

John Jay College Institute for Justice and Opportunity's Language Guide: Suggested Terms for People and Communities Impacted by the Criminal Legal System

NOTE: The following are suggested terms to describe the people and communities impacted by the criminal legal system. This guide includes terms to describe our community members, as well as terms that describe the systems and communities within which they operate. These terms are encouraged because we believe they center the humanity of *people* versus terms that have historically relegated people to a single characteristic of their lived experience or larger systems of violence and oppression. Additionally, the communities we serve find agency in the names they choose to describe who they are. For example, some people do not want to be addressed by their last name as it may mirror their incarceration experiences. In addition to the suggested terms in this guide, **we encourage our partners to ask those you are working with to indicate their preferred names and terms.** To learn more about why these terms and words matter to us, see the [John Jay College Institute for Justice and Opportunity's Language Guide: A Letter on Why Words Matter.](#)

Communities that Experience High Rates of Violence is preferable to “violent communities” and its evil twin “bad/disadvantaged neighborhoods.” Labeling a community as “violent” demonizes all people within it. It places the burden of such a disparaging label on the community itself without highlighting the systemic factors that are necessary for a community to repeatedly experience such trauma.

Criminal Legal System. We opt to use “criminal legal system” over “criminal justice system” because omitting the word “justice” reflects the growing acknowledgement that our systems of criminalization, policing, prosecution, and punishment are not always “just.” These systems more accurately involve legal practice. We adopt terminology that describes just that.

Formerly Incarcerated Person/People instead of “ex-con,” “felon,” or “ex-offender,” when referring to people who have been in a carceral setting and are now released. People released from prison, immigration detention centers, local jails, juvenile detention centers, etc. are included under this umbrella term.

Incarcerated Person/People instead of “convict,” “prisoner,” “inmate,” or “offender,” when referring to anyone currently incarcerated. It makes no claim about guilt or innocence (contrary to words like “convict”), and it does not attach a permanent identity to an often-temporary status, like “prisoner” or “inmate,” etc.

People/Person with Conviction Records when referring to anyone who has been in contact with the criminal legal system and has a conviction record, regardless of the type of conviction (i.e., felony or misdemeanor).

People/Person Convicted of (Drug Violations/Violent Offenses/Sex-Related Offenses etc.) instead of “violent offenders,” “drug offenders,” “sex offenders,” “sex predators,” etc. These terms reduce one’s identity to a particular type of conviction. It is rarely necessary to specify the type of crime an incarcerated

or formerly incarcerated person was convicted of. However, if doing so, we recommend it be phrased in line with this guidance.

People/Person on Parole/Probation instead of “parolee” or “probationer,” because it is about articulating the person first, rather than any temporary or circumstantial qualifier that may be perceived. Additionally, it is important to be mindful of preserving the privacy of those who may be on probation or parole.

People/Person Receiving Public Assistance instead of “welfare recipient,” “food stamps recipient,” when referring to people receiving temporary or emergency governmental assistance for housing, transportation, childcare, cash, or food.

People/Person who are Undocumented refers to people who are dealing with issues related to their immigration status i.e., seeking-asylum, DACA, etc., instead of terms like “undocumented immigrants,” “illegal immigrants,” or “aliens.”

People/Person who are Unhoused/Experiencing Homelessness instead of terms like “the homeless,” “hobo,” to describe people experiencing housing insecurity.

People/Person with Prison/Jail Experience. This is an alternative term to system-impacted, formerly incarcerated, and currently incarcerated. People or a person that has direct prison and jail experience have a unique and deep understanding of the innerworkings of the criminal legal system. These unique experiences have inherent value in shaping policy and practices.

People/Person with Supportive Needs/Different Abilities instead of “disabled person,” “cripple,” or “handicapped people” because it is about articulating the person first and able-bodied, rather than their disability or accessibility needs.

People/Person with Mental Health Needs instead of “addict,” “drug user,” “alcoholic,” “crazy person/people,” to describe people living with, or in need of, mental health services.

System-Impacted Person/People. System-impacted person includes those who have been incarcerated, those who have been arrested/convicted but not incarcerated, and those who have been directly impacted by a loved one being incarcerated. While those close to us, as well as the broader society, are negatively impacted by our incarceration, it is often our partners, parents, children and/or siblings who face the most significant disadvantages behind our absence and thus, categorically, merit this designation.

John Jay College Institute for Justice and Opportunity's Language Guide: A Letter on Why Words Matter

The John Jay College Institute for Justice and Opportunity (the Institute) is a champion of institutional, structural, and personal transformation by opening doors and eliminating barriers to success for people who have been involved in the criminal legal system. We create access to higher education and pathways to satisfying careers by leveraging our position within, and the mission of, the City University of New York (CUNY).

As topics related to criminal legal system advocacy receive increasing attention and support, consideration must also be given to the language used to describe people who have experienced contact and have been harmed by the criminal legal system. Person-first language avoids the conscious or subconscious nominalization of someone based on a single characteristic.

Incarcerated people, formerly incarcerated people, and advocates have been urging the public to reconsider the language too often used to describe people with lived experience in the criminal legal system. The late Eddie Ellis' language letter explained that terms like "criminal," "convict," "felon," "inmate," and "prisoner" are powerful. They have the capability to restrict people to categories that do not speak to their larger human identities and reinforce existing stereotypes about people with conviction histories.¹ The power of language was also recognized by John Jay College President Karol Mason when she was the U.S. Assistant Attorney General, heading the Department of Justice's Office of Justice Programs. President Mason issued an agency-wide policy directing the Office of Justice Programs to replace words like "felon" and "offender" with person-first language to "solidify the principles of individual redemption and second chances that our society stands for."² More recently, the Berkeley Underground Scholars Initiative, a group of formerly incarcerated and system-impacted academics at the University of California, Berkeley, created a terminology guide for communicating about those impacted by the criminal legal system.³ And in 2021, The Marshall Project launched, *The Language Project*,⁴ to highlight the human impact of the words we choose.

CUNY recognizes far too well the complexity of experiences and intersecting identities of its student body. Experiences with the criminal legal system vary among New Yorkers, including CUNY students. There are students enrolled in the University that have been incarcerated and are now released; students who have been arrested but were not convicted; students who have been deeply affected by police practices, including stop and frisk; students whose family members or friends have been directly impacted by the criminal legal system; and students who are taking CUNY classes at several correctional facilities across the city and state. People with conviction records are part of the CUNY community in various capacities, including students, faculty and staff.

¹ Eddie Ellis, "An Open Letter to Our Friends on the Question of Language" (2020). Parole Preparation. 5.

<https://ir.lawnet.fordham.edu/pp/5>

² Tom Jackman, "Guest Post: Justice Department Agency to Alter its Terminology for Released Convicts, to Ease Reentry," the Washington Post, accessed September 9, 2019.

³ Joshua Mason, Steven Czifra, Christina Ricks, Michael Cerda-Jara, Azadeh Zohrabi, "Language Guide for Communicating About Those Involved In The Carceral System." (2019). Berkeley, CA: Underground Scholars Initiative, UC Berkeley.

⁴ Lawrence Bartley, Lisette Bamenga, Adria Watson, Rahsaan Thomas, and Wilbert L. Cooper, "The Language Project," The Marshall Project, <https://www.themarshallproject.org/2021/04/12/the-language-project>.

Modeling the Language Guide of Underground Scholars colleagues and the letters of advocates, the Institute developed the [*John Jay College Institute for Justice and Opportunity's Language Guide: Suggested Terms for People and Communities Impacted by the Criminal Legal System*](#). We encourage our partners across the city, state, and CUNY to review and utilize these suggested terms.

Thank you,

The John Jay College Institute for Justice and Opportunity

About the John Jay College Institute for Justice and Opportunity

The John Jay College Institute for Justice and Opportunity (the Institute), formerly known as the Prisoner Reentry Institute, is a center for research and action at the John Jay College of Criminal Justice, and an initiative of the City University of New York (CUNY). The Institute is committed to providing opportunities for people for people to live successfully in the community after involvement in the criminal legal system. Capitalizing on its position within a large public university and recognizing the transformative power of education, much of its work focuses on creating access to higher education and career pathways for people with conviction histories. To learn more, visit our website: justiceandopportunity.org.