ransford, 2012). The incarceration of women in 1991 rose to 38,796; more than twice the 19,812 from the 1986 survey (Morton & Snell, 1994). The increased incarceration for parents/women in the latter part of the 20th century has exacerbated certain criminal-justice issues that include the need for family communication to support and develop the love of parents. The impact on family/children includes the possibility of social problems that may mushroom in the involvement of social services for troubled children and may cause children's mental health issues to develop. What correctional facilities allow determines parental bonding and securing responsibility for inmates' children. Incarcerated mothers may have their children removed by the Division of Child Protection and Permanency, State of New Jersey (2015) as a last resort.

Society often feels adverse impacts of the incarceration of women/mothers. The stereotype is of an unfit, uncaring mother (Kauffman, 2001; Teather, Evans, & Sims, 1997). State agencies place children in foster care, even though the mother was in the home caring for the children before incarceration (Halperin & Harris 2004). Mothers' incarceration facilities often are far from their family and children's location, limiting visitation to the facility; therefore, frequent telephone communications may become paramount for a continuous parent-child relationship. Long-term offenders' perceived a need for continuous interaction with children to stimulate a loving relationship. The ongoing communication is a social-change mutual benefit for offenders who are more responsible in the secured facility. The children's behavior is much better because of the relationship with the mother, even though at a distance (Mignon & Ransford, 2012).

Telephone communication between incarcerated mothers and their children at affordable costs permitted the comfort of children, allowing them to continue to know their mothers, and the mothers to continue to support their children (Mignon & Ransford, 2012). Much of the time, the process of calling can be problematic, due to facilities' need for paid security and the high cost of collect calls (Poehlmann, 2005). The National Institution of Corrections reported that when the family remains in touch, the offender and child increase the magnitude of good behavior (Hutchinson, Keller, & Reid, 2009). Telephone communication between incarcerated mothers and their children at affordable costs permitted the comfort of children, allowing them to continue to know their mothers, and the mothers to continue to support their children (Mignon & Ransford, 2012). Much of the time, the process of calling can be problematic, due to facilities' need for paid security and the high cost of collect calls (Poehlmann, 2005). The National Institution of Corrections reported that when the family remains in touch, the offender and child gradually choose good behavior because of the family connections (Hutchinson et al., 2009).

Male Inmates Must Communicate From Prison

It is important that the visits, telephone calls, and letter writing of male offenders to their families have direct thoughts through the lens of the offender (Black, 2010). Male offenders must accept the negative observations and bitter words of correctional officers about their definitions of offenders' role as a father, husband, and brother in the facility because the status as an offender is not a view of respect (Black, 2010). Access to the telephone is the most important requirement for offenders to connect with families. The offenders' housing affects their ability to communicate with their family. For example,

access to a telephone is seldom provided for those in administrative hold (Black, 2010). The problems individuals perceived resulted in noncompliance with secure-facility regulations, resulting in the severe penalty of not being able to communicate with their family. High-security offenders are different and have limited access to telephone time (Black, 2010).

Offenders who had the opportunity to access the telephone found themselves in long lines, waiting for their turn to use the state telephone (Johnson & Hail-Jares 2016). The telephone call was costly and interrupted by a recording that gives the message that the accepted call is from a prison facility. Offenders can only have 15 minutes per call, and those interruptions use up the offenders' time (Black, 2010). Male offenders have very limited time to express their role in the family and indicate that they remain head of the family; offenders must keep in mind that this conversation is not private. Those thoughts and the additional cost for connection may have prompted the idea of smuggling a phone into a secure facility. Also, smuggling in a cellular phone may be the way the offender survives the sentence and remains head of the family (Black, 2010).

Parenting Behind Bars

Prisons must accept the need for parents to reunite with their families across distances. The incarceration of either parent or both parents complex relationships begin for the sake of children and those who may be their guardians. Facilities are not considered child-friendly, an atmosphere that may cause children stress and anxiety when visiting (Poehlmann, Dallaire, Loper, & Shear, 2010). The incarceration of family members finds that it is important that families maintain relationships through communication because it nourishes their connectedness (Mignon & Ransford, 2012).

Researchers found that mothers must invent creative reasons, other than that the family cannot afford collect calls, to present to the secured facility social service department to gain permission to call the family (Enroos, 2011). The correctional officer is always in control; therefore, mothers must make a request to call their family through a social worker and must have an important legitimate reason. Women offenders who are wives, mothers, and sisters consistently negotiate how to address family problems from behind bars. In a research study, three topics needed constant attention: family relations, maintaining childcare, and keeping the family together (Enroos, 2011). The offender continued to be vulnerable to homeostasis theory and risky-behavior-motivational theory.

Parenting while incarcerated presents, at best, a difficult intimate, personal phenomenon. State or federal facilities have confined at least 1.5 million mothers and fathers (Mapson, 2013). Family members nurture countless children, often requiring the move of the children from home to home (Mapson, 2013). Since 1991, across the United States, an additional half million children's parent have been incarcerated (Beck & Mumola, 2009).

Currently, incarcerated men and women represent 819 of 100,000 men and 51 of 100,000 of the general population, respectively (Mapson, 2013). However, historically, more female offenders are now under the criminal-justice system, most of them under community supervision (Sabol & West, 2011). Female offenders became part of the widening-the-net syndrome. Mandatory sentencing laws, government policies, and hard-on-crime policies contributed to the growing population of women prisoners (Mapson, 2013). Drug policies are severe for the use and distribution of street drugs (Wilderman & Western, 2010).

African American mothers and fathers have a high probability of incarceration and out of everyday contact with their children; facilities, where either parent is sent, too far for a local visit (Johnson, & Hail-Jares, 2016). Many new female offenders were single parents and women who were often impoverished, undereducated, and unskilled. The incarceration of fathers and mothers, children may be without a primary relationship and the only option maybe an adoption (Wilderman & Western, 2010).

The only alternatives available for parents behind bars to intervene with their children are through telephone calls or letter writing. Incarcerated mothers frequently have lived with their children before their incarceration. The children are emotionally distressed because of the absence of the mother. The phone calls permit a reliable measure of help for children to have contact with their mother (Loper, Carlson, Levitt, & Scheffel, 2009). The mother's telephone call allows the child to hear their voice, reducing the child's stress and benefitting the mother (Mapson, 2013). Satisfying the void that may be experienced by parent and child is a bond to maintain healthy, passionate stability (Mapson, 2013). Consistent communication may be the foundation of a rich family repertoire, building positive family values.

The offender consistently attempts to secure telephone calls from the social service department to address issues before being released to return to society: (a) The offender must report to a parole officer and attend substance-abuse or alcohol-abuse meetings, (b) they must petition for legal custody of their children, (c) they must seek employment, (d) they must obtain education to gain employment, and (e) they must have affordable housing for the family (Enroos, 2011)

Parental Incarceration and Children's Dilemmas

Researchers found that the incarceration of parents is a factor in children's restriction of contact with parents and children's long-term psychopathology (Murray & Murray, 2010). As parental incarceration increased from 1990 to 2007, minor children felt effects that may be long lasting due to loss of communication that may contribute to antisocial behavior (Murray & Murray, 2010). The children do not understand these arduous problems; however, a telephone call welcomes a discussion and establishes a family tie. Prison officials have not planned how offenders can communicate with their children. Also, care providers may not wish to be involved in the prison atmosphere, and may not comply with regulations for visits, if they are available (Murray & Murray, 2010).

The children of incarcerated parents may have antisocial outcomes because of their unfortunate circumstances (Shlafer & Poehlmann, 2010). Disruptions to family life may only have positive steps when the children express their feelings to mother or father. Communication may cure a few problems; however, some children cannot continuously speak to parents to maintain intimate contact because the caregiver may not care to affiliate with the families with incarceration status. (Shlafer & Poehlmann, 2010).

A child who has had a sense of security with a caregiver who permits telephone calls or visits to the parent may have fewer behavioral difficulties. For the environment of a caregiver who is cooperative with the procedures of the prison, communication by telephone eases the dilemma of separation. Researchers explained that if "mommy never calls when she promises, and grandma will not accept the collect calls" (Shlafer & Poehlmann, 2010, p. 405), the children suffer (Mapson, 2013).

One example was a mother who purposely would not call the children or allow the caregiver to bring them for a visit. The mother confessed it was too stressful to conclude the telephone call on the public phone because she was not sure when she would get the next call. The mother would not allow the father to visit because of his criminal record. The dilemma for the children was that they were without parents (Enroos, 2011). Although it was not the mother's culture to behave in this matter, it was her coping tool (Enroos, 2011). A risk factor for children of incarcerated parents may be anger, sleep disorders, anxiety, and depression (Mignon & Ransford, 2012). Offenders encounter legal drawbacks with communication and many times think the contraband cellular phone may be their only way to communicate with loved ones (Black, 2010).

Contraband Cellular Phone Use by Offenders and Others

State correctional officers, civilians, and medical personnel participated in letting offenders use their personal cellular phones rather than public telephones (Christie, 2010). These contraband cellular phones were illegal and considered dangerous (Burke & Owen, 2010). Contraband cellular phones, which are usually innocuous calls to family members and close friends; however, some offenders used contraband cellular phones for criminal activity.

Many offenders serve prison sentences in prison facilities located more than two states away, rather than incarceration in a state facility located in their home area (Christie, 2010). The separation from the family because of the prison sentence is the cause for the telephone privileges compromised by overpriced state telephone charges (Beiser, 2009). The prison allows offenders to make at least three collect calls per month.

Each call is limited to 15 minutes in length. Collect calls to the family can accumulate charges of \$100–300 per month (Christie, 2010).

The offender, family members, and close friends may take on the risky behavior of smuggling a cellular phone into the secured facility (Christie, 2010). Desperate offenders risk their safety to talk to family members and close friends. The family is willing to take the risk to be able to hear the offender's voice at any hour. The cost is substantially lower with a cellular phone (Beiser, 2009). If the offender and family member possess a cellular phone, both face punishment and potential incarceration (Christie, 2010). Although offenders were aware of the risk for possession of contraband cellular phones, it did not stop the contraband traffic.

Contraband State-Communication Cellular Phones

State and federal governments have advocated a jamming technology to divert cellular phone signals from correctional prisons (Christie, 2010). State and federal governments indicated that the jamming devices would be the answer to blocking contraband cellular phone signals. The Federal Communication Commission did not receive this information as positive. A 1934 Act deemed it illegal and would not permit the jamming (Christie, 2010).

Facilities have not addressed offenders' communication with their family members and close friends at this time (Christie, 2010). At various prison facilities, offenders are talking through the prison's bars to state correctional officers. The offenders describe their feelings that communication is a priority for offenders to speak daily with loved ones (Beiser, 2009). The majority of calls are innocuous. Contraband cellular phones are the cause and effect of the continuation of smuggling cellular phones.

The motivation the offender can talk to family and not pay a premium cost is helpful to continuing their time in prison (Beiser, 2009). Strong reasons exist to believe that departments of correction could control contraband cellular phones if they could correct the inequities of cost and timing (Christie, 2010).

Correctional officers often detect the perceived risky behavior of offenders with contraband cellular phones; the offender accepts the cost because it is worth the risk to them or their loved ones (Trimpop, 1996). Contraband cellular phones are problems for the state (Burke & Owen, 2010), but offenders continue to accept them. More than 3,000 cellular phones are in the officers' possession, 18 of them from death-row offenders (Burke & Owen, 2010).

Contraband Cellular Phone Dilemma

The possession of a contraband cellular phone by federal offenders' is a criminal charge. Under the Cellular Phone Contraband Act of 2010 (Gilna & Sample, 2012; Public Law No 111-225, codified at 18 U.S.C. § 1791), new criminal charges include state and federal institutional discipline. It is possible to lose state credits toward one's maximum release from prison, and prisoners may have classification department enact a transfer to a higher-level secured facility (Gilna & Sample, 2012).

If one compares contraband cellular phones in federal facilities with those in state departments of corrections, it is clear that states have serious problems. Bureau of Prison data indicated that 3,684 contraband cellular phones from prisoners' possession. In 2010, which included 1,161 from low, medium, and high-security facilities? The remaining 2,523 contraband cellular phones are in officers' possession and prison camp many of which have no fences (Gilna & Sample, 2012).

Law-enforcement officials do not support data that a large percentage of contraband cellular phones are “used to plan or execute crimes” (Gilna & Sample, 2012, p. 22). Bureau of Prison statistics averred that 77% of all contraband cellular phones are part of prison camps. Only nonviolent offenders nearing release live in these areas (Gilna & Sample, 2012). Innocuous calls by offenders point to the importance of contraband cellular phones.

Benign Intent of Contraband Phones

Contraband cellular phones are problems for state and federal prisons because of the harm they may cause; however, “offenders may use their cellular phones for benign purposes, such as maintaining contact with family and friends” (Burke & Owen, 2010, p. 1). Family members remain loyal to their families during incarceration, and contact is necessary to assure care for them (Black, 2010). The majority of offenders who have contraband cellular phones are in touch with their families during the hours that the state facility does not permit calls: however, they are the hours the family is available. The innocuous calls permit an intimate private conversation, which is not available on the state phone, and the call carries an affordable nominal cost (Beiser, 2009). Those children who corresponded with their incarcerated family experienced a lasting benefit in understanding their parents’ separation from them (Poehlmann et al., 2010).

Contraband cellular phones allow offenders to converse innocuously with family members without constant observation. Investigations showed that most calls made on contraband cellular phones are inoffensive greetings to the family (Beiser, 2009). The contraband cellular phone is the least expensive and most convenient means of communication for the offender. Many desperate families that cannot afford to pay the

high collect-call rates smuggle in contraband cellular phones (Christie, 2010). Although some correctional studies concluded that cellular phone access is the offenders' privilege, others believe the rules that apply to the state phone—monitoring, limitations on use, restricting who can call, and other policies—should apply to cellular phone use (Burke & Owen, 2010).

Illegal Intent of Contraband Cellular Phones

The NIJ (2013) described cellular phones in the 1990s as big, thick, and did not have the present technology. The 21st-century cellular phone uses high technology for communication; it is small enough to put into the cavity of body parts, and can send and receive messages, including streaming videos. Although society, in general, welcomed those communications innovations, law-enforcement personnel saw cellular phones as contraband, infiltrating prisons.

A death-row offender used a cellular phone to threaten a Texas senator. A Nevada dental assistant smuggled a cellular phone into the prison to help him plan a successful escape. Offenders have hidden cellular phones in wristwatches, rice and cereal containers, bottomless shoes, and light fixtures, smuggled in by visitors and employees. Some correctional officers earned \$100,000 by smuggling in many cellular phones (Burke & Owen, 2010).

Offenders arranged activities of sinister criminal acts, including ordering assassinations of witnesses (Christie, 2010). Offenders continue to commit crimes with contraband cellular phones such as drug smuggling, gang activity, and witness tampering. Contraband cellular phones by gang members used in the prison, allegedly for street

crimes to target robberies and arrange to attack witnesses for the state against offenders like themselves (Cauvin, 2009).

Contraband cellular phones that are in the hands of offenders who choose to commit crimes behind the bars of U.S. prisons are threatening public safety (Ozmint, 2009). Offenders committed credit card fraud, planned escapes, and arranged a murder. Offenders avoid state phone systems specifically because of monitoring, and the contraband cellular phone is not conspicuous and past the surveillance of law-enforcement officers. Outsiders throw contraband cellular phones over prison walls or drop them over facility fences (Ozmint, 2009).

Law-enforcement officials determined contraband cellular phones are a widespread problem for prisons. The widespread problems included correctional officers who accepted bribes to smuggle contraband cellular phones into the prison for offenders. These cellular phones permitted offenders to shoot a guard to death, and others use them to threaten and harass victims on the street (NIJ, 2013). Offenders with cellular phones in the prison pose a threat to fellow offenders, correctional officers, and the community at large (Burke & Owen, 2010).

Motivation for Criminal Intent

Offenders' motivation for criminal intent allows unrestrained admittance to the outside world of the facility from which law-enforcement personnel have removed them. As a result, the contraband cellular phone permits the privacy needed to commit a crime (Christie, 2010). The criminal intent and its motivation allowed gang members to identify criminal targets of adversarial gang members for territorial drug sales (Christie, 2010). Offenders affirmed entitlement in the facility with prison employees and correctional

officers who were part of a smuggling operation, organized through cellular phone sales and ordered through a contraband cellular phone (Ozmin, 2009). The convenience of the contraband cellular phone constitutes a motivation for criminal intent to continue; the contraband cellular phone is always available (Christie, 2010).

Gang Members' Intent

Gang members motivated contraband cellular phone use in the correctional system in Baltimore, Maryland with the Internet to wreak havoc on the secured facility. Federal agents indicted correctional officers and Black Guerilla Family Gang members and associates. The FBI (2013) works to prevent employees from building relationships with offenders to bring in contraband cellular phones and correctional officers. Correctional officers involved themselves with Black Guerilla Family Gang members who were violating the principles of prison work to prevent gang members from continuously smuggling cellular phones and drugs into the prison (FBI, 2013). This gang and its conspirators focused the attention of authorities on contraband smuggling and other criminal activities.

Harmful gang organizations can disrupt offenders who choose not to be part of their affiliation, creating problems with intent to participate in risky behavior at a volume not always discerned by administrators of the system. The use of the contraband cellular phone can destroy many whose risk-taking motivation is rooted in the destruction of offenders and others (FBI, 2013). Literature shows that an indictment includes many overt acts in furtherance of the racketeering enterprise among gang members. Black Guerrilla Family Gang members bribed correctional officers at prison facilities to

smuggle drugs, cellular phones, and cigarette contraband. These serious gang members intended to put at risk all members of the correctional system (FBI, 2013).

Family Circumventing Prison Rules

Some offenders' family members believe prison personnel colludes with telephone providers to maintain the prohibitive cost and connection charges to speak with their family (Black, 2010). Some people invested in a cellular phone in the city and state where the family member was incarcerated (Black, 2010). When offenders called this telephone number, calls went to their home number, which was a long-distance call, and allowed the call cost to have a lower rate to \$2.50 for a 15-minute call. Because the call initiated on a contraband cellular phone, the call is a risk, and if prison officials became aware, the offender would lose telephone-call-privilege access forever (Black, 2010).

People who called offenders in a secure facility and had to pay the higher rates were resentful toward the department of corrections for the coercive action, garnering disrespect for them (Black, 2010). Some people circumvented the system by allowing the caller to request a collect call, and then refusing it. This procedure provided a virtual conversation; the individuals heard each other's voices; some individuals did this every night at 9 pm, at no cost to either one (Black, 2010).

The wife of an offender spoke to her husband every night at the same hour. To sidestep the fees of the system when her husband called every night, she watched the caller identification; noting the call was from the prison. She would pick up the phone and say "I love you", and the telephone call ends because the phone is put into a non-active mode (Black, 2010). Cellular phones circumvent the prison system service that aims to receive revenue for high-cost collect calls (Christie, 2010).

Summary

Authors Trimpop (1990) and Wilde (1982) described risk homeostasis theory and risk-taking behavior to explain what motivates risk and its value for the individual. Homeostasis theory describes perceived risk, desired risk, and the individual's choice to take the risk. Risk-taking-behavior theory and risk-motivation theory describe the emotional and behavioral controls that motivate risk choice (Trimpop, 1990). The balance between the expected benefit of risk behavior and the expected cost is usually the deciding factor of the action (Trimpop, 1990). Research exploring offenders' risky behavior of smuggling contraband cellular phones into secure facilities or any reason for offenders' risky behavior must always continue its investigation.

Well-established evidence described the cost of legal state-telephones and different types of risks to society. Researchers also discussed how individuals and correctional officers participate in contraband smuggling (Christie, 2010). However, stakeholders do not know how individuals' perceptions, motivations, and experiences align with risky behavior. This research project will provide an in-depth exploration of this phenomenon of risky behavior, contraband cellular phone use, and those who choose to smuggle contraband cellular phones into secure facilities.

In Chapter 3 I describe how I recruited ex-offender participants. Through recorded telephone interviews, I asked open-ended questions to focus and analyze the themes. I also describe how I collected data, interpreted the material, and analyzed risky behavior to gain insight into the themes of perception and motivation, performing thematic analysis to further analyze the data. Included in the details of my activities, I discuss my use of NVivo 10 research software to assist in performing the analysis.

Chapter 3: Research Method

Introduction

The purpose of this qualitative, phenomenological study was to explore the perceptions and lived experiences of ex-offenders concerning their risky behavior in the use of contraband cellular phones while in secured correctional facilities in an Eastern Seaboard state. This chapter includes descriptions of (a) the research philosophy; (b) the research design and rationale; (c) the selection of the phenomenological qualitative research design; (d) data-collection procedures; (e) the setting and sample; (f) the role of the researcher; (g) methods of data analysis and synthesis; (h) the instrument; (i) credibility and transferability (j) research questions, and (k) a summary.

Research Questions

I designed the following research questions on the premise that participants' answers may disclose why offenders engage in risky behavior to achieve the desire for communication while incarcerated:

- RQ1. What are the perceptions and experiences of ex-offenders concerning their risky behavior of the use of contraband cellular phones in secured facilities to communicate with family members and friends?
- RQ2. What are the perceptions of ex-offenders of the influences that played a part in their choices to participate in the risky behavior of the use of contraband cellular phones while incarcerated in secure facilities?
- RQ3. What are the perceptions of ex-offenders as to what difference it made to their incarceration experience for them to have the use of a contraband cellular phone while incarcerated?

Research Design and Rationale

Qualitative phenomenological research is one of numerous qualitative designs (Rubin & Rubin, 2012). Phenomenology is a method that involves studying small numbers of participants to understand their patterns and relationships through interviews and collected data (Moustakas, 1994). Thus, qualitative phenomenology was a good fit to examine the motivation and risky behaviors of offenders to accept and use smuggled contraband cellular phones in secured correctional facilities. The qualitative phenomenology design enhanced my ability to understand perceptions derived from the lived experiences of the group in this study.

Through this phenomenological research method, I asked participants to share their lived experiences from their life in prison (Moustakas, 1994). Phenomenology was developed by German philosopher Husserl in the 20th century (Groenewald, 2004). Husserl described phenomenology as the study and acceptance of the personal experiences of an individual. The author felt it was the most reliable measure of how an individual experiences the world (Groenewald, 2004). Husserl witnessed social disorder in Europe's World War I when philosophers did not understand the disorder in German society (Groenewald, (2004). The confusion led Husserl to develop a new philosophical consciousness of thought to understand the experiences of people confronting the collapsing of society (Groenewald, 2004).

While Husserl believed researchers could divorce themselves from the study and describe what they uncovered, his student Heidegger disagreed (Converse, 2011). Heidegger pursued another focus, whereby researchers immersed themselves in the process and interpreted the data (Converse, 2011). Heidegger was interested in the "being

of the phenomenon” (Converse, 2011, p. 29). According to Heidegger (1962), being was one with our understanding of self and the world. The author also noted elements, including nature, are in a never ending circle; therefore being was continuous (Converse, 2011).

Interpretive phenomenology explores the constructs of individuals making sense of their personal reflections on their life circumstances in the world (Converse, 2011; Flood, 2010). Following Heidegger, other researchers such as Rubin and Rubin (2012) continued to validate the importance of interpreting data rather than providing descriptive documentation of the person’s lived experiences (Flood, 2010). Rubin and Rubin’s (2012) explanation unfolded in *Interpretive Phenomenology in Health Care Research*, revealing nurses’ lived experiences through their explanations of the importance of caring for patients during particular procedures (Chan, Brykczynski, Malone, & Benner, 2010). The study illuminated nurses’ lived experiences and perceptions as construed by the researchers. The details of the investigation process required analyzing their expressions while offering the biases of the researchers, allowing the reader to determine the significance of the influences (Flood, 2010). The lack of what Husserl defined as bracketing, is an important difference between descriptive and interpretive phenomenological analysis (Flood, 2010).

Interpretive phenomenological in-depth qualitative interviewing provided me valuable responses regarding participants’ lived experiences in the use of contraband cellular phones (Rubin & Rubin, 2012). Rubin and Rubin (2012) presented a protocol for phenomenological research which includes interpretive constructionist research. The protocol includes consideration of how individuals may perceive a matter through a

polarized lens, followed by the drawing of conclusions. Different views may conflict; however it is acceptable for each one to be true (Rubin & Rubin, 2012).

A person's awareness and views permit them to present in-depth perceptions the researcher can examine on the topic of choice. Information from participants provided a description of their viewpoint as it is meaningful to the individuals (Rubin & Rubin, 2012). I gathered information by listening to accounts of the lived experiences of offenders as they described their engagement in the risky behavior of using contraband cellular phones. The words spoken by interviewees related to specific experiences. My role required that I be completely open to receiving their world through their reporting of experiences as they understood them (Rubin & Rubin, 2012). I conducted in-depth interviews to collect research data to understand the perceptions and motivations underlying participants' choices to engage in risky behavior (Rubin & Rubin, 2012). I worked to discern why offenders allowed themselves to be in harm's way by participating in contraband cellular phone use, which is unlawful in a secure facility (Christie, 2010).

Role of the Researcher

I currently work in the field of criminal justice as an instructor, and in the past have worked in a correctional facility. Because of the nature of the study and the distance from participants, I maintained a non-participatory but interpretive status, despite being knowledgeable on the topic. I was deliberately open to participants' responses without preconceived expectations. Because of the use of telephone interviews with participants who I did not know, my influence in their responses was limited.

Methodology

Population-Sample Selection Logic

I selected male participants from the population of ex-offenders from state correctional facilities in a northeastern state. The criteria required participants to be ex-offenders who were in secure correctional facilities for over six consecutive months, who self-reported their incarceration and contraband cellular phone involvement, and who reside in the northeastern United States. All participants were over the age of 18, and willing and able to participate in a telephone interview.

Sample Setting

The purposive, criterion sample method is robust, and a match for this study because it was deliberately selective and ensured participants is fully aware of the use of contraband cell phone use in secure facilities.. I limited participants' interviews to the topic of the research. This population is traditionally not forthcoming because of their apprehension about revealing incidents that may have been illegal while they were in a secure facility. Volunteers in community services settings helped me recruit ex-offenders by posting and distributing flyers that explained and describing the research, along with inviting ex-offenders to participate in the study. In my recruitment efforts for voluntary participation in my study, I posted fliers near and outside areas of transitional houses, Narcotics Anonymous/Alcoholics Anonymous meetings, and Salvation Army shelters for ex-offenders, Goodwill Mission, and aftercare meetings. The flyer invited ex-offenders to participate in the study if they had used contraband cellular phones in facilities. I targeted a sample size of seven to 10 individuals in keeping with the suggested sample for a phenomenological study (Moustakas, 1994).

Data Collection and Recruitment

To maintain anonymity and confidentiality to protect ex-offenders, the interviews took place by telephone. I read the consent form to the participant. I asked him if he understood the information. Also, I requested that he answer yes to the few other questions, and would he repeat after me the words that he gave his consent to be part of the interview and that I may audio tape the interview, his consent form answers. I informed him that he could terminate the call at any time during the interview for any reason. I recorded each interview on audiotape, and later had the content professionally transcribed for further analysis. I transcribed the call to digital text, and stored the recorded call in a secure file drawer in my office desk with a password to open the office door and unlock the drawer. I placed the smartphone digital text data in a secure file and it will remain there for five years, consistent with Walden University's procedures for confidential files.

Instrument

For these in-depth telephone interviews, I used the approach of "responsive interviewing" (Rubin & Rubin, 2012, p. 5). This approach is to have the participant answer questions with thick, rich dialogue that only an ex-offender would know (Rubin & Rubin, 2012). I asked questions from an interview protocol (see Appendix A), and added additional questions based on respondents' replies, which augmented and elicited new information (Corbin & Strauss, 2015). I developed the interview questions to provide precise information and to answer the research questions (Rubin & Rubin, 2012). The exploratory questions were open-ended--a strategy that is unthreatening (Corbin & Strauss, 2015). The interview information is extremely delicate in nature; therefore, it

was important to assure the candidate that the call was confidential. The opening statement welcomed the participant to the study, and included assurances of safety, which was paramount for participants to know. It was important to build the bond of trust between the participant and me (Ward, Gott, & Hoarre, 2015). I used telephone interviews because they are an efficient and confidential way to gain the sensitive information from ex-offenders. Telephone interviews allow the participants to evaluate voice without interference of facial expressions or gestures by the interviewer that may be interpreted as critical or contradictory (Ward, Gott, & Hoare, 2015).

Subject-Matter Expert

To provide reliability for the interview questions in the study, I asked a panel of criminal justice experts to review the questions, and to give feedback on interview issues and their relationship to the research questions. The subject-matter experts suggested revisions to several questions for clarity. I applied the changes, and the panel agreed the questionnaire provided the desired construct. I formatted the interview questions to incorporate the panel's responses. I intended the questions to determine inherent thoughts regarding risky behavior affiliation with contraband cellular phones. Below is a summary of the development of the interview protocol (Appendix A).

Data Analysis

I used interpretative phenomenological analysis to study the information. The ex-offenders' voice in this qualitative research had an idiographic focus, which offered insights into their perceptions, and made sense of the use of contraband cellular phones in secure facilities. The risky behavior phenomenon illuminates the question, why. The aspects relate to life experiences of ex-offenders as an important life event. Therefore, its

theoretical origins in phenomenology and hermeneutics—ideas from Husserl—are often cited (Smith, 2007). The importance of unlocking the information becomes the architecture for the floodgate of details. The analysis of the data involves relationships discerned through phenomenological lived experiences and the thematic analysis of coding, designs, and themes, by identifying numerous similar phrases (Boyatzis, 1998; Saldaña, 2015.). For clarity, a code is an indicator of text information that is of interest to the researcher. When pathways of information intercept it could indicate that highlighted information may be available (Friese, 2014). Auerbach and Silverstein (2003) and Saldaña, (2015) suggested researchers analyze qualitative research by becoming very familiar and immersing in the data. Researchers then begin to identify words and phrases that repeat. I placed these repeated patterns into nodes and used the software tool, NVivo to analyze the information (Bazeley, 2011). The software assists in guiding the process to complete the identification of nodes and codes (Bazeley, 2011).

In a phenomenology research study, interviews varied in nature and I conducted them using several approaches. The raw data from the telephone interviews permitted the use of many tools for interpretation. The audio interviews are the beginning of the process of discerning the phenomenon. Sturges and Hanrahan (2007) pointed out telephone interviews have equality with face-to-face interviews. I repeatedly listened to the telephone data for similar voice inflections and see how quickly participants respond to the questions. Listening to the conversations may allow me to recognize nuances that may be helpful and necessary to an accurate interpretation of the interview data. I audiotaped the interviews on the smartphone; however, Friese (2014) suggested that in

addition, the researcher write notes during the interview to help to build a relationship with the transcribed text; the practice will help classification of identifying themes.

I transcribed the audio calls into text. Thematic analysis of the text files allowed me to do further coding, to indicate where texts correspond with each other; these I became nodes and sources of classification files. Files identify a thematic picture of responses that were part of overarching themes (Guest, 2012). A thematic analysis supported themes, and made it possible to search for words and phrases that are similar, combined with repeated explanations in the documents (Guest, 2012). Thematic analyzes provide clear guides of words and phrases, transforming the text into rich, thick data to display perceptions, experiences, and motivations in a chronicle of analysis.

Bazeley (2011) suggested researchers use NVivo software to manage raw data by keeping records organized and on track for further observation of details to assemble into a strategy. Researchers recognize themes through variable-oriented strategies by the careful inductive coding of recurring information (Saldaña, 2015). The study goal was to answer the research questions.

Credibility and Transferability

Credibility

The unique history of an individual's experience it is one of its kind. Offenders' produced information as they responded to the research questions with information I presumed to be true. Participants had an anonymous status that enabled them to speak the truth freely (Ward et al., 2015) In addition anonymity encourages offenders to think their input may help change the telephone policy. The research questions guided the

development of the interview questionnaire, and I was able to present direct questions to elicit clear answers that are less likely to be misinterpreted.

Carcary (2009) indicated the interpretivists' research qualitative methods are flexible and context sensitive. Also, the understanding of the complex problem is the center of the study. Mason (2002) suggested the qualitative research is an intellectual puzzle that relies on inferences that may be sensitive to the information from participants' dialogue, representing the deep truth of their phenomena. Researchers disagree about the generalizability of qualitative research. Kvale and Brinkman (2015) perceived the interpretivists researcher as focused on validity and credibility, but not generalizability. Corbin and Strauss (2015) disagreed, indicating that this form of researcher provides a truth that is evidence of the complications of the social phenomena researchers seek to comprehend. Kvale and Brinkman (2015) further explained qualitative interviews produce the complicated truth.

Transferability

Transferability and generalizability describe qualitative research strategies through rich insights; qualitative research is rigorous. A large population of participants is not the objective; rather, the goal is the empirical test of the particular setting (Suri, 2011). For example, risky behavior may diminish in the prison because of the setting. Flood (2010) and Suri (2011) suggested researchers provide a congruence of thick description of the context applied to the research that otherwise may not have availability.

Research on Domestic Violence in the 1990s

The rigorous use in interpretivists' research of the methodology is an example of a qualitative research study will demonstrate results accurately showing the content and

meaning of depth, providing the details of the participants' experiences of using contraband cellular phones in secure facilities (Carcary, 2009). Although study results may not be generalizable, the richness of the experience may be transferable to others who have had a similar experience in a different setting. The information may help others who would need more information about the experiences of offenders (Lee & Baskerville, 2003).

The attempt to achieve trustworthiness serves as an alarm that the study must be reliable. Peredaryenko and Krauss (2013) suggested researchers produced evidence of their study by providing their research findings, fieldwork, field notes, and behavior notes. These must be transparent throughout the timeline of the study.

Ethical Procedures

I did not collect data until the Walden University Institutional Review Board granted formal permission to do so. Once I obtained permission, I asked volunteers to give out fliers and information about the study to interested clients. I did not meet participants because the research strategy used a telephone interview format. The fliers had a telephone number and times to call every 30 minutes starting at 4:30 pm to 7:30 pm. After small talk and the percipient agreed to listen to the consent form and the recording the interview can begin. Because of the anonymity and confidentiality of participants, I anticipated no adverse effects. I locked the recordings and transcripts in a secure location for the period dictated by the university. At the end of that time, I will permanently destroy the data.

Summary

Qualitative research develops and presents a flexible design. This strategy allows the researcher to conduct the study with greater rigor. The raw data from participants requires the qualitative researcher to analyze and assign meanings to the information (Corbin & Strauss, 2015). The exploration of contraband cellular phones in secure facilities will gain exposure through the lens of ex-offenders' perceptions. Ex-offenders who participated in this study had the opportunity to describe the use and control of contraband cellular phones in secure facilities. The choice to move toward social change becomes evident when the offender avoids risky behavior. In Chapter 4, I present and explain the results of the research.

Chapter 4: Results

Although authorities consider cellular telephones contraband, offenders ignore the threat of additional sanctions to communicate with their family and friends. In this chapter, I describe participants' lived experiences, including their motivation and determination to have contact with those they care for, regardless of the penalty. I conducted a hermeneutic phenomenological study to address the problem of offenders choosing the risky behavior of using contraband cellular phones as a mean of communication in secured facilities, despite regulations banning their possession and use (Burke & Owens, 2010). The purpose of this qualitative study was to focus on understanding and interpreting the risk-taking behaviors of offending populations in relationship to their attempts to use cellular telephones while incarcerated.

Research Questions

Participants' answers to the interview questions disclosed the experiences of offenders engaged in risky behaviors to achieve the desire for communication while incarcerated. The research questions in this study were:

RQ1. What are the perceptions and experiences of ex-offenders concerning their risky behavior in the use of contraband cellular phones in secure facilities to communicate with family members and friends?

RQ2. What are the perceptions of ex-offenders of the influences that played a part in their choices to participate in the risky behavior of the use of contraband cellular phones while incarcerated in secure facilities?

RQ3. What are the perceptions of ex-offenders as to what difference it made to their incarceration experience for them to have the use of a contraband cellular phone while incarcerated?

In this chapter, I provide a description of the setting, participants, and recruitment methods. I also present the design of the study, along with the methods I used for data collection and analysis. In concluding the section, I offer the results of the interviews, along with evidence of the trustworthiness of my study, followed by an introduction to the final chapter of this dissertation.

Setting

To collect data from previously incarcerated offenders who accessed cellular telephones during their incarceration, I distributed fliers where ex-offenders congregate. I placed them outside of the Salvation Army, area soup kitchens, churches, and aftercare centers, and I used snowballing sampling to recruit anonymous participation via telephone interviews. I conducted the telephone interviews throughout the month of November, 2015. The information on the flyers included a telephone number and a time when they could reach me. I was never aware of the identity of the caller or their physical location, other than it was somewhere in the State of New Jersey. To my knowledge, I have not physically met any of the participants and only connected with each participant one time during the interview on the phone.

Demographics

To minimize any concern the participants might have regarding revealing their identity, I did not collect demographic information, which could convey who they were or where they lived. Although I did not recruit specifically related to gender preferences,

only male participants contacted me. Eight male ex-offenders from state corrections prisons contacted me to participate in the study. They all met the criteria of being over 18 years old, serving time in a northeastern state corrections facility, and admittedly used contraband cellular phones during their time of incarceration. I referred to them as Caller 1, 2, 3, 4, 5, 6, 7, and 8. I made each interviewee aware of the anonymous nature of their disclosures to allow them to feel free to talk and respond to my inquiries.

Data Collection

Once I received approval from Walden University's Institutional Review Board (11-04-1-0156257), I immediately began to distribute fliers in environments where ex-offenders assemble to collect food stamps, complete job applications, and receive other reentry services. I also handed them to local ex-offenders standing around the various distribution sites I located. The fliers listed a telephone number and choices of times to call me for an interview. Participants had the opportunity to call every half hour between 4:00 pm and 7:30 pm, Monday through Friday. During each interview, I also asked if they know of others who met the study criteria and would be willing to participate. Because of the fliers and word of mouth, or snowballing sampling, eight callers responded to my inquiry. Given the sensitive nature of my inquiry, snowball sampling proved to be effective, as ex-offenders communicated the information regarding my study to their peers. All participants confirmed they were ex-offenders formerly incarcerated in state corrections prisons in the State of New Jersey who used cellular telephones during their time of incarceration. During my initial telephone contact with each participant, I assigned them an identifying number and arranged a convenient time to complete the interview (Wiederhold, 2015).

Upon receiving a call back, I asked the potential participant to state the caller number I assigned to them during the initial conversation. Once the caller confirmed their willingness to participate, I engaged them in light discussions to establish rapport, which included thanking them for their time and interest in the study. Next, I requested their consent to record the call over smartphone and, upon receiving their approval, began the formal part of the interview (Wiederhold, 2015).

I read the consent form to each participant, and each gave the verbal response “I understand and agree to the terms described to me on the phone.” They also gave verbal consent by stating, “I understand and agree to be in the study.” I read the interview questions listed in Appendix B, along with additional follow-up questions based on their responses. At times, it was necessary to repeat the questions and to sometimes explain the terms in the questions so they would understand words like *perceived to*, *suppose*, or *alleged*. The participants confirmed they understood the question before responding. The language used by the participants included jargon that is specific to the population. I am familiar with the jargon from working with this population for more than 20 years. After concluding each call, I had the recordings professionally transcribed into text, which I kept in a locked file cabinet in my home office. After repeatedly listening to the recordings, I read the transcripts to ensure I did not miss any information.

Data Analysis

Using Bazeley’s (2011) methodology, and following the model of Rubin and Rubin (2012), I analyzed and processed the raw data. While reviewing the participants’ oral statements regarding their experiences as ex-offenders who used contraband cellular telephones, I developed the information into codes with the assistance of NVivo 11

software (QSR International, 2012). As data repeated during the analysis process, I identified evolving themes. Analyzing the data was an arduous task because the ex-offenders spoke using prison verbiage such as, “I was down with it,” meaning all was ok. Several times, I asked them to repeat their comments. I would paraphrase and ask them if I relayed the meaning of their statement.

I continued to review the transcripts, identifying repeated words and phrases (Bazeley, 2011). I noticed certain quietness when I asked questions about feelings. I listened carefully and noticed a quiet surge of energy before participants spoke. They used strong words such as “I do not care,” and “I would do it again, even if I get caught.” I noted these phrases and clustered them for future reference into a tree node with the hierarchical heading “emotions.” I filed additional words or phrases into subgroups in classification folders. I continued to listen to the recordings of emotional words, which I placed on the tree nodes. Nodes act as a storage container for data until there is a need for the information. The tree nodes display the information in a view, allowing the researcher to select which node to use (Bazeley, 2011).

The phrasing from the eight participants varied. However, they contained similar meanings. It became important to stack these thoughts on the tree nodes. Listening to the recording and then reading the transcript presented differences in the interpretive analysis. I was able to hear the nuances of emotion in the recordings that were lacking in the flat presentation of the transcript. The lived experiences manifested clearly in expressions of defiance, pain, and arrogance in the recording, which helped me identify nodes, codes, and eventually themes (Bazeley, 2011). Repetitive words or anchors were

money and privacy. Also prevalent was the phrase, “I was comfortable after I talked to family or loved ones”.

To comprehend participant’s thoughts regarding their lived experiences of accepting and using contraband cellular phones in secured facilities, I used hermeneutic phenomenological qualitative analysis methodologies (Bazeley, 2011). I listened and reviewed each caller’s responses and further comments. In paying particular attention to their prison verbiage, I ensured I understood the thoughts they conveyed. The offenders’ lived experiences often included a historical perspective of their life before their incarceration. For example, Caller 1 stated, “When I was on the street some time ago, I always protected my property, and will do it now in this day”. After I conducted the interviews, professional transcribers produced a manuscript of the recordings, allowing me to begin the process of extrapolating the results, identifying the themes detailed later in the chapter.

With the use of NVivo 11, the coding took shape and I began to see repetitive information. It appeared from the text that ex-offenders coped with stress in the secure facility better because the contraband cellular phone allowed them frequent conversation with loved ones. Based on the answers to the interview questions, the cellular phone seemed to be the instrument to help them tolerate the completion of their prison time (Appendix B.). When listening to the participants, I found their voices took on a personality, ranging from being interested in the study to nonverbally expressing a desire to rush through the questions and finish the discussion. I perceive them to be polite, and only one participant became rude during the interview. Seemingly unaware of the purpose of the interview, I noted sharpness and an abrasive tone in his voice. However,

he gave important data regarding the contraband cellular phone such as, “Say what? I got to phone, just wanted to make calls. I didn’t care about the risk factor. I didn’t care.”

My ability to comprehend the language the ex-offenders used became extremely important during the coding process. I frequently asked for clarification because of the prison verbiage the participants used to express themselves. An example was when Caller 3 said, “or any fling of fear and amerce; you got to be on point.” However, when I coded it was important for me to listen to the audio with the text in front of me, to ensure better understanding. The following quotations exemplify the intimate experiences of participants while in secured facilities on the use of contraband cellular phone and their need for communication with loved ones. I present the information using their verbiage, which maintains the integrity of the quotation. Below, I describe the themes, which materialized from codes identified based on the individual interviews.

Thematic Outcomes

Two themes emerged from the data I analyzed: *empowerment through the cellular phone*, and *acceptable risk*. They were reflective of the repetitive information the interviewees offered. Both also aligned with the theoretic basis I expressed in earlier portions of my study. Table 2 illustrates the emergent themes.

Table 2

Themes

Theme 1	Empowerment through the cellular phone I own a contraband cellular phone in the prison
Theme 2	Acceptable Risk Not Risk/reward. That is not the thinking the only choice is a contraband cellular phone, worth the risk, potential risk outcome of lock-up in a secure facility; it is worth it.

Empowerment through the Cellular Phone

The first question I posed asked the participants to discuss and explain their immediate feelings when making unmonitored contraband cell phone calls to family and loved ones. The initial responses were:

Caller 1: I felt empowered. I felt I—I felt powerful ... I felt like I still had control.

Caller 3: I believe when you're not totally in contact with the world, your life seems to be stagnated and from the time you got locked up, that's where your thought can be when you're released. But when you're tuning with the world, you kind of grow.

Caller 4: Well, I felt good about it on a simple fact that a lot of friends and loved ones I wasn't able to make several calls to on a simple fact that the prison system—was able to have a certain amount of people when you call up. The motivating factor was to be able to reach out to those that I was unable to reach out to. The facility phones, it was only entitled to use for up to a certain amount of time, 15 minutes the most. You had to call back to your loved one or your significant other loved ones. By having a cellular phone, they give you a wide range to be able to speak to someone that you either love a family

member or a significant other for a significant amount of time. Your conversation didn't have to be cut.

Caller 6: Just a sense of, when you use the regular phone, the facility phone, you got a certain amount of time and then you got like other things happen as to where you have in your call early. With the contraband phone, you could do whatever you want in unlimited time

Caller 7: Well the first time I made a call to my loved ones ... I'm happy because I can't do it on the [prison] phone because it'd too much money.

Caller 9: Wow! It was convenient for me because I didn't have to dial the PIN number. Today, you've got to have a PIN number dialed and a phone number.

The participants expressed that they experienced a sense of empowerment by using the contraband cellular phones. The majority of feelings found among participants were that their experiences of having a contraband cellular phone were positive. Even those who expressed some fear of recriminations, still felt good, which I determined to be empowered. The emotion they described I termed as feeling empowered as exemplified by the remarks below.

Caller 1: I felt an attitude and I don't know, I guess I still had the sense of arrogance and not caring...It feels like you're in control and, you know, it's like protecting your property on the street. You're going to do anything in your power to protect your property and cops, and someone will come and get it from you and all of that. So you already made up your mind what you're going to do and how you're going to do it. You're start getting time and killings, and things of that nature

Caller 3: Very excited and happy. ... I felt nervous, hoping I don't get caught.

Caller 4: Well, I felt—when I first see the cellular phone, I was a little nervous. I was a little nervous, but as time, you know days, weeks, and months that I had it, I felt a little bit more at ease because now it became normal to me that I didn't get caught. So by using it for a certain amount of time, it became normal. The fear of being caught was lessened, so okay?

Caller 6: Just like you're back home. It just makes all the thoughts on being on the inside go out your head.

Caller 7: I feel I have freedom, anything like that, and I have unlimited time. It's like it's unlimited, it's unlimited.

Caller 9: It feels good. You get to talk to the family. I'll even tell it to everybody, but they didn't want me to tell it because they want me to get caught with it. But the feeling, it was a good feeling.

While they discussed their personal feelings when using the phone, I noted other comments related to acknowledging the risk they were taking by using them. The positive emotions they experienced were attributable to a sense of empowerment, however, I also addressed potential detriments and negative consequences related to taking the chance of exposure and the expected results. I noted the participants understood the behavior was against policies, however, another theme emerged reflecting their feelings related to the chances they took.

Acceptable Risk

The variety of responses to interview questions expressed participants had their personal agendas and remained firm with them. After risking having the phone for a long

period, they lost the fear by being lock-up. In considering the consequences of their behavior, they determined their need to communicate with their family and loved ones, outweighed the potential negative results. Another important element negating the potential negative ramifications was the ability to make calls at any time. They were willing to accept whatever consequences faced them if officials found their contraband. Ex-offenders noted the risk involved in using the cellular phones was acceptable.

Caller 2: And I said, it won't extend your stay. Then, you have to be willing to accept the consequences with being caught with that contraband. Like I said, the probative value of having it outweighs the risk of getting caught with it.

Caller 3: This risk factor was going to lock-up because with the cellular phone, the greatest was this—I just needed to have it because like, I didn't come from a wealthy family that have a lot of money. I didn't really think too much of the risk. I thought about my family.

Caller 4: Well, you know in life, you take chances. Although it was a risky one, at that particular time, I just felt like the risk outweighed the benefit.'

Caller 5: Say what? I got to phone, just wanted to make calls. I didn't care about the risk factor. I didn't—that means nothing to me.

Caller 7: I mean about the risk? I was kind of hesitant at first but when I thought for money—you can't call so you have to put money or you have to wait two days or more. So at that time, the risk was I did not care about the risk. I don't care about the risk. I'd rather use the illegal phone.

Communicating with family was most important. The majority of participants considered having the phone outweighed the risk for different factors, including it would not extend the time in prison. They indicated their family accepted their calls. They stated their loved ones were glad to hear from them. They were also happy they did not have to pay for the call.

Caller 1: They were against it but they knew I was going to do what I wanted to and accepted the call.

Caller 3: Well, they were happy to hear from me but they were also concerned about the trouble that I might get myself into by using it, and they were really cautioning me on how to use it and be like really, really careful because they don't want me to get into any more trouble than I was already in. But they were very excited to hear from me when they did hear from me.

Caller 4: Well when I first made my call, there was ... at the least hour. But when I explained it to them—don't get me wrong. They were kind of scared for me because they knew when I got caught, the consequences—but as I've stated, as the weeks got long ago, the months got long ago, they became just as ease as I were using the contraband phone.

Caller 6: They thought like I was taking a risk, but after four days later to be able to hear from me for straight one week and free.

Two expressed their families did not agree it was an acceptable risk. They had fears regarding them having the phones.

Caller 7: They didn't like it. They didn't like it but they're happy to hear me.

Obviously, they didn't think it was right because they want me to come home.

They didn't want me getting more in trouble, but they're happy with my voice.

Caller 9 They don't talk about me not getting caught with it. They don't want me going locked up or get more time or whatever because I'm short to coming home. They want me to careful 'Oh, you did well because you had it for a long time and you didn't get caught

However, the cellular phone offered access to their loved ones during time when they were unable to use state phones.

Caller 3: We all had a choice, that's like if you're just running out of money to make such phone calls and things like that, you just want to get a cellular phone just so you can talk to them always. You won't see what will be unexpected of them. Once you have a cellular phone, there are ways you just go ahead and make a call. ... I'll just say it again. Owning one was—like not everybody have one. I have one and I can also make phone calls for other people and let them use the phone so it was kind of like helpful and it's like joy for other people that really couldn't reach out to their families too. ...

Caller 7: I mean, the penalty was going to lock-up, but at that time, I felt that I had no choice because I didn't have money to pay calls for my family so I had to take that chance. It was well worth the risk to me.

Caller 9: Now, when I need to call someone, I can only call direct and talk to them. It was [more] convenient for me to reach out [than] the state phone.

Participants' primary thought regarding risky behavior was to "possess a phone".

The essence of the experience seemed to indicate the behavior was worth the risk because of their desire to communicate with their loved ones at the time of their choosing.

Caller 1: Well, since I knew I had one on me, I knew when at certain times at night, the officers go around and make these rounds, you know. I was discreet as I can be. So there was still a little fear there because I never knew when a—creep up on me and catch me, so there was always a little fear there, but when you're doing that, you already know the risk, and what probably is going to happen so you really don't care.

Caller 3: The difference was that you could say basically what you wanted to say without it being recorded. There was no privacy when using a state phone where they record the conversations with your love ones so you've got to watch what you say. You could be like really intimate with your lady on a cellular phone. You just need time and space if you want to say—if you wouldn't really normally wants to say it on the state phone.

Caller 4: Well when I first made my call, there was ... at the least hour. But when I explained it to them—don't get me wrong. They were kind of scared for me because they knew when I got caught, the consequences—but as I've stated, as the weeks got long ago, the months got long ago, they became just as ease as I were using the contraband phone...So, like I said, after having it for a period of time, the risk of having it became less and less and less, the fear of having it rather—not even just the risk, the fear of having it. It decreases.

Caller 6: I could talk for how long I wanted to as long as I ain't get caught.

Caller 7: I can use the phone instead of using a state phone where you only can call one person for almost 10 dollars and only get about five or ten minutes of talk time.

My findings suggest participants felt that owning a cellular phone was not a luxury, but a need. Collectively the thoughts of owning a phone provided the men certain control over their destiny. The participants thought they could discreetly own a contraband cellular phone and keep it hidden. They saw the phone as a necessary part of their lives because as one participant described, he could be intimate and personal.

Caller 1: Well, I was always scared of getting caught. There was a little part of me—there was another part of me who really didn't care.

Caller 2: Well, the thing is that, it wasn't really a fear because it is the type of contraband that doesn't require or adds any time to your sentence... You have to be willing to accept the consequence with being caught with the contraband cellular phone... So, the way I look at the situation is that I had a particular mean, and that was being able to communicate to a certain level to the individual that I felt talking to, mimicking to. So, just like the pride that I was incarcerated for, I knew that there were risks. Like I said, it simply does—it didn't justify the mean and it was didn't justify the mean.

Caller 3: I'll just say it again. Owning one was—like not everybody have one. I have one and I can also make phone calls for other people and let them use the phone so it was kind of like helpful and it's like joy for other people that really couldn't reach out to their families too.

Caller 4: Well, I felt—when I first see the cellular phone, I was a little nervous. I was a little nervous, but as time, you know days, weeks, and months that I had it, I felt a little bit more at ease because now it became normal to me that I didn't get caught. So by using it for a certain amount of time, it became normal. The fear of being caught was lessened, so it was okay...

One participant who was found in possession of a contraband cellular phone expressed, "once released from lock-up I will obtain another phone". The overarching themes evolved from the interviews with the ex-offenders. I provided statements, which emerged consistently through the various commentaries. The statements underscored while acknowledged their risk taking behaviors, they justified it because of their need to stay connected to loved ones. The in the following section, I discuss the standards I used to validate the outcomes revealed throughout the interviews and maintain the integrity of the results.

Evidence of Trustworthiness

Credibility

It is not easy to duplicate the unique history of an individual's experience. The perceptions of participants influenced the outcomes (Bloomberg & Volpe, 2008). I presumed the information the ex-offenders contributed was truthful. Their anonymity enabled them to speak about their experiences freely. Participants thought their input may help change the telephone policy and thereby shared their information openly. In addition, understanding the complexity of the problem was at the center of the study. Corbin and Strauss (2015) stated qualitative research, "aims to explore areas not yet thoroughly researched" (p. 5). Researchers disagreed about the generalizability of

qualitative research. From a scientific and creative perspective, researcher quality reveals the most important findings. Corbin and Strauss (2015) agreed while controversies surround the standards of qualitative research; the investigation must maintain and meet expected standards.

Transferability

Flood (2010) and Suri (2011) suggested the researcher provides a congruence of thick description of the situation and applies it to the research, which otherwise would remain unknown. Transferability does not make broad claims; however, readers or researchers may wish to associate between elements of research and their own experience (Houghton, Casey, Shaw, & Murphy, 2013). The qualitative research is the depth of the study, which delivers the settings that may be useful for communicating to the reader (Houghton et al., 2013). The following section summarizes the process and outcomes presented throughout this chapter.

Summary

In this chapter, I reported my findings, based on my qualitative exploration of the use of contraband cellular phone in secured facilities. I accepted responses from anyone who agreed to participate and had the experience of being involved in the risk-taking behavior. The process of owning a contraband cellular phone included risking going into lockup, receiving additional penalties if caught, and knowing their family may suffer from their behavior. Participants presented their reasoning for why communication with loved ones was so important. The lived experiences spoke poignantly of the affection and care they had for their loved ones. I also noted demographics, recorded data, design

procedures, and discussed relevant themes, Empowerment through the Cellular Phone and Acceptable Risk.

In chapter 5, I will present an interpretation of the findings and updated information on the state phone system. I also discuss new criminal-justice felony laws regarding contraband cellular phones. Additionally, I include the strengths and limitations of my study, evidence of quality, implications for social change, and finally, recommendations for future action and study.

Chapter 5

Discussion, Conclusions, and Recommendations

In this chapter, I discuss the conclusions I drew from my findings. I also present my interpretation of the findings, limitations of the study, recommendations, and implications for social change before concluding with a summary. In addition, I provide the answers to the interview questions as they related to my research questions and offered themes. Positive social change implications are an inherent part of the chapter.

The purpose of this qualitative phenomenological study was to explore the perceptions and lived experiences of ex-offenders concerning their risky behavior while in secured correctional facilities in a northeastern state. I conducted the study to describe the experiences of offenders who engaged in using contraband cellular phones in secured facilities. The interview questions I derived from the literature, led to answers to the proposed research questions.

Research Questions

I posed the following research question to illuminate the experiences of offenders who engaged in risky behaviors to achieve the desire for communication while incarcerated.

- RQ1. What are the perceptions and experiences of ex-offenders concerning their risky behavior of the use of contraband cellular phones in secured facilities to communicate with family members and friends?
- RQ2. What are the perceptions of ex-offenders of the influences that played a part in their choices to participate in the risky behavior of the use of contraband cellular phones while incarcerated in secure facilities?

RQ3. What are the perceptions of ex-offenders as to what difference it made to their incarceration experience for them to have the use of a contraband cellular phone while incarcerated?

My study began with the intent to rigorously explore, describe, and investigate specific phenomena: ex-offenders' lived experiences of risky behavior related to contraband cellular phone use. I planned and designed eight emotive and encapsulating interview questions, to generate responses to the three overarching questions (Appendix B). Hermeneutic phenomenology is the interpretation of experiences based on a shared phenomenon (Chan, Yuen-ling, & Wai-tong, 2013). In this method, the researchers set aside their personal perspectives to unveil the meaning participants attach to their experiences with the given phenomena (Chang et al., 2013).

Summary of Key Findings

I articulate the key findings of my study through the following themes:

Theme 1: Empowerment through the cellular phone - I own a contraband cellular phone in the prison.

Theme 2: Acceptable Risk - The only choice is contraband cellular phones, which are worth the potential risk of lock-up in a secured facility.

The eight participants described their lived experiences of using contraband cellular phones in secure facilities, while in a setting that was free of intimidation, anonymous, and confidential. The venue gave them the confidence that I would not expose them to authorities as a result of the interviews. One participant shared, "Well the first time I made a call to my loved ones, I'm happy because I can't do it in the [prison]"

phone because it'd too much money." My intention was to understand the perceptions of offenders by interviewing and collecting data from them.

Interpretation of the Findings

Empowerment through the Cellular Phone

RQ1. What are the perceptions and experiences of ex-offenders concerning their risky behavior of the use of contraband cellular phones in secured facilities to communicate with family members and friends?

The participants expressed happiness and a sense of a family's love and care. The exception was Caller 5, who did not relate emotion or care. It appeared he had a contraband cellular phone without any comments about his reasoning. The participants as a whole expressed having a contraband cellular phone as a necessity, and viewed their behavior in a positive light. They understood the consequences, and one participant explained, "cost is to go to lock-up because you were caught with contraband."

Previous research supports the findings from the first questions concerning the happiness of offenders to communicate with family (Shults, 2012). The Supreme Court ruled incarcerated criminals have constitutional First and Eighth Amendment rights (Shults, 2012). An offender's need for family is paramount for rehabilitation (Bell & Cornwell, 2015; Fleischer, 2004). The state provides telephones for offenders; however, using them is costly, and they must meet many demands to have access to them. Beiser (2009) has found that numerous offenders use contraband cellular phones to talk innocuously with family, and other investigators have documented the desire of offenders to stay in touch with family (Beiser, 2009). Bell and Cornwell (2015) developed a

program to strengthen family connectedness and healing as part of the prison rehabilitation, and concluded that family connection is a key to successful reintegration.

I used the theoretical framework from authors Trimpop (1990) and Wilde (1982) to explain what motivates risk and its value for the individual. In this study, the behavioral choice was to smuggle contraband cellular phones into secure facilities for offenders to make innocuous calls to family members and close friends (Christie, 2010). Incarceration that is more restrictive could result from these actions, but risk takers perceived the risk was worth losing their freedom. Homeostasis risk theory explains life-balance decision (Trimpop, 1990). The risk-motivation theory revealed that the timing of personality and conditional factors controls the physiological, emotional, and cognitive perceptions of risk (Trimpop, 1990).

RQ2. What are the perceptions of ex-offenders about the influences that played a part in their choices to participate in the risky behavior of the use of contraband cellular phones while incarcerated in secure facilities?

Their desire to talk when they choose to without constraints and have some control of their incarcerated time influenced the participants' choices to use the contraband. Fitzgerald (2010) related the need to understand the monthly telephone cost to the family as a hardship, driving family members to seek a contraband cellular phone for not only privacy but also the convenience and lower costs (Fitzgerald, 2010). The empowerment, finding reveals offenders' need to be in control of communications with love ones for calls in the morning or evening before children go to bed. As a target group, they are motivated to take risks, which align with homeostasis theory (Mapson, 2013). As offenders expect a benefit from the risky behavior of having a contraband

cellular phone to communicate with family members and close friends, they are achieving a sense of belonging to someone (Mapson, 2013). The expected cost of this behavior seems to be worth the expected benefit (Trimpop, 1990). The theoretical framework supports the risk homeostasis theory in the belief that behavior adapts to negotiate between “perceived risk and desired risk and has benefits” (Trimpop, 1996, p. 119).

Acceptable Risk

RQ1. What are the perceptions and experiences of ex-offenders concerning their risky behavior of the use of contraband cellular phones in secured facilities to communicate with family members and friends?

The participant caught with the contraband cellular phone expressed, “Once released from lockup, I will obtain another phone.” Another participant indicated the risk did not outweigh the benefit. Literature supports this contribution regarding risk-taking behavior to use contraband cellular phones (Christie, 2010.) Because a monopoly carrier provides telephone systems for the facility, the calls carry abnormally high charges for offenders, their family members, and close friends. In response, offenders think of other means to communicate with family. The essence of the experience seems to show it was worthwhile to take the risk to possess a contraband cellular phone to contact their loved ones at any time. Prior researchers also found the choice of offenders to take the risk became an element in everyday life to endure and survive the conditions of prison. Some male offenders insisted they needed to remain in control as head of the household, and thereby used the contraband to maintain open and continuous communication (Black, 2010). Risk homeostasis theory holds that behavior adapts to negotiate between

“perceived risk and desired risk” (Trimpop, 1996, p. 119). The theoretical framework supported the examination of offenders’ choices and needs to achieve satisfaction.

I found that ex-offenders felt owning a cellular phone was a necessity. Collectively, the thoughts of owning a phone provided the men control over their destiny. The participants’ thought that they needed to be discreet with the phone. They intended to keep it hidden, because having daily access to the phone offered them a way to be intimate and personal.

Researchers indicated male offenders have very limited time to express their role in the family and remain head of the household. Offenders understood the lack of privacy when talking on the state phones. Those thoughts, along with the additional cost of connection may have prompted the idea of smuggling a phone into a secure facility. Also, smuggling in a cellular phone may be the way offenders survived the sentence while remaining in control of their families (Black, 2010). The theoretical framework supported the cognitive and motivational process of the findings. Risk-taking behavior and empirical examination of risk-motivation theory assumed collaboration between personality and conditional factors control the physiological, emotional, and cognitive perceptions of risk (Trimpop, 1990).

Empowerment through the Cellular Phone

RQ2. What are the perceptions of ex-offenders about the influences that played a part in their choices to participate in the risky behavior of the use of contraband cellular phones while incarcerated in secure facilities?

Communicating with family was most important, and the majority of the participants considered having the phone outweighed the risk of different factors,

including believing it would not extend their time in prison. Caller 5 noted that he did not care about risk. Mignon and Ransford (2012) found offenders believed communication between loved ones was the best means to establish emotional and lasting bonds, and, for many years, these thoughts kept participants family and loved ones connected. The theoretical framework supports that offenders made choices due to need to achieve satisfaction. Risk homeostasis theory is the belief that behavior adapts to negotiate between “perceived risk and desired risk” (Trimpop, 1996.)

The family members responded with love and wished to hear from loved ones even though fearful of consequences. The contraband cellular phone provided the participants the ability to reach beyond the prison walls and become aware of the current world. The participants were comfortable with this process.

Correctional officers often refer to male offenders in disrespectful ways (Black, 2010). The officers use offensive terms to describe the offender’s role in their families (Black, 2010). Connecting with their families by telephone reaffirms their importance to those they love (Black, 2010). The type of facility housing them affects their ability to communicate with those on the outside. Offenders, family members, and close friends may take on the risky behavior of smuggling a cellular phone into the secured facility (Christie, 2010). If caught, the offender or family member faces punishment, which could include incarcerated or longer terms of incarceration (Christie, 2010). The theories of risk homeostasis and risk-taking behavior provide a basis to examine the offender’s choices including their need to achieve satisfaction. Risk homeostasis theory is the belief that behavior adapts to negotiate between “perceived risk and desired risk” (Trimpop, 1996, p. 119).

RQ3. What are the perceptions of ex-offenders as to what difference it made to their incarceration experience for them to have the use of a contraband cellular phone while incarcerated?

Caller 2 had no fear of the reality of going to lock-up because he possessed a cellular phone. His experience was worth the cost of the contraband cellular phone. Information from literature indicates the cost of calls was unaffordable for offenders' families; hence, frustration and desperation due to lack of communication with family provided the motivation to participate in illegal contraband cellular phone use (Christie, 2010).

The theoretical framework suggested researchers have used the risk homeostasis theory and risk-taking behavior theory to define various risk-taking behaviors in criminal. Bell and Cornwell (2015) found that self-esteem and self-empowerment were fundamental to connecting back with family, and provide strength based reintegration. This is also in keeping with empowerment that cell phones provided to control communication with family members.

Summary of Findings

Contraband cellular phone for any use is an offense is against state law (Burke & Owen, 2010). The offenders are aware of this offense; however, they have their family and friends smuggle the cellular phones into the prison because of their desire to be in touch with their families during the hours the state facility does not permit calls (Bates, 2016). By using the illegal phones, they can make contact with them during hours when the family is available. The Indiana Department of Corrections may be finding the first step to stop the contraband problem. Burke and Owen (2010) stated, "Offenders may use

their cellular phones for benign purposes, such as maintaining contact with family and friends” (p. 1).

The contraband cellular phone is the least expensive and most convenient means of communication for the offender. Many families who cannot afford to pay the high collect-call rates smuggle in contraband cellular phones (Christie, 2010). Although some correctional studies concluded cellular phone access is the offenders’ privilege, others believe the rules, which apply to the state phone including monitoring, limiting use, and restricting recipients of calls, should also apply to cellular phone use (Burke & Owen, 2010)

Contrarily, offenders who have criminal intent use the cellular phone to store harmful information and cause crime inside prison walls and in their communities of origin (Bates, 2016; Christie, 2010). Offenders hide cellular phones in wristwatches, rice, and cereal containers (Burke & Owen, 2010). They have also used bottomless shoes and light fixtures to hide phones smuggled in by visitors and employees (Burke & Owen, 2010). A Nevada dental assistant smuggled a cellular phone into the prison to help the offender have a successful escape (Burke & Owen, 2010). Offenders arranged harmful criminal acts, including ordering assassinations of witnesses (Christie, 2010). Inmates also commit crimes using contraband cellular phones, including drug smuggling and participating in gang activity (Cauvin, 2009). Allegedly, gang members use contraband cellular phones in prison to arrange for street crimes, which target robberies and arrange attacks on witnesses expected to testify against them (Cauvin, 2009).

Unfortunately, both correctional officers and civilians receive large amounts of money to smuggle contraband cellular phones into the secured facilities (Bates, 2016;

Burke & Owen, 2010). The undue influence resulted in correctional officers receiving up to \$100,000 by smuggling in cellular phones for inmates (Burke & Owen, 2010). Using the phones can also create security breaches (Bates, 2016; Burke & Owen, 2010).

However, controversial the results of my study indicate two overarching themes: offenders feel more in control when they have access to cellular phones and they are willing to break the rules in order to communicate with those they love.

As correctional facilities struggle with this issue, monitoring the outcomes, such as less resistant behavior and reduced isolation, as revealed by those I interviewed, is a consideration. The reduction of risky behaviors contributes to shorter terms of imprisonment, allowing offenders to return to those they love without additional delays based on sanctions. My outcomes also highlighted the inability of prison staff to intervene, reducing access to the contraband phones. Some officials actually benefit financially from suborning the illegal activity. In weighing the benefits versus the detriments, documenting the process and effects of the Indiana law permitting use of cellular phones, will also contribute to developing improved protocol for other states. I address other topics of future research in the following sections.

Limitations of the Study

My study included participants who were ex-offenders and released from state correctional facilities. I did not recruit federal ex-offenders. The study is limited to an exploration of the risky behaviors and motivations of participants and their experiences related to cellular phone use while incarcerated. I did not explore other risk-taking behaviors, nor did I examine the role the smugglers had in the process, even though there is a recognition that contraband trade in prison and smuggling goods is an active

enterprise within American prisons (Bates, 2016). The small number of participants is another limitation, restricting the ability to apply my outcomes to other populations of inmates and other geographic areas.

Recommendations for Future Research

Research on contraband cellular phones has only scratched the surface of information regarding the effects of incarceration on offenders, family, and loved ones. This study took place in the northeast United States; expanding it to other areas would help to uncover information about the policies related to contraband cellular phone use and reinforce or refute my findings. A mixed-method study may serve this population well, as it has the potential to reveal hard numbers and solid content. Because of the history of the population, they may fear retribution from law-enforcement personnel in response to participating in studies investigating illegal activities at their worksites.

Future studies can contribute to policy changes in how enforcement officers in secure facilities view the use of cellular phones. The research should expand to include female offenders over 18 years old, in local, state, and federal institutions. The widening of the net broadens the scope and potentially augments the outcomes documented in my study. It would also be helpful to consider other telephone vendors to drive down the cost of their services, which would create competition for the offenders and their families.

Implications for Social Change

Positive Social Change

The research began with my interest in understanding why offenders in the state correctional facilities would take the risk to receive smuggled contraband cellular phones. This contraband information allowed me to research in-depth facts to open channels of

uncharted waters to unexpected answers. The participants who were ex-offenders spoke candidly about their lived experiences using contraband cellular phone calls to communicate with their loved ones. They shared how they felt to be part of the family and how their loved ones wanted them in their lives. These communications garnered positive behavioral changes because after they had completed the calls, the offenders were not combative and became willing to follow the prison's procedures (Christi, 2010). Using the theory of homeostasis contributes to improved comprehension of their behavior and introduces ways to move towards positive outcomes (Trimpop, 1996).

Individual

Positive outcomes result when offenders do not face longer terms in prisons, because they use contraband cellular phones. The ability to remain connected to family allows them to accept incarceration with grace. They can return to society with lessons learned, and reduce recidivist conduct by remaining free of any charges. The participants in my study did not report accruing additional charges. Their ability to remain in their communities and with their families contributes to positive individual change.

Offenders may bring a wealth of information to young adults through their experience. They can provide mentorship and direct them away from becoming involved into the criminal justice system. When society is willing to receive the ex-offender as rehabilitated citizens, the costs of incarceration lowers. The criminal activity that is in the vulnerable neighborhoods may also decrease because of positive behavior example.

Organizational

The stakeholders of the Department of Corrections should review the policies governing the communications used by offenders, especially ones related to continued

communication with their families. The revised policies could alter the use of one primary vendor, the hours the offenders may call, the cost of calls, (credit, pre pay) and other aspects of the communication (Christie, 2010). The outcomes from my study can inform the changes in policies and procedures currently acting to encourage the smuggling of the illegal cellular phones into correctional facilities.

Societal

As offenders return to their local communities having served time for a myriad of crimes, the lack of connection during their terms of imprisonment negatively affects their ability to rebuild relationships with their families. The outcomes from my study can contribute to supporting advocacy efforts on their behalf. The federal government provides funding to states to help reintegrate the released ex-offenders into society. Changes in federal legislation can lead to additional funding to implement new standards of care, including enhancing their on-going linkages with loved ones.

Recommendations

I would recommend the stakeholders who are responsible for state correctional policies, revisit offender's communication choices. The state should not profit from charging offenders to use institutional phones to communicate with loved ones. If the telephones were cost effective for offenders, they would not need to participate in the risk-taking behavior of smuggling them into the facilities.

I think additional research should include both genders and the families regarding the communication of family while incarcerated. The additional clinical psychologist would help the offenders to talk and get feedback for their next step into society. There should be an ongoing aftercare facility for returning ex-offenders to check into for

stabilization mentorship. The crucial time is when offenders are released and where do they go?

Conclusion

In exploring contraband cellular phone use, I presented information regarding incarcerated offenders' risk-taking behavior. Eight ex-offenders spoke candidly during interviews with me via telephone to explain the reasons they would take the risk of further punishment to communicate with their loved ones. While incarcerated, the participants found ways to make their calls and keep their contraband phone hidden and undetected by corrections officers. The findings of this study correspond to other researchers' studies in the literature that supports the need for fluent communication between offenders and their families. The Supreme Court judges acknowledged communication with family as a right of the incarcerated; underscoring the positive outcomes that arise when prisons are not cut off from those they love (Shultz, 2013). I listened to the offenders' experiences, analyzed and interpreted themes and connected them to prior research and theory. In conducting this study I had an opportunity to intimately explore the views and beliefs of a select sample of incarcerated people. In analyzing the data, I developed a unique perspective concerning their reasons for engaging in the subterfuge and risk-taking behavior of holding contraband cell phones .

During my interviews, I listened to their voices, which reflected the full spectrum of emotions. They relayed anger, contentment, and resolve based on coping with an untenable situation. Fear resonated at times when they expressed the need to hide to avoid discovery, and knowingly taking the risk of receiving sanctions. I identified two

themes; empowerment through the cellular phone and acceptable risk. The participants all relied on the contraband cellular phone to remain connected with their loved ones.

The outcomes of my study may inform those who develop policy for prisoner communication with their families, as well as those who provide services to local community residents, contributing to building the village necessary for a healthy and safe environment. My plans also include writing a textbook and a novel regarding the study. I intend to approach businesses to engender their financial support of continued advocacy on behalf the offender population.

A need for stability exists in every community. The absence of an offender while incarcerated negatively affects the prisoner, their family, and those they love. My study may contribute to developing new policies to support open and ongoing communication between offenders and their families, thereby decreasing the need for them to engage in risk-taking behaviors.

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Appendix A: Development of the Interview Protocol

Below is a summary of the development of the Interview Protocol.

1. I intend the first question to develop an open forum to describe the motivation, perceptions, and experiences of the ex-offender about the use of contraband cellular phones. What were the motivations for the choices made to be involved in the use of contraband cellular phones? (Mapson, 2013).
Incorporating risky behavior in the actions of unlawfulness allows the interviewer to understand better the problems from participants' viewpoint (Corbin & Strauss, 2015) about the use of contraband cellular phones.
2. I intend for questions 2 through 5 to determine what factors were met that might break state laws (Beiser, 2009; Burke & Owen, 2010). I wanted to understand the strategy of these questions if it will enhance the data to expose what drives risky behavior (Corbin & Strauss, 2015). I will use the lived-experience answers to help me analyze the causes of ex-offenders' choices (Corbin & Strauss, 2015).
3. I intend for the sixth through eighth questions to explore what made a difference in the choice to smuggle contraband cellular phones into a secured facility (Enroos, 2011; Mignon & Ransford, 2012).

I have designed the research questionnaire to explore what has not been known about why contraband cellular phones are smuggled into secured facilities. I will use the phenomenological path, through the questionnaire, to deepen understanding of the answers to the research questions (van Manen, 2014).

Appendix B: Interview Questionnaire

1. Please discuss and explain your immediate feelings when you made unmonitored contraband cellular phone calls to family and loved ones.
2. Please explain and describe the threats of risky behavior and the penalty for having a contraband cellular phone in a secured facility if caught. What was your perception of your choice?
3. Please describe your thoughts and risk about owning a contraband cellular phone.
4. Please discuss your thoughts and feelings when you placed calls on a contraband cellular phone rather than on the correctional department state phone.
5. What are the risky-behavior factors that motivated you to accept a contraband cellular phone in secured facilities, including your perceptions and experiences?
6. Describe in-depth the experience of owning a contraband cellular phone in a secure facility.
7. Are there factors you can explain that justify your risky factors?
8. Please describe the reactions of your family and loved ones receiving your call from a smuggled contraband cellular phone from a secure facility.

Appendix C: Anonymous Consent

You are invited to take part in a research study entitled A Qualitative Exploration of the Use of Contraband Cellular Phones in Secured Facilities, which examines why family members and close friends may wish to be involved in these procedures with offenders. The study involves state corrections ex-offenders over 18 years old. I am inviting ex-offenders from state correctional facilities who participated in the use of contraband cellular phones to be in the study. This form is part of a process called “informed consent” to allow you to understand this study before deciding whether to take part. This study is being conducted by a researcher who is a doctoral student at Walden University.

Background Information:

The purpose of this study is to explore the perceptions, motivations, and experiences of ex-offenders who used contraband cellular phones in secure facilities, and the thoughts of their family members, and close friends.

Procedures:

If you agree to be in this study, you will be asked to:

- Participate in a telephone interview about the use of contraband cellular phones by/with offenders in secure facilities.
- Calls will be likely to last half an hour and recorded for analysis only.
- You will only identify yourself as ex-offender caller No. ____ over 18 years old.
- There are 8 questions that will be read to you for answers.

Voluntary Nature of the Study:

This study is voluntary. Everyone will respect your choice to be in the study. No one will treat you differently if you decide not to be in the study. If you decide to join the study now, you can still change your mind later. You may stop at any time.

Risks and Benefits of Being in the Study:

Being in this type of study involves some risk of minor discomforts that can be encountered in daily life, such as feeling guilty or becoming upset. Being in this study will not pose a risk to your safety or well-being.

The study will benefit the public regarding why offenders would take such risks. Also, administrators may want to review the telephone policy, and change it to reflect the information the study will expose.

Payment:

There will be no thank you gifts or reimbursements for participating in the study.

Privacy:

The researcher will not use your personal information for any purpose outside of this research project. Also, the researcher will not include your name or anything else that could identify you in study reports. Data will be kept for a period of at least 5 years, as required by the university.

Contacts and Questions:

You may ask any questions you have now. This a double-blind study. You will remain anonymous and I will also. Or, if you have questions later, you may contact the researcher at [REDACTED]. If you want to talk privately about your rights as a participant, you can call Dr. Leilani Endicott. She is the Walden University representative who can discuss this with you. Her phone number is 612-312-1210. Walden University's approval number for this study is 11-04-15-0156257 and it expires on November 3, 2016.

Statement of Consent:

I have listened to the information and I feel I understand the study well enough to make a decision about my involvement. Although consent form is verbal, I understand that I am agreeing to the terms described above. Signature and date _____

Appendix D: Recruitment Flyer

EX-OFFENDER RESEARCH STUDY

Attention: Gentlemen a current study needs your input that involves ex-offenders who used contraband cellular phones in prison. Please consider sharing your experiences with the Researcher. All interviews are by telephone and are anonymous and confidential for this study. You will be known only as telephone caller 1, 2 or the number you will be given. If you participate in the research, your contribution may help other offenders in prison.

Please speak to the volunteers for important details regarding a consent form.

The call is a half-hour long. You can make the call today from the cellular phone I will provide. The volunteers are ready to offer you information now!