COMING HOME FOR GOOD: Meeting the Challenge of Prisoner Reentry in New Jersey

FINAL REPORT OF THE NEW JERSEY REENTRY ROUNDTABLE
DECEMBER, 2003
This report was written for the New Jersey Reentry Roundtable by Nancy Fishman, Senior Law and Policy Analyst at the New Jersey Institute for Social Justice (NJISJ), assisted by Craig Levine, Senior Counsel and Policy Director and Kenneth Zimmerman, Executive Director of NJISJ. The authors gratefully acknowledge the contributions to this document of our steering committee: co-chairs Stanley Van Ness and John Farmer; Roland Anglin, Executive Director of co-sponsor the New Jersey Public Policy Research Institute; Mark Murphy, of The Fund for New Jersey; Richard Roper, of The Roper Group; and Douglas Eakeley, of Lowenstein, Sandler, PC. Jeremy Travis and Sinead Keegan of The Urban Institute provided invaluable assistance and suggestions for improving this work. While many members of the New Jersey Reentry Roundtable provided advice and feedback on drafts of this report, we particularly wish to thank: Ted Fetter, Administrative Office of the Courts; Ron Susswein, Department of Law and Public Safety; Bruce Stout, The Violence Institute; Jim Hemm, the New Jersey Association on Corrections; Kevin McHugh, State Parole Board; Riki Jacobs, the Hyacinth Foundation; Lisa Macaluso, Juvenile Justice Commission; and Melinda Schlager, formerly at the State Parole Board, now of the College of New Jersey. We also wish to thank Sally Weissman and Rita Simmons of NJISJ for all of their assistance with this effort.

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On behalf of the New Jersey Reentry Roundtable (NJRR) and its co-sponsors, we are pleased to present to you this final report. We believe that these findings and recommendations offer a critically important roadmap to help New Jersey address the highly significant but often overlooked issue of prisoner reentry. They are distilled from a year’s worth of research and analysis, discussions and strategy sessions, involving over seventy-five leaders from law enforcement, the academy, government, community and faith-based institutions, and former prisoners.

As co-chairs, we have brought to this undertaking our own experiences and perspectives as former Attorney General and former Public Defender and Public Advocate of the state. What is remarkable about this report — and the issue itself — is that our experiences and perspectives led us, and the participants in the NJRR, to a broad and deeply felt common understanding. Prisoner reentry must be seriously addressed to further the public safety of the state’s citizens, to ensure that our limited fiscal dollars are used wisely, to guarantee that our criminal justice system operates equitably and fairly, and to strengthen our communities and families.

The process of developing this report has been remarkable. The broad array of leaders convened by the NJRR over the past year engaged in structured discussions informed by original research and presentations of leading practices from around the country. They considered a broad range of empirical evidence about who returns home from prison and how, and developed consensus on how to improve our current approach based on the best learning available.

The process also established how far we have to go. Fortunately, this report provides the path to place New Jersey on the right track. As we all well know, the hard part is always translating ideas into action. We are pleased that the NJRR has started that process, and look forward to continuing the needed effort to transform New Jersey’s approach to prisoner reentry.

Yours sincerely,

Stanley Van Ness
Co-Chair, NJRR

John Farmer
Co-Chair, NJRR
New Jersey Reentry Roundtable
Mission Statement and Guiding Principles

The number of individuals leaving the custody and control of the criminal justice system in New Jersey has increased dramatically over the past 25 years, with consequences for community and family stability, state and local resource expenditures, public safety, racial equity and the health of our civil society. It is in New Jersey’s best interests to develop a comprehensive strategy to address the challenges of reentry, based on a thorough assessment of current and future needs, the strengths and weaknesses of our existing approaches to meeting them, and the value and feasibility of available options. The New Jersey Reentry Roundtable takes on this task.

While we recognize that the issue of reentry is inextricably linked to a broad range of criminal justice and other policy issues, including the basic question of how and why individuals enter the system in the first place, the NJRR takes on the discrete task of addressing how individuals return to their communities. Almost all — 96% — of those who are incarcerated or detained will serve their time and return home, and it is this virtually universal process of coming home that we address.

In doing so, it is our consensus that a reentry strategy for New Jersey should at minimum:

- ensure that adults and juveniles returning to their communities from incarceration or detention are sufficiently prepared so as to maximize their chances for successful reintegration;

- seek to eliminate the structural and legal barriers to reintegration that are unnecessary to preserve public safety;

- acknowledge the roles that families and communities play in the reentry process and ensure that they are sufficiently prepared to take on those responsibilities;

- recognize that financial resources are limited and should be used wisely and creatively, with firm accountability;

- include policy goals that reflect solid research and a plan for broad public education around these goals geared towards public officials, the media, and the public at large.
# COMING HOME FOR GOOD:
Meeting the Challenge of Prisoner Reentry in New Jersey

## FINAL REPORT OF THE NEW JERSEY REENTRY ROUNDTABLE

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I. INTRODUCTION: THE NEW JERSEY REENTRY ROUNDTABLE

Why Should New Jersey Care About Prisoner Reentry Now?

In October, 2002, the New Jersey Institute for Justice and the New Jersey Public Policy Research Institute began a year long initiative gathering policy makers, researchers, community and faith-based organizations, service providers and other key New Jersey stakeholders to take a comprehensive look at the phenomenon of prisoner reentry: how individuals leave the custody and control of the New Jersey criminal justice system and reintegrate into society. This New Jersey Reentry Roundtable (NJRR) set out to create a strategy to reduce recidivism, increase public safety, save money and strengthen families and communities. Improving how individuals transition from living in prison to living in New Jersey’s towns and cities is critical to achieving those important goals.

Why?

Reentry is virtually universal. Almost all individuals incarcerated in the state of New Jersey — 95 to 97% — will eventually return home. With both the prison population and the per capita incarceration rate having more than quadrupled over the past 25 years, this means that an estimated 70,000 people will be released from state prison over the next five years, with more coming out of jails and juvenile facilities. They return, in large part, to poor and working class urban New Jersey neighborhoods that are already under considerable social and economic strain. With disproportionately high rates of addiction, mental illness, and other serious health problems, as well as, on average, limited education and work experience, returning prisoners must navigate a range of statutory and regulatory restrictions affecting their ability to get and keep employment, find stable housing, stay healthy and reintegrate into their families and communities. At present, most receive little to no preparation for the transition or for community living, and little to no support or assistance after they have been released. Following a growing trend over the past ten years, one third of those released last year had no parole supervision.

All the evidence indicates that, in the face of these challenges, the majority are failing. The most salient indicator of that failure is the recidivism rate: nationally, two thirds of all individuals released from prison are rearrested within three years, and one half of all these arrests occur within the first six months post-release. Last year in New Jersey, forty percent of all admissions to state prison were people who had failed on parole. These failures have, and will continue to have in cumulative numbers, a broad impact on the families and communities to which prisoners return and on New Jersey as a whole. It is now clear that we cannot ensure public safety without addressing what happens to individuals after they are released, and the barriers and opportunities they face to becoming law-abiding and productive citizens.

The financial cost for New Jersey of this widespread failure is high, and will keep growing. Annual appropriations for custody and supervision of individuals convicted of crimes have grown more than 500% over the past 20 years. This is up to three times the growth rate of spending for education, higher education and municipal aid, areas that matter greatly to New Jersey residents, during the same time period. Moreover, the over one billion dollars now spent on corrections and related criminal justice programs does not include the financial impact on counties, municipalities, and families of inmates and victims of crime when reintegration fails. It does not include additional state dollars spent to support the children of incarcerated parents who are in foster care or receiving public assistance. It does not include foregone state tax revenue from incarcerated individuals who are not working and contributing to New Jersey’s economy. And it does not reflect the impact on urban revitalization efforts and the state’s economic development potential as a whole. As long as we continue with our current approach, these costs will not only not go down, but are likely to keep growing exponentially. New Jersey simply cannot afford not to make a serious effort to reduce reentry failure, particularly in these tough budget years.
Public support for a serious reentry effort is available. New Jerseyans care about these high costs, and they care about public safety. They also believe that preparing prisoners for release is key to ensuring public safety. In a statewide poll of 800 New Jersey residents conducted this summer by the Eagleton Institute’s Center for Public Interest Polling, two thirds of respondents expressed the belief that rehabilitative programming to prepare individuals for release was better way to reduce crime than long prison terms. Nearly 90% of respondents would support requiring prisons to provide training, education and real job experiences, as well as drug and alcohol treatment for those who need it. Nearly 75% feel that most former prisoners will continue to need assistance after release in order to lead productive lives, and most support strategies to provide that assistance and remove barriers to success.

The Current Opportunity

While there are unquestionably challenges posed by the realities of prisoner reentry, this is also time of considerable opportunity for the state to increase public safety, deploy its resources more wisely, and improve the lives of returning citizens, their families and their communities. New Jersey is not alone in trying to solve these problems. Most states have begun grappling with the best way to change policies, practices and resource allocation to be smarter about reentry. Major policy institutes and national intermediaries, including the Urban Institute, the National Council of State Governments, the Vera Institute, the National H.I.R.E. Network and the National H.I.R.E. Network and the National Governor’s Association are raising the national profile of reentry as serious policy concern, expanding the knowledge base with research on the phenomenon and existing best practices to address it. The federal government has funded demonstration projects in the fifty states focusing on serious and violent offenders; New Jersey has received $2 million under this program, and is piloting an initiative with adults and juveniles in Newark and Camden, building on the work of the Greater Newark Safer Cities Initiative. This summer, New Jersey was picked to be one of seven states to participate in the National Governor’s Association Reentry Policy Academy. With the extensive groundwork completed by the NJRR, the interagency collaborations already in place through the Serious and Violent Offender Reentry Initiative, and the opportunity provided by the NGA, New Jersey is well placed to take a national leadership role in this area.
II. CENTRAL FINDINGS AND RECOMMENDATIONS

What follows is the core of the New Jersey Reentry Roundtable’s recommendations for improving New Jersey’s approach to prisoner reentry. It is intended to include and build on some of the important and innovative steps that the state has already begun to take, and chart a direction forward. These ideas represent the combined wisdom of experts and stakeholders here in New Jersey and models and ideas from around the country. This list does not, and could not, address every aspect of the complicated reentry challenge as we have defined it, but it is still ambitious, intentionally so. As described above, it was the conclusion of the NJRR participants that the importance of this issue for New Jersey’s future warranted a serious and far-reaching response.

These findings and recommendations are made in the context of some overarching challenges, which are not specifically addressed below but must be kept in mind. In order for any change to occur, there must be sufficient political will, which depends in part on greater public awareness and understanding of the issues involved. Many of the ideas within are not new, but the leadership to move them forward has been lacking. It is critical, in light of the highly politicized nature of criminal justice policy, that our policy and programmatic responses be based on sound empirical evidence. Improving data collection and ensuring that new and existing approaches are thoroughly evaluated will be critical to moving a smart agenda forward.

1. Begin reentry preparation at entry.

FINDING: Even within existing budget constraints, periods of incarceration can be used far more effectively to maximize successful reentry. While it is critical that prison facilities be secure and that prisons serve the public’s interest in punishment and deterrence, it is as important to public safety that time spent in prison include meaningful preparation for productive and law-abiding life outside prison. To a large extent, the investment required to achieve this has not been made. The majority of inmates enter prison with low educational attainment, limited legitimate work experience and job skills, disproportionately poor health and high rates of drug and alcohol addiction and mental illness. Failure to use resources to address these issues and other risk factors while individuals are incarcerated represents a costly missed opportunity to reduce recidivism and improve public health. There is considerable knowledge now about what does work in prison programming, and about successful and promising models being implemented here in New Jersey and in other states; we should act on this knowledge to improve how we use incarceration to achieve better outcomes.

RECOMMENDATIONS:

A. Prioritize comprehensive assessment. A significant tool for preparing prisoners for release and thereby using criminal justice resources most effectively is comprehensive screening and assessment at the beginning at intake and continuing during incarceration and in preparation for release. In particular, use of objective risk/needs assessment tools that have been proven effective, such as the LSI-R, which is already being used as part of transition planning in the Serious and Violent Offender initiative, should inform internal prison placement and classification decisions and individual planning based on identified needs and should also, at the aggregate level, inform overall decisions about institutional resource allocation. Additional screening and assessment instruments specifically addressing health and mental health issues should also be completed at intake.

• New Jersey should set a long term goal of comprehensive risk-needs assessment at three points: upon intake, at least once during incarceration, and as part of the parole decision-making process and transition planning for all inmates. New Jersey’s approach to preparing prisoners for release should be grounded in assessment. Individual assessments should lead to greater case management, focused on using the time spent in prison to address health and treatment needs and other dynamic risk factors that research has shown impact recidivism and reentry success. The assessment tool used should be consistent across time and across agencies, so that individual progress and program effectiveness can be measured appropriately.

• In the short term, New Jersey should aim to begin performing risk/needs assessment at intake for all prisoners, and as part of parole decision-making, within the next year. Risk/needs assessment at intake using a validated instrument is considered a “best practice” by the National Institute on Corrections. The Department of Corrections is seeking budgetary support in FY 2005 for the staff, data processing capability and equipment to begin using an objective risk/needs assessment tool at intake at the Central Reception and Assignment Center.
Facility and Edna Mahan Correctional Facility for Women. The estimated cost is under $1 million. This approach represents an important strategic use of limited resources to achieve better public safety outcomes. Use of such a tool by the State Parole Board should be expanded beyond the federal grant target population and be incorporated into the parole decision-making process; this is, in fact, required under state law.

• Comprehensive health screening and assessment should be a priority at intake and throughout incarceration. In addition to instituting regular risk/needs assessment, New Jersey must insure that all inmates are both screened and thoroughly assessed for chronic and communicable diseases, substance abuse and mental illness. It is critical to expand DOC’s capacity to identify offender health and behavioral health problems and assess treatment needs.

B. Target resources towards sound in-prison programming and treatment. Program and treatment approaches based on solid evidence of efficacy, appropriately matched to the risks and needs of individual inmates, represent a valuable investment of criminal justice resources. In Part Three of this policy report, we list the specific findings and recommendations of the New Jersey Reentry Roundtable addressing health, mental health, substance abuse, education, work/vocational training, and juvenile reentry. The fundamental premise of these recommendations is that we should be doing more with existing knowledge about reducing recidivism and improving outcomes, and while it will require resources to make the smart choices in these areas, we can invest them in a cost-effective manner to reduce risk and increase the chances of reentry success. There are good program ideas already in place in New Jersey prisons, but at present are not sufficiently funded to match existing need. It is critical, however, to measure the effectiveness of these and any new programs, according to clearly defined outcome measures.

C. Expand responsibility for preparing prisoners to live in the community to experts and stakeholders outside prison walls. In our recommendations in Part Three, we have highlighted areas in which New Jersey should be working to integrate prison programming and services with those serving the community at large, so as to create more opportunity for continuity, avoid wasteful duplication of parallel systems, achieve economies of scale and capitalize on the broad range of expertise available in New Jersey. Workforce development experts (public and private), employers, medical care and behavioral health treatment providers, faith based organizations and, in particular, the families of inmates can serve as bridging institutions between life inside and outside prison, and should be involved in prison life long before release.

2. Manage the transition back home.

FINDING: The transition period from incarceration to community living is critical to the long term goal of achieving the stable reintegration of former prisoners and has in the past received insufficient attention from the broad set of necessary decision-makers and institutional stakeholders. This transition needs to be accepted as a distinct phase spanning at the very minimum the six to nine months prior to release and the six to nine months after release, requiring specific planning and preparation, the establishment of linkages to community supports and, post-release, sufficient resources and supervision in a community setting to prevent recidivism. According to the Bureau of Justice Statistics, about half of all the rearrests that occur within three years of reentry occur in the first six months. Greater investment in the transition period must extend beyond simply supervision to catch people when they do wrong, but must focus on making it possible for people to do right. Part Three of this report contains specific recommendations for pre- and post-release strategies around particular issues. More general recommendations are below.

RECOMMENDATIONS:

A. The reentry process should be supervised and supported: The percentage of released inmates who return to their communities each year without any parole supervision has grown steadily over the past ten years to about one third of all releases. Just over half of these “max outs” have already failed once on parole, and others have either not been granted parole because of their in-prison behavior or have chosen to serve out their sentences to avoid parole supervision; these are not prisoners who should be released without supervision or transitional support. A comprehensive, strategic approach to improving reentry outcomes should not exclude such a significant group of released prisoners.
II. CENTRAL FINDINGS AND RECOMMENDATIONS

• As a long term goal, while we need to know more about the impact of unsupervised release on individual reentry success, New Jersey should include a period of community supervision as the final part of all sentences, not extending sentences but ensuring that some part of them are served in a community setting. In Delaware, for example, the last six months of all sentences are served in the community, under supervision and may or may not be followed by a continuing period of parole as well. Given that the greatest risk period for rearrest is during the first year post-release, it makes smart policy sense to combine this supervision with a frontloading of supportive services, and also to make the length of the community supervision period partly contingent on individual compliance. As discussed at greater length below (see Finding #5), we recommend that parole supervision be made more flexible and responsive to both good and bad behavior, with greater investment in alternatives to reincarceration and eventual “max out.”

B. Clearly allocate reentry-related responsibilities among relevant state agencies, and hold each accountable for results. At present, there is inadequate coordination among multiple inside and outside agencies with separate, sometimes conflicting, agendas involved with prisoners’ transition to the community. This poses a significant challenge to improving how we manage that transition. These problems of coordination and accountability are, of course, not unique to New Jersey, and the state should take advantage of existing models, such as that developed by the National Institute of Corrections “Transition from Prison to Community Initiative,” to allocate responsibility among the state’s criminal justice stakeholders, including the Department of Law and Public Safety, the Department of Corrections, the State Parole Board, and the Administrative Office of the Courts, and the state’s human service agencies, including the Department of Human Services, the Department of Health and Senior Services, the Department of Labor, the State Employment and Training Commission, and the Department of Education.

• New Jersey should take advantage of the National Governor’s Association Reentry Policy Academy, which has brought together a cabinet level team to focus on reentry, to develop the interagency partnerships needed to plan and implement changes in reentry policy and practice, and to clarify responsibilities among key stakeholder agencies. New Jersey was picked as one of seven states to take a national leadership role in developing smart policy approaches to prisoner reentry; using this year to put in place a model of statewide interagency coordination would be a smart use of that opportunity. As that process goes forward, the NGA team can define the key tasks necessary to manage the transition, assign responsibility for each to the relevant state agencies, and identify the accountability and outcome measures that will indicate progress. Specifically, the team should establish clear outcome benchmarks appropriate to each state agency, including recidivism reduction but also, for example, post-release employment, taxes and child support collection, educational attainment, hospitalization, and crime rates attributable to released prisoners.

• The Governor should designate one person on his staff or among cabinet members to be the primary point person on reentry, charged with ensuring the continuing cooperation and coordination of all agencies with reentry-related tasks, and reporting regularly to the Governor on progress toward clearly defined outcomes.

C. Significantly expand access to community corrections beds. While the number and use of community beds has grown considerably over the past ten years, only about twenty percent of those released last year transitioned from prison back home via a halfway house experience. This is a critical first step in staged community reentry, and should be a part of all transition planning. The alternative, that individuals who will eventually return to the community have no transition stage from prison living to community living, makes little policy sense. At present, though, halfway house use is constricted not simply by bed availability, although this is part of it, but also by policy decisions and statutory restrictions on the kinds of individuals who are eligible for community placement. The DOC and the SPB differ on who is most appropriately served by halfway houses, and legislative restrictions respond to the public’s generalized safety concerns (which do not take into account actual risk and the certainty of eventual release). Such barriers to effective use of these resources must be addressed. New Jersey’s long-term goal should be to ensure that every state prisoner transitions to community living through a community corrections placement, as is done in the federal system.
D. **Discharge planning for all returning prisoners.** New Jersey must develop a strategy to ensure that no one returns home from prison without advanced preparation and specific planning around housing, employment, education, health care, and other basic needs. For most inmates, this preparation and planning is nonexistent. Discharge planning protocols are being developed through the Serious and Violent Offender initiative; while it is important that these tools be tested and evaluated, the DOC and the SPB and their partnering agencies should already be planning how to expand use of these protocols to the general population. At minimum, all individuals leaving state custody should have all necessary identification documents, a copy of their medical records, necessary medical appointments made and sufficient prescription medication to last until that appointment, and applications submitted and eligibility determined for any applicable public benefits. Because stable housing and employment play a significant role in reentry success, all individuals leaving state custody should also have a realistic plan to address these needs.

E. **Preparation for release should include families.** The families of individuals returning home must be integrated into the planning process for release; as noted above, the family is a key “bridge institution” that can help with reintegration, continuing long after any formal supervision has ended. This must extend far beyond a pre-release visit by parole, and include pre-release services and counseling for families to help them adjust to a family member’s return from prison, and post-release support. As noted below, we recommend that the state look to pilot a community level program to provide a locus of family support and family partnership with the criminal justice system, building on learning from organizations like Family Justice, Inc. In addition, the state should develop strategies to get and keep families involved during the incarceration period and address the barriers that block their involvement. In Oregon, for example, the Department of Correction and Rehabilitation holds regular orientation sessions for family members in their communities. Texas holds annual meetings for family members. Washington State provides a detailed orientation manual for families. New Jersey used to fund a bus service that would bring family members to the prisons, many of which are otherwise not easily reachable. Similar strategies should be put in place in New Jersey, but as a first step, New Jersey should assess thoroughly how families are currently involved (or excluded) throughout incarceration and release preparation, and use this assessment to identify ways to incorporate and develop family support.

### 3. Remove unnecessary barriers to reentry success.

**FINDING:** Former prisoners are rightly held responsible for their actions and their role in becoming productive citizens, but they are impeded by too many unnecessary and unproductive legal and regulatory barriers. While public safety dictates certain on-going protections and prohibitions, too many of our laws do not give those who have finished their prison terms a fair opportunity to succeed and do not advance legitimate security interests. Public policy affecting released prisoners should encourage and not prevent productive, pro-social behavior. At present, a broad range of statutes limit the employment opportunities for former prisoners, exclude them from public benefits (including housing assistance and food stamps), limit access to educational loans and grants, restrict voting rights and jury service, and severely curtail driving privileges, among other things. In August, 2003, the American Bar Association (ABA) approved new standards for such “collateral sanctions,” which can provide guidance to New Jersey on how to reform its current approach to increase fairness, promote responsibility, and protect the public.

**RECOMMENDATIONS:**

A. **Provide clear information about all collateral sanctions:** At present, the many statutory restrictions affecting convicted offenders in New Jersey are found throughout state’s statutory code, making it extremely difficult for an individual to know in advance or even after conviction for a particular offense what additional sanctions apply. New Jersey should follow the ABA example and either collect or reference all collateral sanctions in one chapter or section of the New Jersey Statutes, so that applicability and duration are readily identifiable. In addition, collateral sanctions that will significantly impact post-conviction rights and opportunities should not be a post-release surprise. Defense counsel and the courts should have an administrative responsibility to ensure that criminal defendants are made aware of major collateral sanctions before they accept a plea of guilty.
B. **Limit collateral sanctions**: As a general principle, New Jersey should seek to eliminate collateral statutory penalties and disqualifications that inhibit reintegration and do not respond to reasonable public safety concerns. In Part Three, we specify a number of particular statutory provisions affecting employment, benefits, housing, family integrity and civic participation that fall into this category. Recommended changes include:

- Removing occupational and licensing bars (e.g., all airport employment, all public employment, home health care) where there is no significant connection between the basis of the conviction and the employment involved, and ensuring that those bars that are imposed are time limited, unless warranted by individual circumstances;

- Opting out of the federal ban on Temporary Assistance to Needy Families (TANF), General Assistance (GA) and Food Stamp receipt for drug offenders, which is permissible under federal law and which would allow New Jersey to use TANF money creatively with the reentry population to assist in reintegration and reduce recidivism.

- Providing judges increased flexibility to decide whether to suspend the driver’s licenses of individuals convicted of non-driving related drug offenses, or to modify suspension orders, when a license is needed for post-release employment, training or treatment.

C. **Provide for modification of or relief from collateral sanctions based on good behavior**: Pro-social behavior and positive steps toward rehabilitation ought to be encouraged through the laws affecting those with criminal convictions. New Jersey should extend its Rehabilitation of Convicted Offenders Act to allow former prisoners to apply for a “certificate of rehabilitation” that will provide for relief from some or all civil disabilities upon a showing of credible evidence of rehabilitation. New York, Illinois, and several other states have created similar procedures.

D. **Additional Work Supports**: Two of the greatest employment barriers facing former prisoners (as well as other low income workers) arise from the laws affecting driver’s license suspension and child support garnishment.

- New Jersey should follow the lead of the majority of states and enact a conditional driver’s license statute, creating a restricted use driver’s license that will permit individuals with non-safety related license suspensions to drive for the limited requirements of work, school, training or treatment programs.

- New Jersey should adopt a statewide policy to suspend the accrual of child support arrears during a period of incarceration; currently, policy in this area varies county by county. Experts know that the significant debt that piles up while an individual is incarcerated not only will not, in most cases, get paid, but will also serve to deter payment of on-going support for and active involvement with the children involved. In addition, we should increase flexibility for payment of child support arrears for low-income noncustodial parents, by lowering the garnishment maximum for low wage workers, currently at 65% of wages, and should pilot a program to reward employment and payment of current support with gradual relief from any arrears owed to the state (to reimburse it for public assistance payments for the children).

4. **Support Neighborhoods and Families.**

**FINDING**: Particularly given that most prisoners return to a limited number of communities, the absence of an effective reentry strategy harms families and destabilizes neighborhoods. We can better use limited criminal justice resources for post-release support/aftercare and for other recidivism prevention efforts by targeting interventions at the neighborhoods most affected by reentry. Moreover, both the families and the communities to which prisoners return have strengths and resources that are rarely recognized, utilized or respected by the criminal justice system. Building on those strengths and collaborating with potential allies outside the usual suspects should be a part of New Jersey’s reentry strategy.

**RECOMMENDATIONS**:

A. **Create neighborhood-based interventions**: New Jersey should work to centralize information and resource coordination for former prisoners in the areas where they live. One approach being considered by other states and localities is the creation of community-based transition centers for returning prisoners and probationers. Parole and probation officers with geographic caseloads would
work out of the centers, which could also provide case managers/resource coordinators to connect individuals and their families to community supportive services, and provide direct connection and collaboration with the One Stop Career Centers. Such centers need community advisory boards, which would include the families of offenders as well as victims, to ensure that the neighborhoods involved play a role in determining how prisoners are received back home. The State Parole Board has begun experimenting with a place-based model at the Seth Boyden public housing project in Newark.

B. Bolster existing community capacity to work with returning prisoners and their families: Community and faith based organizations in areas with large numbers of returning prisoners need additional orientation, training and support to respond to the specific needs of individuals with criminal records. We need to insure that these groups get the benefits of information and resources developed by national intermediaries such as Public/Private Ventures, Inc., and the National H.I.R.E. Network at the Legal Action Center. New Jersey should also consider piloting a community-based employment intermediary to improve employment rates and retention for former prisoners, and an local program to engage and support the families of individuals involved in the criminal justice system (see Part Three).

C. Create county-specific resource and planning guides for individuals leaving prison. All reentry is local. Former prisoners return to particular neighborhoods in municipalities across the state, and need basic local knowledge of existing resources and opportunities that can help them get back on their feet. Currently this information is not made available either to them or to the institutional staff that could help them plan post-release life and make pre-release linkages to community agencies, clinics and treatment facilities, job training and placement programs, emergency food and shelter providers, and other community supports. A transition resource and planning guide should be part of pre-release preparation and the post-release basic tool kit that each released prisoner receives.

5. Use opportunities to cut costs and reallocate resources.

**FINDING:** The cost of maintaining and increasing bed space in state prison facilities has driven up correctional spending in New Jersey at more than twice the rate of the budget as a whole, while funding for programming and treatment has not kept pace, and in many instances has decreased. Particularly in light of the current fiscal crisis, the state must seek to ensure public safety by using criminal justice resources in a more targeted and cost effective way. Cutting the costs associated with incarceration without increasing the risk to the public is a substantial challenge to the state. In the long term, reducing recidivism by handling reentry better will save the state and counties money. In the nearer term, we should look to strategies that represent smart reallocations of resources to less costly alternatives to incarceration.

**RECOMMENDATIONS:**

A. Reduce returns to prison for “technical” parole violators: The percentage of annual admissions to prison representing individuals who are returning parole violators has grown steadily over the past twenty years and now stands at 40%. Most of these returns are ostensibly for “technical violations,” occurring when parolees violate the terms of their parole (e.g., by failing to show up for appointments, failing drug tests), and not for actually breaking the law. In reality, experts know that some parolees are reincarcerated on technical parole violations even when they have been rearrested for a new crime, because it is a faster and cheaper way to put them back behind bars. Despite the fact that over a third of our annual prison admissions are these parole violators, who serve on average an additional nine to twelve months in a state prison bed, good empirical knowledge about how and why these violators are returned to prison is lacking.

- In 2001, New Jersey participated in a National Institute of Corrections technical assistance project to develop policy-driven responses to parole violations, which included a review of some empirical data from two parole districts and led to recommendations for improved use of risk assessment and greater responsiveness to parolee violations. In the short term, New Jersey should build on the results of this project and follow these recommendations and also begin to gather more comprehensive empirical data on the use
of technical parole violations to reincarcerate. The State Parole Board should move towards a system of greater transparency regarding this kind of decision-making, and increased flexibility to adjust the conditions of supervision to match individual parolee behavior.

- New Jersey should make greater use of more targeted and less costly alternatives to reincarceration for individuals who are truly technical parole violators. A continuum of sanctions enabling parole offices to respond appropriately to parolee risk and behavior, including mandatory drug treatment for evidence of continuing drug use, halfway back programs, day reporting centers, electronic monitoring, or more intensive parole supervision, are already available to some degree in New Jersey, but their use is often driven by space availability and officer caseloads. These approaches should be used more effectively. In addition, graduated sanctions for levels of noncompliance should be supplemented by graduated rewards for compliance, including more limited supervision and early termination of parole.

- Where some kind of reincarceration is appropriate for a parole violation, New Jersey should shorten the length of stay on return. The Parole Act currently sets the maximum length of incarceration on a technical parole violation at one year, which can be reduced to as low as nine months for earned good time and work credits. Reducing the maximum prison term for technical parole violators to six months would still constitute a significant punishment but could save the state considerable resources. It would also allow for a period of parole supervision prior to max out.

B. Use alternatives to incarceration where appropriate: For many convicted offenders, a term of incarceration is the most appropriate sanction. For others, alternative forms of punishment and criminal justice control and supervision may not only be more cost effective but also more likely to increase public safety in the short and long term. New Jersey has developed two approaches, described below, targeted to certain types of offenders based on a rigorous assessment of risk and needs, that should be expanded, allowing the most costly prison-based rehabilitative and reentry resources to be used on a more limited incarcerate population.

- Expand the drug treatment option: The DOC estimates that about 80% of state inmates have some substance abuse problem, with more than half having a moderate or greater drug abuse addiction. In New Jersey, drug courts provide an alternative to prison for serious drug offenders with substance abuse addiction, using drug treatment and on-going court supervision to reduce the underlying causes of criminal behavior in addicts and reduce recidivism. Currently operating in 10 vicinages (representing 13 counties), the drug court initiative should be fully funded to expand to the remaining 5 vicinages. In addition, we recommend that N.J.S.A. 2C:35-14 be amended to grant judges the discretion to offer drug court participation to those with two or more prior nonviolent convictions, and to order participants to attend nonresidential treatment (as opposed to just residential) where clinically appropriate. Although a full evaluation of the New Jersey drug courts has yet to be completed, initial data show high retention rates and low rearrest rates, and the effort has broad support, from treatment advocates to law enforcement officials.

- Expand the Intensive Supervision Program (ISP): ISP allows certain lower level (third and fourth degree), nonviolent convicted offenders serving terms of incarceration to be released, following a rigorous application and evaluation process, to serve their sentences in the community under intensive supervision by their sentencing court and specialized probation officers. Evaluations of the program have shown positive effects on recidivism and ISP records show impressive employment rates as well. Currently serving about 1200 individuals statewide, the program can and should be expanded. We recommend that eligibility be expanded to include well-screened candidates with nonviolent second degree convictions as well.

C. Sentencing reform: While sentencing reform and other “entry” issues were outside the scope of the NJRR, we have recognized that the division between entry and reentry issues is an artificial, or at least a porous boundary: who comes out of the criminal justice system is directly affected by who comes in, and how they come in. The policies that determine these entry parameters have substantial financial implications for the state.
Concerns about the fairness, proportionality and cost effectiveness of New Jersey’s current sentencing practices under Title 2C have been raised by a broad range of participants in the criminal justice system, from prosecutors and law enforcement to public defenders to corrections professionals to legislators, and while sentencing reform will always be a politically charged issue, this appears to be the right moment to begin re-examining our approach.

- New Jersey should undertake a comprehensive review of sentencing law under Title 2C as it has evolved and been amended since 1979, and make recommendations for appropriate sentencing reform. The effort should have adequate funding and a short but sufficient time line for completing its work.


FINDING: Because juveniles are children and not adults, the strategies and systems of juvenile reentry must be distinct from those for adults and should recognize the unique developmental and social dynamics of adolescents. Detailed findings and recommendations to improve juvenile reentry outcomes are included in Section Three. The central recommendations are below.

RECOMMENDATIONS:

A. Families — broadly defined — need to be deeply involved with the reentry process, beginning as soon as the decision to detain the juvenile is made. Even more than adults, young people rely for their healthy development and success on the families around them. These families may take a variety of “traditional” or “non-traditional” forms, but are united by the fact that they represent by far the strongest sources of ongoing support for young people departing detention. Public officials, county and state, should reach out aggressively to identify, locate and involve children’s families in planning for the children’s release as soon as it is clear that the young person will be detained. The family’s involvement should be frequent and sustained, and the government should facilitate all necessary steps (flexible scheduling, providing transportation, etc.) to eliminate impediments. While some detained juveniles’ families themselves present myriad challenges, from substance abuse and domestic violence to child neglect and abuse, and involving them meaningfully presents significant challenges, the task should still be paramount.

B. Public systems other than juvenile justice must be fully engaged and fulfill their responsibilities to this population. Young people involved in the juvenile justice system are almost always involved (or should be involved) in other public systems, including primarily those dealing with mental health and child welfare, and local public schools. At the moment a child is arrested — a moment of greatest need and vulnerability, when services and support should often “flood the zone” to prevent a child from falling deeper into the justice system than necessary or warranted — other systems far too often abdicate their responsibilities. The child welfare system fails to provide necessary placements for youth, frequently leaving judges with no alternative to locking the child in the detention facility. The mental health system does not provide services essential to this population, leaving the JJC to invent a duplicative system in an area properly outside its expertise. Public schools devise all manner of unofficial ways to make these young people — who may have records of failure and behavioral problems, and may drive down mean standardized test scores — feel unwelcome. Given the increasing importance of education to success in our economy, this dynamic plays a large role in undermining young people’s life chances.

The leaders of all these systems should commit to making the needs of young people in the juvenile justice system a priority, and the state should consider statutory changes to catalyze this process (by, for example, proscribing the detention, pre- or post-adjudication, of a young person for whom a DYFS placement is deemed the most appropriate setting).
II. CENTRAL FINDINGS AND RECOMMENDATIONS

C. New Jersey should engage in a county-based but ultimately state-wide detention alternatives initiative.

The reentry challenge for juveniles arises in part from inappropriate “entry.” New Jersey young people are too often placed in detention unnecessarily, when they do not pose significant danger of either re-offending or absconding prior to their court dates. Successful efforts to address this problem have been implemented in a number of states, most notably in the context of the Juvenile Detention Alternatives Initiative (JDAI) sponsored by The Annie E. Casey Foundation. This initiative requires all the relevant players — judges, prosecutors, public defenders, service providers, Youth Service Commissions, police, and others — to act in concert, on a local level but strongly supported at the state level, to develop and implement objective criteria for decision-making at every stage of the juvenile justice process. The Juvenile Justice Commission, in partnership with other state and local officials and with the support and involvement of the Casey Foundation, is appropriately pursuing such an agenda.


FINDING: African Americans and Latinos are vastly disproportionately over-represented in state prisons and juvenile detention facilities, and serious steps should be taken to address this. While the entire state bears the substantial economic and social costs of incarceration/detention and reentry, the impact is felt most severely by New Jersey’s low-income families and communities of color. Many have come to accept this as normal or inevitable. It is neither, and must be addressed and remedied as a fundamental affront to our state’s dignity and decency.

RECOMMENDATIONS:
A. Disproportionate Minority Contact (“DMC”) should be defined and addressed as a fundamental problem confronting New Jersey, on both the adult and juvenile levels. Since the mid-90’s, DMC issues have been viewed as relevant to juvenile justice systems, owing to a statutory mandate to study the matter in the reauthorization legislation of the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (“OJJDP”). Though little has been accomplished thus far nationally, the subject at least receives the attention of relevant public officials. There is now ongoing New Jersey initiative, jointly sponsored by the Judiciary, the Attorney General, and the Juvenile Justice Commission, requiring each county’s Youth Services Commission to study this issue in detail, and move to action as soon as evidence based approaches can be developed. While more refined analysis is always useful, we know now that this is a significant problem and the YSC’s should move forward as expeditiously as possible. One element of a remedial strategy would be for the JJC to require that the Youth Services Commissions target some of their State-Community Block Grant funds toward remedying this problem, and hold the Commissions accountable for results.

For adults, DMC has not been considered a problem worthy of significant public attention (except in the context of racial profiling). It should be. New Jersey should become a national leader by framing this problem as encompassing both the juvenile justice and adult criminal justice systems. As a first step, the Attorney General, working with other relevant officials, should take the lead in catalyzing a statewide analysis of DMC issues in the adult context, analogous to the one now being conducted in the juvenile context.

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3 This subject was until recently generally referred to as Disproportionate Minority Confinement. The Department of Justice has recently adjusted the nomenclature to Disproportionate Minority Contact, in acknowledgment of the fact that the issue is manifest at numerous decisional stages of the criminal justice process, not only in the decision of whether or not to confine.

4 As a general matter, the juvenile justice system entails more discretionary, rather than mandated, response by various justice system actors, and as a result is more amenable to DMC-reduction via administrative, rather than legislative, reform. Other differences in the two systems are also relevant. But the general point here — that DMC is, and properly should be considered, a problem in the adult system, too — remains true.
B. In both the adult and juvenile contexts, agendas should be developed and implemented to reduce the reality of DMC. The experience of Multnomah County (Portland), Oregon, which has the implemented the most successful DMC-reduction program in the country (in exclusively the juvenile justice context), demonstrates that such efforts must:

- Be long-term: DMC-reduction is a challenging process. All the relevant institutional actors must remain focused on the goal, under effective leadership, for the long haul.

- Be data-driven: As much or more than in any other area of public policy, the detention rates of minorities is a subject fraught with assumptions, suppositions, rumors, anecdote-driven policy-making, and the constant possibility that justice system personnel may be acting, even if unconsciously, in accordance with historical prejudices rather than the facts of the individual person and situation at hand. The rigorous use of data is the only way effectively to cut through all of this, to identify the actual problem spots in the systems, and develop methods effectively to remedy them. At present, all the relevant and accurate data needed is not available in New Jersey, and various departments employ differing definitions of the same terms, and have computer systems that cannot interface. Serious attention to these problems must be a central part of an effective DMC-reduction program.

C. Develop and abide by objective criteria for decision-making at all relevant steps of the criminal and juvenile justice processes: The more decision-making at all relevant points (bail, pre-trial detention, parole, parole revocation and its consequences, et al.) can be reduced to appropriate, objective criteria focusing exclusively on the relevant factors (for example, risk of flight and dangerousness, in the bail/pre-trial detention decision) to the exclusion of all others, the less opportunity there is for extraneous, potentially pernicious factors to infect the process. This is not to say that judicial decision-making should be rendered formulaic. It should not. Effective DMC-reduction efforts do not cabin judicial discretion; they inform it. Judges are uniquely positioned to evaluate the individual person and circumstances of each case, and must always maintain the prerogative to “override” the recommendation of even the most refined evaluative instrument, drawing on a range of appropriate dispositional options.
In its work over the past year, the NJRR has sought to assess what we know about prisoner reentry in New Jersey, to identify the barriers to successful reintegration and the opportunities for improving outcomes, and to refine an appropriate strategic approach in response. The list of topic-specific findings and recommendations below reflect the discussions and presentations at five sessions, commissioned papers and other research conducted for the NJRR. The papers and presentations which have informed these recommendations are listed in the Appendix, and are available on the New Jersey Institute for Social Justice website, or directly from the Institute.

Throughout this section, we make both programmatic and policy recommendations. In all of these cases, it is our belief that any of these new approaches should be “evidence-based,” driven by data and solid research where available. We also, however, believe that New Jersey should be willing to try out new and promising, if untested, ideas, as long as we link them to measurable outcomes and evaluate their efficacy.

1. Employment

Relevant NJRR Papers and Presentations:

- John J. Heldrich Center for Workforce Development, “Employment Opportunities for Ex-Offenders in New Jersey”
- Bruce Western, “Incarceration, Employment and Public Policy”
- Debbie Mukamal, “Legal Consequences of Incarceration for Reentry”
- Nancy Fishman, “Briefing Paper: Legal Barriers to Prisoner Reentry in New Jersey”
- Feedback Paper: Session Three

Our definition of successful reentry includes steady, legitimate employment and economic self-sufficiency. From the individual’s perspective, employment provides necessary financial support for individuals and their families, provides an alternative to criminal activities, and constitutes an important part of individual identity and a source of self-respect. For parolees, work is also usually a condition of parole. From the state’s perspective, employment for former prisoners reduces recidivism, increases state tax revenues, reduces family financial instability and dependency on the public fisc, and increases the economic viability and stability of the communities where former prisoners live.

Finding and keeping a job, however, is one of the most difficult challenges facing individuals leaving incarceration. The majority of individuals returning home after being incarcerated entered prison with low education and literacy rates, limited job-specific skills and little prior work experience. The average education level of state prison inmates is 6th grade in reading and slightly lower than that in math. Further, research suggests that time spent in prison can reduce lifetime wage expectancy through the loss of work experience during peak earning years and the diminishment of work related skills. Time spent in prison also weakens the community-based social connections that can provide links to employment and provide the social support that makes employment possible. The negative social networks that are accessible in prison — gangs — can fill the gap when individuals are distanced from their community ties. As noted above, returning prisoners face a host of legal barriers that permanently limit their access to particular jobs and sectors of employment, and make getting and keeping a job difficult. Even in sectors where legal barriers do not exist, many employers remain reluctant to take a chance on hiring individuals with criminal records, and tough economic times mean job opportunities for the least desirable workers are even more limited. Most individuals leaving prison return to neighborhoods in urban communities far from the suburban areas where most job opportunities lie.

It is in the context of these substantial challenges that we make the findings and recommendations below.

Pre-Release Preparation

1. Educational and vocational education programming in prison is a fundamental part of preparing prisoners for successful reintegration. This was the basic conclusion of the Corrections Education Task Force of the State Employment and Training Commission six years ago and is now seconded by the New Jersey Reentry Roundtable. Educational attainment is inversely linked to recidivism, and individuals without a sound basic education and marketable skills are unlikely to succeed, even at the most basic level, in New Jersey’s highly competitive job market. As noted above, the average educational attainment level of state prison inmates is about 6th grade, which means that half are performing at an even lower level. Currently, individuals in the adult system who are under 20 year of age (less than 2 percent of the population) and who do not possess a high school degree or G.E.D. certificate must receive an appropriate secondary education while in prison, and the DOC provides pre-
secondary and secondary education for them, within the constraints of the correctional environment. No education is mandated, however, for individuals over 20 who lack basic education or vocational skills, and while remedial classes and G.E.D. preparation are available at every state prison facility, along with some pre-vocational and vocational programs, resources are extremely limited. The DOC’s passage rates for the G.E.D. compare favorably with passage rates in the general population, but the opportunity to prepare for and take the test is not broad. Less than 25% of the prison population participates annually in educational or vocational programs.

RECOMMENDATIONS:

1A. Include development of educational and vocational plan as part of the intake assessment process. Currently, inmates are assessed using the Test of Adult Basic Education (TABE) at intake, and also administered an additional screening instrument to identify their vocational interests. These tools are used to assign inmates to jobs within the facilities, assign them to educational programs if they are under the mandatory age limit or guide placement if they are over that age but want to access educational programming. As part of the intake process, building on the screening and assessment that is done, the DOC should conduct individualized case planning related to education and post-release employment readiness, setting individual attainment goals throughout the term of incarceration.

1B. Pre-secondary and secondary education on demand. As a long term goal, New Jersey should be able to provide basic education on demand for inmates of any age who have less than a high school diploma. Our goal should be to expand resources and space allocation to provide the same program availability that currently extends to inmates under 20 to those over 20 who want to continue their education to at least the high school level. Literacy, a middle school-level education, a G.E.D. are not considered luxury items in New Jersey, and the hard work required to achieve these goals for individuals with a history of academic failure represents the kind of work that should be encouraged and that the public supports. All of the limited education resources in the adult system are currently weighted toward inmates under 21, who make up a very small portion of the total inmate population, leaving behind older inmates who are often more motivated to change their lives.

Interim steps to this goal are possible and should be taken. They include: a) providing sufficient staff to provide adult basic education on demand for all inmates, regardless of age, with an education level below ninth grade; b) increasing the number of available GED preparation slots at each institution; c) ensuring, as part of transition planning, that individuals who want to continue their education after release have those resources identified for them and, where practical, that they are registered for classes prior to their release. Individuals who want to use time at a halfway house to continue their education should be encouraged to do so.

1C. The prison population should be incorporated fully into New Jersey’s workforce development strategy. We support the recommendation of the Corrections Education Task Force that the State Employment and Training Commission (SETC), working with the DOC, should take responsibility for facilitating interagency planning and involvement in providing employment, education and training services to prisoners and ex-prisoners. This makes good sense: the SETC, with representatives from multiple state agencies, is charged with preparing adult New Jerseyans to succeed in the labor market, ensuring that employers in the state have a skilled workforce, and coordinating state resources to achieve those goals. Individuals involved in the criminal justice system should be specifically included in this task. It is particularly important that the Department of Education and the Department of Labor be full partners in providing education and job readiness programs, supplementing DOC’s expertise in providing education in a correctional setting with resources and strategies designed for the broader New Jersey workforce. The Department of Labor is funding three “workplace literacy labs” at three prison facilities, a promising step. In addition, though, we suggest the development of a strategy to have the One Stop Career Centers reach in to serve inmates preparing for release.

1D. Increase Post-Secondary Education Opportunities. Post-secondary education has been shown to have a strong positive effect on post-release success, but since federal law put Pell grants out of reach for prisoners and individuals with felony convictions, opportunities for continuing education during incarceration past the high school level are almost non-existent in New Jersey, as
elsewhere around the country. Given the limited availability of funds, and space for programs, we recommend that New Jersey create greater opportunities for post-secondary distance learning, and greater involvement by New Jersey’s community colleges and public and private universities. In New York, for example, a consortium of universities created a degree-granting college program at Bedford Hills Correctional Facility, at little cost to the state, which served primarily prisoners but was also available to corrections officers and civilian staff seeking to earn college credits.

1E: Create a business advisory council for the vocational and job-readiness programs to ensure that the programs are providing the kind of experience and training that employers need. The Department of Corrections has worked with employers around the state to host job fairs inside institutions to begin orienting inmates to employment opportunities (and orienting some employers to potential employees). Employers can also be involved even earlier to help shape vocational training and job readiness programs to best meet the needs of the employment sectors most accessible to individuals leaving prison.

2. Employment inside prison should prepare individuals for employment in the community. Prison work experience, like any prior work experience, can play a role in facilitating reintegration. Research has found, in particular, that prison industry jobs and work release programs, which provide work environments similar to those individuals will face outside prison, can reduce recidivism and increase employment rates post-release. At present, there are not enough jobs for inmates who can be working: about 1800 work for DEPTCOR, New Jersey’s correctional industry program, another 1250 engage in public service work through the Community Labor Assistance Program, and others have service jobs within the prison. Individuals in halfway houses have greater access to community jobs, and at least one new program will specifically prepare residents for automobile industry jobs.

RECOMMENDATIONS:

2A. Engage unions in creating prison-based pre-apprenticeship and apprenticeship programs. With the cooperation of unions, particularly in areas like the building and construction trades, inmates can be prepared for and can take the apprenticeship exams that will qualify them for paid apprenticeships upon release. In addition, though, the DOL and the DOC should work with particular unions to develop opportunities for inmates who qualify to begin earning apprenticeship credits before they’re released.

2B. Consider participation in the federal Prison Industry Enhancement Certification Program (PIECP): Participating in PIECP, which would require legislative action, involves expanding prison industries to include work for private firms, usually within prison facilities; inmates get paid comparable wages to civilian workers, with deductions taken for room and board, taxes, child support, etc.; currently, 38 states participate. The program is not uncontroversial, due to, among other reasons, union objections and concerns about unfair competition for businesses and potential exploitation of prisoners. Still, the possibility of creating a New Jersey modification of this program which would not only provide a quality work experience during incarceration but also be directly connected to post-release employment, involving a public-private partnership with businesses and unions, makes it worth serious exploration.

3. Inmates should plan for post-release employment prior to their release. As noted above, employment is part of successful reintegration. While it is difficult for most individuals leaving prison to secure a job before they’ve left DOC custody, particularly as most do not transition through halfway houses in the communities to which they’ll return, planning for post-release employment can and should take place in advance. At present, aside from the “Going Home” federal grant pilot program, this does not yet happen in any systematic way. Job fairs and resume writing classes are available at some institutions, for prisoners nearing their release dates, but DOC staff are constrained by time, resources and geographic distance between the institutions and home communities of prisoners from providing more comprehensive pre-release planning or concrete links to job opportunities or community-based employment assistance. Individuals often arrive back on the streets without even the identification documents needed to apply for work or the transitional support of public assistance.

We have suggested above that the State Employment and Training Commission become central to facilitating the connection between prisoners and former prisoners and the public and private resources they need to find and keep jobs; part of this work should be the employment preparation
piece of discharge planning. New Jersey should make use of the One Stop Career Center system to assist with comprehensive vocational assessment, identification of and application for public benefits and sources of funding to pay for training and placement, and actual linkage with employers prior to release for job interviews post-release. This kind of approach is successfully in place in Texas, where Project RIO, a collaboration between the Texas Workforce Commission and the Department of Corrections provides job preparation and placement for inmates before and after their release. Even without such an innovation, the core steps below should be part of a discharge planning protocol.

**RECOMMENDATIONS:**

3A. **All prisoners should have basic employment documents in hand prior to release.** Standard protocol prior to release should include helping prisoners obtain the basic identification documents needed to qualify for legal employment and obtain a driver’s license in New Jersey. In addition, they should have copies of all documents necessary to certify educational attainment and completion of training or certification programs. This is work that many prisoners themselves can do, with some guidance and facilitation by counselors and by trained inmate paralegals.

3B. **Pre-release benefit application.** Prisoners should be able to apply for public benefits prior to their release, which can provide some transitional economic stability in the critical immediate post-release period and also ensure access to training and other employment assistance. Food stamp recipients, for example, are eligible for federal employment and training dollars, and individuals with disabilities can qualify for employment assistance through the Division of Vocational Rehabilitation. As discussed in more detail below, individuals with felony convictions for drug offenses are banned from receiving public assistance (TANF and General Assistance) and Food Stamps unless they have enrolled in or have completed licensed residential drug treatment. We recommend that New Jersey follow other states and lift the felony drug ban for food stamps and TANF/GA.

3C. **Pre-release linkages.** Discharge planning for prisoners should include concrete linkages to post-release employment opportunities, either in the form of a job interview or an appointment with or specific referral to an employment intermediary. As noted above, on-going involvement of the SETC and the Department of Labor would make this feasible.

**Post-Release**

4. **Laws and regulations should encourage and not hinder ex-offender employment.** A complicated network of laws affecting primarily those who have been convicted of indictable offenses, in some cases specifically those associated with drugs and in others with the general category of “moral turpitude,” constrain the ability of individuals released from prison to become financially stable through legitimate means and thus increase the likelihood of recidivism. While some specific limitations on employment are clearly warranted to protect the public, too many of the existing laws and regulations serve to make reintegration more difficult without advancing public safety. For example, individuals with criminal convictions are statutorily barred for life from about 22 different categories of jobs; a greater number of jobs require disclosure of criminal convictions and mandatory background checks, which effectively function as statutory bars. Notably, individuals are not routinely informed when considering plea agreements of the additional legal consequences that may follow from certain convictions, and judges do not have the discretion to tailor these collateral sanctions to the individual being sentenced.

**RECOMMENDATIONS:**

4A. **Provide clear information about all “collateral sanctions”:** At present, the many statutory restrictions affecting convicted offenders (“collateral sanctions”) in New Jersey are found throughout state’s statutory code, making it extremely difficult for individual to know in advance or even after conviction for a particular offense what additional sanctions apply. As noted above, New Jersey should follow the American Bar Association example and either collect or reference all collateral sanctions in one chapter or section of the New Jersey Statutes, so that applicability and duration are readily identifiable. In addition, defense counsel and the courts should have an administrative responsibility to ensure that criminal defendants are made aware of major collateral sanctions before they accept a plea of guilty.

4B. **Limit collateral sanctions:** As a general principle, New Jersey should seek to eliminate collateral statutory penalties and disqualifications that inhibit reintegration and do not address reasonable public safety concerns. The ABA has recommended that no collateral sanction, including occupational disqualifications, be imposed on persons convicted of certain offenses unless “the conduct
constituting that particular offense provides so substantial a basis for imposing the sanction that the legislature cannot reasonably contemplate any circumstance in which imposing the sanction would not be justified.”

One place to start would be by removing the blanket exclusion from any state employment of anyone with a criminal conviction of the third degree or higher, which provides no avenues for individualized decision making or consideration of rehabilitation. More immediately, New Jersey can empower sentencing judges to provide individualized relief from particular legal restrictions, at sentencing or any time thereafter.

4C. Extend the Rehabilitation of Convicted Offenders Act to provide for “certificates of rehabilitation” to enable ex-offenders to earn relief from legal restrictions. Certificates of rehabilitation are official documents that recognize that an individual has been rehabilitated, with the effect of restoring rights and lifting restrictions on licenses and benefits. Arizona, California, Nevada, New York and Illinois all provide for this kind of certificate. Currently, New Jersey’s law allows relief from any licensing discrimination upon certification from the parole board or supervising probation officer that the individual has achieved a degree of rehabilitation such that “engaging in the proposed employment would not be incompatible with the welfare of society.” The reach of this certification should be extended to provide relief from all of the applicable collateral sanctions, and should also be available to individuals not under supervision, or no longer under supervision, provided that they can make the requisite showing of rehabilitation.

4D. Make it possible for ex-offenders who are noncustodial parents to fulfill their child support obligations. New Jersey should adopt a statewide policy to suspend the accrual of child support arrears during a period of incarceration; currently, policy in this area varies county by county. Experts know that the significant debt that piles up while an individual is incarcerated not only will not, in most cases, get paid, but will also serve to deter payment of on-going support for and active involvement with the children involved. Suspending the accrual of on-going support during incarceration should not affect any arrears owed prior to incarceration or the states ability to reach the assets of convicted offenders.

We also recommend that New Jersey lower the maximum wage garnishment level for low-income workers, currently taking up to 65% of wages, or place this maximum garnishment on a sliding scale, relative to income. For individuals taking low-wage, legitimate jobs, sometimes for the first time, the substantial garnishment leaves them with little money and serves as disincentive for legitimate work, exactly the opposite message the state should be sending to returning prisoners.

4E. Address driver’s license suspension as a barrier to employment. In New Jersey, having a valid driver’s license can be critical to obtaining and keeping a job. Many of the employment sectors providing good opportunities for entry-level positions either require a license or are inaccessible to public transportation. While there are almost 400 ways to lose a license in New Jersey, certain types are more common and are most likely to impact reentry success. The majority of suspensions in New Jersey are imposed not for dangerous driving or other actions posing a threat to public safety, but rather for financial reasons, such as failure to pay insurance surcharges, court fines, child support and parking tickets. In addition, under the Comprehensive Drug Reform Act, anyone with a drug-related conviction receives a 6 to 24 month suspension. It is estimated that most individuals leaving prison have suspended licenses. Two immediate improvements would be:

- **Provide for conditional or job-related licenses:** More than half the states have instituted some form of limited driver’s license for those under suspension, permitting them to drive for work, job training or education, or health reasons while paying off outstanding fees.

- **Modify the Comprehensive Drug Reform Act:** The driver’s license suspension provisions of the CDRA, which derive from the Federal Highway Apportionment Act, can be rendered less counterproductive to rehabilitation in two ways: 1) limit suspension to the minimum required under federal law, 6 months; 2) provide for judicial discretion not to suspend, or to modify suspension orders to facilitate rehabilitation as a “circumstance warranting an exception” under federal law.
5. **Employers should be encouraged to hire individuals who have been released from prison.** One of the significant obstacles to employment for individuals leaving prison is simply the unwillingness of employers to hire them. A criminal record signals untrustworthiness to most employers, who generally seek to minimize risk and exposure to their firms in making hiring decisions. This bias has increased after 9/11, particularly as criminal background information (correct and incorrect) has become more widely available through public and private reporting services. As potential employees, regardless of individual qualifications, ex-offenders as a group are by all accounts the most disfavored, even among other low-skilled workers such as long-term public assistance recipients. There is no systematic information from employers who have hired former prisoners, however, that they are bad employees, and most reports suggest the contrary, particularly when there has been post-employment support from an intermediary. While some financial incentives such as tax credits and bonding are available to employers who hire former prisoners, these programs are underutilized; workforce development providers and employers indicate that while these programs can “sweeten the pot” for those already inclined to hire from this population, they do not tend to help convince the unwilling.

**RECOMMENDATIONS:**

5A. The state should take the lead in encouraging employers to employ people released from prison by ensuring that state agency contractors are providing a fair employment opportunity for qualified individuals who also have criminal records. We also recommend changing the current blanket exclusion of any individuals with third degree convictions or greater from state employment. It remains difficult for the state to encourage employers to hire former prisoners if state agencies themselves cannot do so.

5B. Involve employers in development of job training and job readiness programs (inside as well as outside). As noted above, one way to encourage employers to hire former prisoners is ensure that the individuals have the qualifications that employers want.

5C. Create an employment intermediary serving needs of employers and former prisoners. Building on the broad range of expertise in New Jersey and elsewhere, New Jersey should pilot an employment intermediary that specifically serves individuals returning from incarceration. Existing models suggest key components of such an entity, including the provision of transitional (in some cases first) jobs, additional job training and skills building, job placement and continuing involvement with employer and employee during the first year of employment. Additional components would include providing help to employers with accessing available incentives like the federal bonding program, the Work Opportunity Tax Credits, and On the Job Training funds.

5D. **Protect against unlawful discrimination:** The Division on Civil Rights of the Department of Law and Public Safety should clarify that discrimination solely on the basis of arrest or conviction, because of its disparate impact on minorities, can constitute a violation of New Jersey Law Against Discrimination. New Jersey should also consider following the lead of other states and explicitly barring discrimination against individuals solely on the basis of an arrest or conviction unless there are job-related reasons to do so or the applicant poses a direct threat to public safety.

5E. **Extend the protections regarding use of public criminal history information to use of privately obtained criminal history.** State regulations make criminal records available to individuals and nongovernmental entities for hiring purposes, but any employer using that information to disqualify someone from a job must provide notice and opportunity to confirm or deny the accuracy of the information, and a reasonable period of time to correct the record before any final determination. New Jersey should extend these basic protections when employers use criminal history information provided by private background check companies or credit reporting services to disqualify a potential employee.

5F. **Criminal justice supervision should facilitate and not hinder employment.** Individuals on parole or probation are generally required to get a job. The actual conditions of supervision, however, often serve to disrupt employment, frustrating both employers and their employees. Reporting requirements can cause individuals under supervision to miss work regularly, and visits to the job site by armed officers can scare customers and clients and other workers, stigmatize the supervised individual, and disrupt the workplace. It should be the
goal and practice of supervising officers to ensure that individuals under their supervision are good employees and not an extra burden to employers. The presence of supervision may actually convince employers to take a chance with an ex-offender, but not if doing so harms their businesses. Parole officers should be evaluated on how many of those under their supervision have obtained and kept steady employment.

6. Community-based and faith-based organizations can and should play a vital role in ensuring the reintegration of former prisoners, including getting and keeping jobs. As noted above, all reentry is local: individuals will ultimately return home to New Jersey neighborhoods and will either succeed or fail at reintegration in those places. If they are to succeed, local resources and support system for individuals and their families have to be available, and must be prepared to address the specific challenges faced by those who have been involved with the criminal justice system. At the same time, former prisoners are rarely a sought-after client group: worries about safety and security, the difficulty of adequately addressing the needs of this population, fear of being stigmatized by association with former prisoners have served to limit the willingness of organizations to serve, or identify as serving this population. More and more groups that work with low-income populations, however, are realizing that many of the people they serve or are in their communities have criminal records that include periods of incarceration. Most do not have specific expertise in the area.

RECOMMENDATIONS:

6A. New Jersey should opt out of the “felony drug ban” for public assistance eligibility. At present, under New Jersey’s implementation of welfare reform, the Work First program, individuals with convictions for substance abuse possession are subject to a lifetime ineligibility from receiving Temporary Assistance for Needy Families (TANF), General Assistance (GA) or Food Stamps, unless they have completed or are enrolled in a licensed residential treatment program. Individuals with convictions for drug distribution offenses are permanently barred from receiving TANF and GA, but may be eligible for Food Stamps if they have completed or are enrolled in a similar treatment program. In addition to providing for basic economic stability, these programs underwrite training, job placement and other services provided by community-based agencies, and those agencies are limited in their ability to serve clients who do not qualify for benefits.

6B. Bolster existing community capacity to work with returning prisoners and their families: Community and faith based organizations in areas with large numbers of returning prisoners need additional orientation, training and support to respond to the specific needs of individuals with criminal records. Particularly in the employment and training area, we need to insure that these groups get the benefits of information and resources developed by national intermediaries such as Public/Private Ventures, Inc., and the National H.I.R.E. Network at the Legal Action Center.

6C. Engage community and faith-based groups with prisoners prior to release, and fund them to participate. The DOC should increase opportunities for groups based in the communities where individuals will be released to “reach in” to the institutions engage with inmates prior to their release, and include funding for such approaches in grant requests and in allocating resources for reentry planning. Expanding use of community-based organizations adds community-level expertise and also helps put a resource network for individuals in place before they return home. Few organizations will be able to afford to take advantage of such opportunities without funding, and ensuring that they are paid for their services matters. This model is already underway on a limited basis to serve prisoners with HIV/AIDS.

6D. Integrate community-based organizations into place-based solutions. New neighborhood level strategies targeting individuals released from incarceration should capitalize on the experience and expertise of existing organizations with programs of proven effectiveness.
2. Health

Relevant NJRR Papers and Presentations:

- Nancy Wolff, Rutgers University, "Investing in Health and Justice Outcomes: An Investment Strategy for Offenders with Mental Health Problems in New Jersey"
- Douglas Ziedonis and Nancy Violette, "Reentry into the Community after Addiction Treatment within New Jersey’s Prisons and Jails"
- Riki Jacobs, "Reentry Issues for Offenders Living with HIV"
- Feedback Paper: Session Two

A definition of successful reentry must include receiving regular medical care and management of chronic and communicable diseases, getting and staying clean and sober, and, for individuals living with mental illness, having their conditions stabilized, treated and monitored such that they can become productive members of the community. The achievement of these goals by returning prisoners has major public health implications. The prison population in New Jersey has a disproportionate incidence of health problems. Of the individuals released from prison in 2002 for whom data was available, 18 percent had at least one chronic condition, such as asthma, diabetes or hypertension, and 10 percent were diagnosed with at least one communicable disease, including AIDS and HIV, tuberculosis, sexually transmitted diseases and Hepatitis B and C. Approximately 3 percent of the 2002 releasees were diagnosed as HIV positive, about nine times the prevalence in the general population in New Jersey. The prevalence for women was even greater: 6.8 percent of female prison inmates in 2000, for example, were diagnosed as HIV positive. Of the 2002 release cohort, 11 percent had been diagnosed with a mental illness, but the actual percentage may be considerably higher; approximately 16 percent of New Jersey inmates have been identified as having mental health problems, with more than that undiagnosed. Over 50 percent (some estimates place the actual percentage at 75 to 80%) were assessed to have a substance abuse problem. An indeterminate but believed to be growing percentage are dually diagnosed with mental health and substance abuse disorders.

While the release of so many individuals with serious health problems represents a major public health challenge, experts regard the period of incarceration as an important public health opportunity to prevent, screen for, and treat chronic and communicable diseases and behavioral health problems. It is costly but possible to provide better diagnosis and treatment inside correctional facilities. More difficult, perhaps, is ensuring that the public health investment made while individuals are incarcerated is not lost by the failure to adequately prepare for and coordinate their release or by the failure to provide adequate access to services in the community. Health care and treatment is very expensive, costly to institutions, public agencies, community providers and individuals, a problem that looms particularly large in the current fiscal climate. Issues of interagency coordination, which impact the continuity of care, matter a lot in the health context and the barriers posed by transitioning individuals between health care and treatment delivery systems inside and outside prison walls have proven particularly intractable in New Jersey, as elsewhere around the country.

We recognize that the challenge of providing access to adequate healthcare in New Jersey extends far beyond the context of reentry. Nationally, the number of people without any health insurance has grown. New Jersey has cut back on Family Care and other options for individuals ineligible for Medicaid or Medicare and without employer-provided coverage. At the same time, given the concentration of serious health and behavioral health problems among returning prisoners, and the larger public health consequences, particularly for the low-income, mostly African-American and Latino, chronically underserved communities to which most prisoners return, we cannot afford the substantial costs of an inadequate response.

The recommendations below cannot and are not intended to address every aspect of healthcare and treatment provision for individuals before and after their release from prison. Best practices and standards for the provision of care have been developed and defined by the National Commission on Correctional Health Care and other groups. We highlight here key areas of concern and policy and programming ideas with regard to reentry.

Pre-Release Preparation

1. Comprehensive health and behavioral health assessment and screening at intake, during incarceration and as part of transition planning is critical to preparing prisoners to reintegrate successfully and to maximizing the public health opportunity presented by incarceration and reentry. Health problems, particularly substance abuse disorders, are the expectation not the exception for individuals going into and
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coming out of prison, and these problems will impact not only individual outcomes upon release but also the health, stability, and financial well-being of the families and neighborhoods to which prisoners return. Proper screening and assessment makes appropriately matched, and therefore cost-effective, treatment possible, but also clarifies the opportunities for primary and secondary prevention strategies, leading to long-term health care cost savings for the state.

RECOMMENDATIONS:

1A. Improve assessment and screening for substance abuse disorders, mental illness and co-occurring disorders. As noted earlier, we recommend comprehensive risk-needs assessment at intake, during incarceration, and as part of parole decision-making and preparation for release. In addition, though, New Jersey needs better overall assessment for addiction and mental health disorders, both of which are highly prevalent in the prison population and have a strong impact on reentry success. There has been increasing attention in the criminal justice system to the problems of individuals with co-occurring disorders (addiction and mental illness), but the screening and assessment process to identify these individuals and develop an appropriate response has not caught up. Ideally, screening and assessment should occur prior to sentencing, with an appropriate treatment plan considered as part of the sentence and part of an affirmative obligation placed on the state to provide that treatment.

1B. Education about HIV testing and testing must be offered at intake, during incarceration and prior to release. Rates of known HIV infection among prisoners are alarmingly high, but may seriously underestimate the actual infection rates because not all inmates have been tested. It is important both for the individuals and their families and New Jersey as whole that inmates receive education about the importance of knowing their HIV status and that testing be readily available upon request. Under the consent decree in Doe v. Fauver, the DOC is required to provide these services; an assessment of current adherence to the decree should be undertaken, with particular attention to the education and training of inmates and staff and the medical management of inmates.

1C. All inmates should be screened for Hepatitis C, informed of their status, and receive appropriate treatment. Recent litigation has raised the profile of this issue in New Jersey, as in the rest of the country, and a response is being developed. Particularly in the context of reentry, testing, and treatment, for Hepatitis C must be a priority.

1D. Develop information sharing protocols, consistent with state and federal regulations, to give public and private agencies treating the same individual in different settings better access to the information needed for good clinical decision-making. At present, individuals moving from the community, through the criminal justice system, and back to the community again, sometimes via halfway houses or private treatment facilities are treated not just by different health care providers but different health care systems. Ensuring that all treatment providers can have access to existing clinically relevant medical information about a patient ensures better treatment and continuity of care and also saves resources by avoiding costly duplication of assessments.

2. New Jersey needs increased treatment capacity within correctional settings to respond to substance abuse disorders, mental illness and individuals with co-occurring disorders. While the number of addiction treatment beds in New Jersey prison facilities has grown considerably over the past ten years, treatment capacity remains insufficient to meet the overwhelming need. Currently only about 8 to 12 percent of New Jersey inmates receive addiction treatment, although an estimated 75 to 80 percent have substance abuse disorders. Given resource constraints, only inmates with the highest addiction severity levels are targeted for treatment, and still may not receive it if a therapeutic community bed does not become available far enough in advance for them to complete the treatment program before their release. Individuals with lower addiction severity levels will receive no treatment. Inmates with co-occurring mental illness, particularly those who need psychiatric medication, as well as individuals incarcerated for sexual assault or arson charges, are usually ineligible for addiction treatment. Nationally, research has shown that individuals with substance abuse disorders are the most likely to be reincarcerated, and will serve longer and longer sentences. As noted above, cautious estimates place the prevalence of mental health problems in the prison population at 16 to 17 percent; both data collection and treatment resources have increased in recent years as the
result of a consent decree in C.F. v. Terhune, a class action lawsuit challenging the treatment of prisoners with mental illness. Mental health treatment and substance abuse treatment services are currently entirely separate, inhibiting coordinated treatment for the dually-diagnosed.

RECOMMENDATIONS:

2A. Invest in greater treatment resources and more treatment models. There is no avoiding the basic need for greater investment of New Jersey resources to provide treatment for incarcerated individuals with substance abuse and mental health disorders. Public safety and public health mandate this. In particular the DOC needs sufficient resources to provide adequate treatment capacity and flexibility to respond to differing addiction severity levels, differing mental health diagnoses, and individuals with more than one diagnosis. One size doesn’t fit all, and available treatment resources should be designed to meet the case mix within prison.

2B. Ensure that addiction services are of high quality. The Division of Addiction Services’ Advisory Committee on Quality Standards for Addiction Treatment should focus on improving the quality of addiction services in preparation for reentry. All treatment programs serving individuals under criminal justice supervision should be licensed by the state. This is important not only to ensure high quality but also to facilitate application for Food Stamps, Temporary Assistance to Needy Families and General Assistance post-release; currently, individuals with drug-related convictions can only qualify for benefits if they have completed or are enrolled in a treatment program licensed by the state.

2C. Institute better data collection to better design programs. Current data collection, particularly regarding addiction and dual diagnosis, while better than it has been in the past, should still be improved, if treatment resources are to be allocated most effectively to different types of treatment responses.

2D. Improve cross-training for correctional staff on medical issues and therapeutic concerns and for medical staff on security needs. Disjunction and lack of understanding and communication between correctional and medical staff can lead to disagreements on how inmates with medical needs are treated and how when treatment will be delivered. This can lead to inconsistency in treatment, poor coordination in preparation for release, and inappropriate responses to inmate behavior. The University of Medicine and Dentistry of New Jersey, Rutgers and other state educational resources should be enlisted to create appropriate training programs for correctional staff as well as parole and probation officers.

2E. The mental health and substance abuse treatment systems within the prison system should be integrated: Integration within prisons presents particular challenges at present because mental health and substance abuse treatment services are provided by different contractors for the DOC, neither of which continue to provide treatment once individuals are released. The substance abuse treatment programs do not serve individuals with concurrent serious mental health diagnoses, and those in the treatment programs with milder mental health problems don’t get those problems assessed and treated. Integration of the treatment systems within prisons would lead to better assessment and better treatment.

3. All inmates need discharge preparation and planning specifically addressing health needs. The lack of coordination and planning for release around health and treatment needs is a major obstacle to successful reentry. The systems providing care and treatment to individuals inside prisons, which are themselves disjunctive, and those on the outside are entirely independent of each other. Multiple service providers around the state, as well as various divisions of the Department of Health and Senior Services and the Department of Human Services, and county level social service agencies are involved in providing and paying for post-release care, each with different rules and protocols. Currently, individuals cannot apply for the public benefits to cover their health care needs, or basic financial support, until they are released, and then have to try to get the information they’ll need to apply from outside. Doctors on the inside are unwilling to provide long term prescriptions for individuals who will no longer be their patients once they return home, but doctors on the outside may not be available to see them until after their prescriptions have run out. The disruption of care that results can have serious health repercussions, particularly for those with complicated health care needs, needing medication for a chronic or communicable disease or to stabilize a mental health condition. Coordinated case planning and case management are needed.
The DOC and the Division of Mental Health Services recently commissioned the Center for Mental Health Services and Criminal Justice Research at Rutgers to complete a study on the need for and cost of reentry planning for inmates with mental health problems, part of the compliance required under the C.F. v. Terhune consent decree. The study included a proposed plan matching three program tiers with identified groups of special needs inmates, designated by need-risk levels. Implementation of this plan will be important for this segment of the reentering population, but strategies for all inmates are needed. The DOC and the Department of Health and Senior Services have also run a CDC-funded transition program for inmates living with HIV and AIDS, and created workable models of pre-release planning involving community-based service and treatment agencies that could, in theory, be adapted to help inmates with other health concerns. Federal funding for this initiative is, unfortunately, running out, and simply keeping the program operational, much less expanding it, represents a challenge.

RECOMMENDATIONS:

3A. Assign one public agency or other entity the responsibility for coordinating treatment between correctional and community settings. This is the logical, if challenging, solution to respond properly to the health-related imperatives of reentry in New Jersey: the transition should be managed on both sides of the prison walls by the same entity, which knows what treatment was provided inside prison and what will be needed and is available on the outside. The agency should be responsible for coordinating discharge planning among the Department of Corrections, and its contract agencies, the State Parole Board, the relevant divisions of the Department of Health and Senior Services, community service providers, and county social service agencies, and for making sure that plans are carried out.

3B. Create a protocol to establish public benefit eligibility or reactivate cases prior to release. The Department of Human Services should work with the DOC to develop a workable pre-release eligibility pathway, such that an eligibility determination is made prior to release and benefits case can be immediately activated upon release. The approach must solve a set of barriers that have so far proven difficult to address, including the fact that individuals cannot qualify to receive benefits like Medicaid, Social Security, and the AIDS Drug Distribution Program while they are incarcerated and that benefit enrollment is usually accomplished through the counties, and individuals are often incarcerated outside of the county where they will return. These are logistical and bureaucratic hurdles, but are not insoluble, and the agencies involved should commit to solving them. As an interim measure, to facilitate post-release application, all inmates should be provided a copy of their medical records upon release, regardless of their ability to pay.

3C. Provide for medical appointments, sufficient medication and a bridging prescription in preparation for release: At minimum, discharge planning should include ensuring that an inmate with medical needs is connected with a specific medical care provider, preferably with an appointment made prior to release; providing at least two weeks of any needed medication, with an additional prescription that can be filled in the event of delay in connecting with a medical care provider. Clearly, much of the effectiveness of this strategy will depend on whether individuals will be able to qualify for the benefits that can pay for care, and that they can otherwise gain access to providers in the community.

3D. Involve families in discharge planning: Prisoners’ families (however defined) can and should play a role in preparation for release. Particularly where serious health problems are at issue, including recovery from addiction, we should be taking advantage of the family as support system and “aftercare” provider, and preparing them to serve those extremely challenging roles. Above (see Central Finding #2) we have recommended that the state begin developing a strategy to incorporate families into the reentry process by first assessing their current role within the criminal justice system, and how they are treated by the various agencies involved. Part of acting on that assessment will include identifying points, such as the planning phase pre-reentry, at which family members can and should be incorporated.

3E. Increase the number of Mutual Agreement Program (MAP) beds and other targeted transitional community placements. MAP provides community-based residential alcohol and drug treatment for assessed inmates and parolees, as well as other New Jersey residents; there are only 160 MAP beds for this population, 40 for inmates and 120 for parolees, far too few in light of the
overwhelming need. New Jersey needs to increase the number of specialized halfway houses providing evidence-based treatment for individuals with addiction disorders, mental health problems, and dual diagnoses.

Post-release
4. Community-based health care and treatment resources must be available for returning prisoners if individual health and public health gains made during incarceration are not to be lost. Anecdotally, it appears that for many individuals involved in the criminal justice system, access to health care in prison may represent an improvement over what has been available to them in the community. One reason for the disproportionate prevalences of various chronic and communicable diseases in the prison population is simply that a disproportionate number come from communities, predominantly low-income African-American and Latino, with limited health care resources. New Jersey faces a crisis of health care accessibility and affordability that includes but extends far beyond the reentering population and, consequently, extends beyond the scope of the NJRR. We note, however, that former prisoners, who are as a group sicker than the general population, face particular barriers to getting care after their release, for reasons that include their financial instability and lack of health benefits, their geographic isolation, health care providers’ fears about safety, and ex-offender ineligibility for benefits. Some of these barriers can be addressed.

RECOMMENDATIONS:
4A. Provide for community-based case management for individuals with mental health problems, substance abuse and serious health conditions: Without increasing the amount of treatment resources that are available, the state can, at a lower cost, improve access to treatment by connecting released prisoners with case managers or even peer advocates who can ensure that they make health care appointments, have the correct paper work, manage complicated treatment regimens, etc. Successful models, such as the Integrated Case Management System (ICMS), which helps the mentally ill transition from state hospitals, and the Hyacinth Foundation’s “peer navigator” system, for individuals with HIV/AIDS, exist and can be adapted or, in the case of ICMS, expanded to serve returning prisoners.

4B. Ensure that reimbursement rates for community programs providing drug and mental health treatment reflect the actual cost of providing treatment: One of the limiting factors affecting the availability of treatment resources is the amount that community providers are paid by the criminal justice referring agencies for the treatment they provide. To the extent that this amount does not cover costs, providers will be unwilling to reserve bed space in residential programs or provide services to parolees and others.

4C. New Jersey should opt out of the “felony drug ban” for public assistance eligibility. As noted above, under New Jersey’s implementation of welfare reform, the Work First program, individuals with drug-related convictions are subject to a lifetime ineligibility from receiving Temporary Assistance for Needy Families (TANF), General Assistance (GA) and Food Stamps, unless they have completed or are enrolled in a licensed residential treatment program. With access to licensed treatment, both inside and outside prison, extremely limited, the ban has a substantial effect on the 38 percent of returning offenders with drug convictions, cutting them off from basic transitional economic support at the point when they are most vulnerable. For those with health and mental health problems, and for individuals with addiction disorders awaiting treatment, the economic instability increases the risk of deterioration or relapse, and recidivism. Federal law allows states to opt out of the drug ban, and about twelve states, including New York, have done so. Eligibility for these programs also means eligibility for other supportive services which can help individuals get back on their feet.

4D. New Jersey should consider seeking a federal waiver under Section 1115 of the Social Security Act to expand Medicaid eligibility to non-disabled adults, to leverage additional federal funds to target high risk populations, including but not limited to ex-offenders. While non-disabled adults are not eligible for Medicaid benefits, even if they meet the income guidelines, the federal Department of Health and Human Services can grant demonstration waivers for states to receive matching funds for covering otherwise ineligible populations as part of a demonstration program. The state could create such a program to target a subset of the currently ineligible population that is at high risk.
for chronic and communicable diseases, and while the state would have to fund such an initiative in part, the federal government would contribute half of the cost. This approach may not be feasible in the current fiscal climate, but should be considered as a way to leverage additional federal funds for health care in New Jersey.

5. Parolees with substance abuse disorders needing treatment or relapse prevention services should not be reincarcerated for failing drug tests. Currently, a technical violation for failing a drug test can result in parole revocation and reincarceration. If the underlying cause of this violation is a continuing substance abuse disorder, reincarceration is neither an appropriate nor a cost-effective solution, particularly if scarce in-prison treatment resources are not available during the nine to twelve month reincarceration period. A smart reinvestment strategy for New Jersey would be to cease returning parolees to prison as a response to evidence of addiction or relapse and to pay instead for mandatory drug treatment, using the lessons learned, and potentially even the model implemented by New Jersey’s drug courts.

**RECOMMENDATIONS:**

5A. Accurately measure the problem: The State Parole Board should identify how often parolees are returned to prison solely on the basis of a failed drug test. We have recommended above, as part of an overall strategy to reduce parole revocations for technical violations, that New Jersey develop a much more thorough understanding of how and when technical violations are used. Part of this evaluation would rightly focus on this subset of that population, for whom clinically appropriate and less costly alternatives to reincarceration — drug treatment — exist and can be substituted.

5B. Change policy and practice and evaluate the results: New Jersey can reduce its prison population, and, if the numbers are substantial enough, which they appear to be, the cost of incarceration to the state by choosing not to return parolees to prison for failed drug tests, but to mandate them into treatment instead. We don’t know if this will achieve other important outcomes: increased public safety, lower crime and victimization rates, lowered long term recidivism and long term cost savings. The only way to find out is to try, and measure results rigorously.

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**III. SPECIFIC FINDINGS AND RECOMMENDATIONS**

**3. Juvenile Reentry**

Relevant NJRR Papers and Presentations:

- Bruce Stout, “Community Re-entry of Adolescents from New Jersey’s Juvenile Justice System”
- David Giles, “School Related Problems Confronting New Jersey Youth Returning to Local Communities and Schools from Juvenile Detention Facilities and Juvenile Justice Commission Programs”

Young people returning from secure confinement (whether pre-trial detention or post-adjudication in a Juvenile Justice Commission facility) face all the barriers confronting adults leaving prison — stigma, lack of employment and housing, health problems, addiction, difficulty accessing needed services, temptation from former neighborhood influences — and others: the need to enroll in an appropriate school or training program, frequent reliance on other state systems whose performance is less than ideal (child welfare, mental health, et al.), and even greater need than adults for supportive families. Despite these deep needs, young people too often leave secure confinement without the sort of transitional services and supports necessary to maximize their opportunity for success. As a result, recidivism rates are high, family reintegration often fails, and too many young people end up either back in secure confinement or in the adult penal system. The findings and recommendations below come in the context of this daunting background. In addition, though, we emphasize that the basic principles outlined in Part I — i.e., beginning preparation for reentry at entry into the system, managing the transition back home, removing barriers, supporting neighborhoods and families — apply in the juvenile context as well as the adult.

1. Connecting juveniles returning from secure placement with, at minimum, one caring adult willing to play a responsible role in the young person’s life is essential to the young person’s reintegration and future success. Ideally, this person would be a parent, but the in reality of many kids caught up in the juvenile justice system, that parental support will not available. Other relatives, or another adult who loves the young person and whom the young person trusts can that play that role. Obviously, policy cannot bring into existence a caring adult, or make a supportive family. The state can, however, make more concerted efforts to maintain and
strengthen existing family support while a young person is detained, and provide support to families after release to improve the young person’s chance of success.

RECOMMENDATIONS:
1A. Involve supportive adults from the beginning of detention: As soon as a young person is in secure placement (either pre- or post-adjudication), vigorous outreach efforts should be made to identify the adults who have played, or could play, supportive roles in the young person’s life; to facilitate their frequent visitation with the young person; and to involve them in all aspects of planning for the young person’s release.

1B. The Juvenile Justice Commission’s Division of Juvenile Parole and Transition Services should consider adopting a deeply family-centered approach to juvenile reentry, building on the learning from the La Bodega de la Familia model developed in New York’s Lower East Side by Family Justice, Inc. (recently honored with a prestigious Kennedy School/Ford Foundation Innovations in Government Award). The JJC has begun meeting with Family Justice and is designing an operational partnership on both the policy and programmatic levels, a promising development. Family-based treatment programs with records of success, such as multi-systemic therapy and functional family therapy, should also be employed to address the frequent dysfunction in the families to which many detained young people return.

2. The multiple public systems that are, or should be, involved in detained juveniles’ lives should work in partnership with each other. At present, numerous young people are caught in the middle as the systems play bureaucratic “hot potato” with them. The most significant unworkable institutional relationships here are between the JJC and the Division of Youth and Family Services (DYFS); the JJC and the DHS divisions tasked to provide mental and behavioral health services to young people; and between DYFS and the family courts, resulting in judges’ inability to access DYFS placements for young people they believe should be placed in them. The results of this inter-systemic disjunction are manifold. Young people are inappropriately left in secure facilities awaiting DYFS placements. They often don’t receive necessary treatment and other necessary services while in a secure placement, or awaiting one. The JJC has ended up trying to develop its own parallel system of mental health services, although not institutionally well suited nor statutorily mandated to take on this task, because DHS does not provide desperately needed services to many JJC clients. These systems serving youth must be better integrated to respond to the needs of young people involved in the criminal justice system.

RECOMMENDATIONS:
2A. The panel overseeing the development of a DYFS reform plan pursuant to the recent litigation settlement should address the overlap between the DYFS and JJC populations, and should ensure that the plan calls for the development of necessary placement and service resources for these young people, and for appropriate ongoing coordination between the systems. The plan should be based on the principle that DHS, not the JJC (which, appropriately, lacks the requisite clinical expertise), should be the provider of mental and behavioral health services for this population. While currently DHS does provide some treatment services to young people under the jurisdiction of the juvenile justice system, it is not nearly enough. Many such young people who need addiction treatment do not receive it.

2B. Even before the finalization of the DYFS reform plan, DYFS and the JJC should establish a regular inter-agency forum, both to address the needs of the overlap population and, by working cooperatively, to begin breaking down the institutional tension that currently undermines the interests of the young people for whom both systems have responsibility. And because such inter-agency forums do not have a magnificent record of success, stronger action also should be considered, including statutory or regulatory reform precluding the placement of young people in JJC secure facilities when DYFS placement is deemed more appropriate.

3. Address the link between foster care and detention: There is strong evidence from other places (including New York City) that young people in foster care who get involved in the juvenile justice system are detained in far greater percentages than young people similarly situated who are not in foster care, largely because upon the young person’s arrest child welfare systems typically abdicate all responsibility and do not, for example, attend court hearings and communicate with the judge on the young person’s behalf (as parents do for other young people). While rigorous data on this issue do not exist in New Jersey, informed parties hypothesize that it is true here, too.
RECOMMENDATIONS:
3A. New Jersey should implement a locally tailored version of Project Confirm. By identifying crossover cases and requiring child welfare caseworkers to accompany foster children to delinquency court appearances, this New York juvenile justice/child welfare partnership has markedly reduced foster children’s juvenile justice detention rates without increasing either the re-offense or failure-to-appear rate. It has also saved a significant amount of money, as there is substantial federal financial participation for foster care, but not juvenile detention.

4. Improve the connection between returning youth and schools: Many young people make marked educational gains while in secure placement, due in part to the fact that, unlike the period prior to their placement, they cannot skip school while locked up. These important educational gains frequently dissipate quickly and substantially upon release, primarily because the young people never get enrolled in an appropriate school or because they are made to feel unwelcome upon arrival and quickly drop out. This is largely the fault of the public schools, which demonstrate an unwillingness to accept and work with these young people, many of whom have histories of academic failure and behavioral problems, and who may drive down school test scores.

RECOMMENDATION:
4A. School superintendents should be held responsible for their districts’ failure to accept a young person returning from secure placement into an appropriate school or training program on a timely basis. While JJC’s Division of Parole and Transitional Services also has a role here, admission to school is ultimately in the control of the school district. The JJC has already made significant efforts to bridge the gap with the public schools in Camden, however, and should seek to replicate these efforts in all cities with significant JJC client populations.

5. Given the relatively short stays in secure placement, successful “reentry” policy in the juvenile context must include efforts to ensure that those who need not be detained, either pre- or post-adjudication, are not. Particularly on the pre-adjudication side, there are demonstrable ways to reduce detention (and save funds in the bargain) without sacrificing either public safety or court appearance rates. The Juvenile Detention Alternatives Initiative (JDAI) of the Annie E. Casey Foundation is the most prominent and successful model.

RECOMMENDATIONS:
5A. JJC, working with the courts, the Youth Services Commissions and all other relevant parties, should implement a comprehensive, state-wide detention reform effort aimed at eliminating unnecessary, and reducing the length of necessary, pre-adjudication detention. The JDAI program will likely soon come to New Jersey beginning in four counties. Consideration should also be given to rendering the state’s statutory juvenile detention admission criteria more objective, precise and rigorous.

6. The civil rights aspect of juvenile justice — the disproportionate confinement of minority youth (“DMC”) — looms very large. Controlling for all other factors, African-American and Hispanic youth are far more likely to be put into secure placement than white youth. The Youth Service Commissions — under the auspices of an initiative jointly sponsored by the Chief Justice of the Supreme Court, the Attorney General, and the Executive Director of the Juvenile Justice Commission — are engaged in an effort to study this problem.

RECOMMENDATIONS:
6A. Reducing DMC should be a core element of any juvenile detention reform effort. The leadership of the pending county-level study effort should ensure that the counties do not merely document the problem, but also develop concrete, specific strategies to remediate it, by specified percentages within specified time periods. The JJC, via the State-Community Partnership Grant Program, should ensure that Youth Service Commissions are targeting funds to addressing this problem. Funded programs should be rigorously evaluated for results, and held accountable (including the loss of their contracts) by both the YSC’s and the JJC. Specific efforts should be made to ensure that programs designed as alternatives to detention do not end up widening the net of young people involved in the juvenile justice system.

7. Young people in, and returning from, secure placement increasingly have severe mental and behavioral health needs, including a variety of serious psychiatric diagnoses. The JJC has made efforts to address this need, but much more is needed. Inter-agency coordination with both DHS’s Division of Mental Health and DHS’s Children’s System of Care are essential here.
RECOMMENDATIONS:
7A. Appropriate, comprehensive mental and behavioral health services should be provided, both while in secure placement and after release, to all young people needing them. As noted in recommendation 3, DHS, not the JJC, should be responsible for the provision of these services, in coordination with the JJC where required or appropriate. One example of the type of institutional partnership necessary here — albeit one that is controversial for other reasons (on which we do not pass judgment here) — is that in place to implement civil commitment of sex offenders, in which the Department of Corrections is responsible for custody and DHS’s Division of Mental Health is responsible for treatment.

8. The rates of both recidivism and returns to secure placement resulting from technical parole violations are very high, undermining public safety, disrupting young people’s lives and positive development, and costing taxpayers substantial sums. Too many young people return directly from secure placement to the community, without passing through a local residential program, where they can get reacclimated to their community and strengthen necessary connections with family, work, school, and local treatment programs.

RECOMMENDATIONS:
8A. The JJC Division of Parole and Transition Services should continue and build on its current efforts to build strong, community-based partnerships with all relevant local institutions, including schools, youth development organizations such as YMCA’s, prosecutors and public defenders, police, etc. Such an approach has been used in Springfield, Mass and has reduced both recidivism and technical violations resulting in secure placement by identifying and addressing early much potentially problematic behavior by formerly detained juveniles. Springfield’s approach of placing juvenile parole officers in the communities where their clients live should also be emulated. The JJC’s component of the state’s Serious and Violent Offender (SVO) initiative is moving in some of these directions for a limited number of youth returning to Camden and Essex Counties; its successes, once established, should be spread system-wide. JJC should establish a goal of having all young people returning from secure placement pass through a local residential program for a reasonable transitional period.

9. Juveniles returning from secure placement succeed in much greater percentages if they return incrementally, rather than “dropping off a cliff” from full-time mandated activities to none.

RECOMMENDATIONS:
9A. The model developed in Springfield, Mass., is worthy of strong consideration here. They’ve adopted an 8-step series of declining security, with the first four served behind bars and the last four served in the community with decreasing levels of supervision. Progress through the steps is controlled by the juvenile, in accordance with a clear set of behavior standards. Particularly in the New Jersey cities that account for the bulk of the state’s detained juveniles (where economies of scale would render the development of the requisite community-based programming realistic), this approach holds great promise.

10. There are inadequate aftercare and transitional programs, and the current system of aftercare services for juveniles — with access controlled by the Youth Service Commissions, which fund such limited programs as exist — results in the JJC frequently being unable to access necessary services for their clients.

RECOMMENDATIONS:
10A. JJC’s Division of Parole and Transitional Services should have access to far more aftercare services, either through a requirement (enforced by the JJC) that Youth Service Commissions fund specified, necessary amounts of such services, or the development of a new state funding stream, controlled directly by the JJC for this purpose.
4. Other Important Reentry Concerns

The NJRR was unable to hold in-depth sessions on every topic related to reentry, but a number of these deserve specific mention and on-going attention as part of the state’s efforts to improve reentry outcomes.

Housing

*Commissioned paper: Corianne Scally and Kathe Newman, Housing Barriers to Prisoner Reentry in New Jersey*

The importance of stable housing to successful reentry should not be underestimated. Studies from other jurisdictions have begun to confirm what anecdotal information in New Jersey strongly suggests, that there is a connection between reentry and homelessness, and between homelessness and recidivism. Recent studies by the Bureau of Justice Statistics have found significant rates of homelessness prior to incarceration among state inmates, particularly for the mentally ill. In California, 10 percent of parolees were found to be homeless in a recent study, as many as 30 to 50 percent of parolees in San Francisco and Los Angeles. In New York City, researchers looking at shelter use by released prisoners found a growing percentage of released prisoners using city shelters, particularly in the first month after release; they also found that those with shelter stays post-release were more likely to be reincarcerated, as were those in shelters prior to their original incarceration.

Housing barriers facing released prisoners are substantial. They face, first of all, the same access and affordability issues that all low-income New Jersey residents face. The National Low Income Housing Coalition has estimated that the housing wage for a one bedroom apartment in New Jersey, the hourly wage needed to afford an apartment at the average fair market rent in the state, was $16.31. An individual earning minimum wage would have to work 127 hours per week to afford a one bedroom apartment. Given the employment barriers faced by returning prisoners, discussed above, and the lack of savings or other public benefit income, affordability barriers loom large. The lack of identification documents will also serve as an indirect barrier to obtaining housing. Moreover, former prisoners are not considered desirable tenants by landlords, more and more of whom have access to background check technology. In the private housing market, New Jersey law makes it legal for landlords to evict tenants if they have knowingly allowed someone who has been convicted or pled guilty to a drug offense to occupy the premises even intermittently, making it more difficult to rely on family members for assistance. More importantly, in the public housing market, recent changes in federal law give local public housing authorities greater power and responsibilities to deny housing to applicants, to terminate their Section 8 assistance, and to evict residents if the tenant or any member of the household engages in drug-related or certain other criminal activity.

Developing strategies to overcome this range of barriers is a challenge the state will need to include as part of long-term approach to reducing recidivism and making New Jersey safer. A strategy would include creating transitional housing options for returning prisoners, with might be done using a range of existing funding streams; encouraging public housing authorities to take use the least restrictive interpretation of federal guidelines, permitting decisions to be made a case by case basis, rather than through a blanket policy; and instituting reasonable protections against discrimination solely on the basis of a criminal record.

Women and Reentry

*Commissioned paper: Charley Flint and Matthew Sheridan, Women and Reentry in New Jersey: An Overview*

While women represent a very small part of the total prison population, and thus of those being released, they are among the fastest growing subpopulation of prisoners nationally. In New Jersey, about 10 percent of the prison population is female; an estimated 300 are released per year. The overwhelming majority are women of color. They are slightly older, on average, than male inmates, and the largest number (40 percent) were convicted of drug offenses. They are, similarly to the male prisoners, disproportionately affected by chronic and communicable diseases, substance abuse and mental illness, as well as health problems particular to women; national research indicates that a significant percentage have been the victims of domestic abuse. A recent sample of inmates at Edna Mahan, the women’s correctional facility, found that 78 percent had children.

While many of the barriers facing women returning home from prison are similar to those experienced by men, and all of the recommendations above encompass them as well, the issues are not all identical, and the experience of coming home is not the same. Issues surrounding family...
reunification, for example, are much more central, and problematic. Under the federal Adoption and Safe Families Act of 1997, the state must initiate termination of parental rights once a child has been in foster care for more than fifteen months. For women with sentences longer than that, termination proceedings may have already begun, especially given their limited ability to maintain contact with their children during incarceration. Even those women who can reunite with their children face severe difficulties in trying to support them. With forty percent of women being released having been convicted of drug offenses, the drug felony ban on TANF receipt will affect them more significantly, and make reuniting with their children that much more difficult. Family histories of domestic violence affect other available support resources.

New Jersey needs a specific strategy to address the particular challenges facing women returning home, that takes into account the salience of family issues, the impact of serious health and substance abuse problems, and particular difficulties obtaining financial stability. Transitional housing to facilitate family reintegration, targeted health and drug treatment options, practical workplace literacy and job training linked to areas of existing job growth available to former prisoners should be a part of such a strategy.
New Jersey Reentry Roundtable Participants List

Co-Chairs: Stanley Van Ness and John Farmer

**State and Federal Agencies, Departments and Commissions**

*Administrative Office of the Courts*
Theodore Fetter, Deputy Director
Yolande P. Marlow
Carol A. Venditto

*Department of Corrections*
Devon Brown, Commissioner
Carrie Johnson, Assistant Commissioner
Richard Cevasco
Robert Mercado
Thomas Farrell
Therese Mathews
Luis E. Silva

*Department of Law and Public Safety*
Peter C. Harvey, Attorney General
Dennis Crowley
Heddy Levine Sabol
Jiles H. Ship
Linda Tartaglia

*State Parole Board*
John D’Amico, Jr., Chairman
Michael Dowling, Executive Director
Kevin McHugh
Melinda Schlagel
Debra Alt
Anthony Primiani
Ibrahim Sharif

*Department of Health and Senior Services*
George Di Ferdinando, Deputy Commissioner
Carolann Kane-Cavaola, Assistant Commissioner
Jeff Clayton
Carmine Grasso
Donald Weinbaum
Catherine Saponi

*Department of Human Services*
Gwendolyn Harris, Commissioner
Reginald Lewis
Barbara DeGraaf
Pearl Elias
Kevin Waters
Julie Caliwan

*Juvenile Justice Commission*
Howard Beyer, Executive Director
William Curry, Director,
Division of Juvenile Parole and Transitional Services
Steve A. Adams
Jack Amberg
Barbara Chayt
Bill Davis
Thomas Flanagan
Jennifer LeBaron
Robert Mercado
Patti Loukides
Lisa Macaluso
Matthew Sheridan

*Office of the Governor*
Lisa Eisenbud
Mary R. Sibley

*Office of the Public Defender*
Yvonne S. Segars, Public Defender
Fred Hogan
Wanda Moore
Joan Richardson

*State Employment and Training Commission*
Lansing J. Davis
Diane Zampa

*Victims of Crime Compensation Board*
Rich Pompelio, Chairman

*Department of Labor*
Brian Peters
Donald Escue

*Housing Mortgage and Finance Agency*
Monica Wiggins
Bruce Blumenthal

*State Assemblywoman Mary Previte*

*U.S. Attorney General’s Office*
Lee Solomon

*U.S. Probation Office — Newark*
Joseph J. Napurano
Local Agencies and Commissions

Robert Baselice, Hudson County Youth Services Commission
Wayne Cozart, Passaic County Youth Services Commission
Kevin Evans, Hudson County Youth Services Commission
Lee Fisher, Essex County Dept. of Social Services
Timothy Gallagher, Camden Co. Prosecutor’s Office
Sue Lewis, Union Co. Prosecutor’s Office
Vincent Mays, Newark Public Schools
Edward Ryan, Hudson Co. Internal Affairs
Stanley White, Camden Board of Education

Universities and Colleges

Laura Cohen, Rutgers University School of Law
Henry A. Coleman, Center for Government Studies, Rutgers University
Jack Farrell, Greater Newark Safer Cities Initiative, School of Criminal Justice, Rutgers University
Charlie Flint, Paterson University
Peg Grandison, University Behavioral Healthcare, University of Medicine and Dentistry of New Jersey
Robin Gwathney, John J. Heldrich Center for Workforce Development, Rutgers University
Paula Hines, University Behavioral Healthcare, University of Medicine and Dentistry of New Jersey
Chris Kosseff, University Behavioral Healthcare, University of Medicine and Dentistry of New Jersey
Jeff Mellow, Bloomfield College
Patrick Murray, Center for Public Interest Polling, Eagleton Institute of Politics, Rutgers University
Mario Paparozzi, College of New Jersey
Michael Sinclair, Project Search, Cook College, Rutgers University
Lori Scott-Pickens, Greater Newark Safer Cities Initiative, School of Criminal Justice, Rutgers University
Bruce Stout, The Violence Institute, University of Medicine and Dentistry of New Jersey
Mercer Sullivan, School of Criminal Justice, Rutgers University
William Tracy, John J. Heldrich Center for Workforce Development, Rutgers University
Nancy Violette, Robert Wood Johnson Medical School
Bruce Western, Princeton University
Nancy Wolff, Center for Mental Health Services & Criminal Justice Research, Rutgers University
Douglas Ziedonis, University of Medicine and Dentistry of New Jersey

Private Organizations, Churches, Foundations, Businesses, and Individuals

Raymond Bramucci, Instructional Systems, Inc.
Ronald Cardone, Integrity House
Rebecca Davis, Henry J. Austin Health Center
Risa Dawson, Volunteers of America
Sam Delgado, Verizon Inc.
Robert Del Tufo, Skadden, Arps, Slate, Meagher & Flom
Deborah DeSantis, Corporation for Supportive Housing
Douglas Eakeley, Lowenstein, Sandler, P.C.
Christian Estevez, AFL-CIO
Zulima Farber, Lowenstein, Sandler, P.C.
Mary Forsberg, New Jersey Policy Perspective
David Giles, Education Law Center
Jim Hemm, New Jersey Association on Corrections
Mark Hoover & Kathleen Hoover, Nicholson Foundation
Stella Horton, Juvenile Resource Center
William Howard, Bethany Baptist Church
Andre R. Hynes, Community Food Bank of New Jersey
Riki Jacobs, Hyacinth Foundation
Nicholas deB. Katzenbach
David Kerr, Integrity House
Thomas Laush, Integrity House
Richard F. Liebler, Hillside Auto Mall & New Community Corp.
Phillip Spencer Linzie, American Friends Service Committee
Lawrence S. Lustberg, Gibbons, Del Deo, Dolan, Griffinger & Vecchione
Ed Lyons, Integrity House
Patricia McKernan, Volunteers of America
Daniel Meenan, Catholic Community Services — Restorative Justice
Rocco Meola, First Occupational Center of New Jersey
Mark M. Murphy, Fund for New Jersey
Constance Pecharu, Robert Wood Johnson Foundation
Oliver Quinn, Prudential Insurance Co.
Alison Recca-Ryan, Corporation of Supportive Housing
Marianne Reitnauer, Integrity House
Cuqui Rivera, Hispanic Directors Association
Joseph T. Robinson, Pilgrimage Outreach Ministries
Richard Roper, The Roper Group
Daniel SantoPietro, Hispanic Directors Association
Thomas H. Sauerman, Aids Coalition of Southern New Jersey
Ciro Scalera, Verizon, Inc.
Mark Seglin, NICAN
Jon Shure, New Jersey Policy Perspective
Robert Stephens, Offenders Aid and Restoration
Kevin P. Warwick, Covenant House New Jersey
L’Tanya Williamson, United Way of Essex and Hudson Counties
Cecilia Zalkind, Association for Children of New Jersey
Convening Organization Staff

New Jersey Public Policy Research Institute
Roland Anglin, Executive Director
Robin Ford

New Jersey Institute for Social Justice
Kenneth Zimmerman, Executive Director
Nancy Fishman
Craig Levine
Ellen Brown
Rodney Brutton
Rebecca Doggett
Sally Weissman
Rita Simmons

National and Non-New Jersey Experts

Molly Armstrong, Vera Institute
George Ashwell, Mass. Dept. of Youth Services
Eric Cadora, Open Society Institute
Zeinab Chahine, NYC Admin. for Children’s Services
Mike Finley, Haywood Burns Institute
Renata Cobbs Fletcher, Public/Private Ventures
Sinead Keegan, The Urban Institute
Tani Mills, Center for Employment Opportunities
Judith McBride, Family Justice, Inc.
Lonnie McLeod, Youth Turn
Debbie Mukamal, Legal Action Center
Larry Murray, Center on Addiction and Substance Abuse
Marta Nelson, Vera Institute
Carol Shapiro, Family Justice, Inc.
Jeremy Travis, The Urban Institute
Michelle Waul, The Urban Institute
### New Jersey Reentry Roundtable
#### Session One: Reentry Overview and Initial Dialogue

**Lafayette Yard Marriott, Trenton, October 22, 2002**

**AGENDA**

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<th>Time</th>
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<tr>
<td>9:00 a.m. – 9:30 a.m.</td>
<td>Sign-in</td>
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<tr>
<td>9:30 a.m. – 10:00 a.m.</td>
<td>Welcome and Introductions</td>
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<tr>
<td>10:00 a.m. – 11:20 a.m.</td>
<td><strong>Presentations</strong></td>
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<tr>
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<td>• National and New Jersey Reentry Overview:</td>
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<tr>
<td></td>
<td>Jeremy Travis and Michelle Waul, The Urban Institute</td>
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<td>• Reentry Mapping Project: Eric Cadora, Open Society Institute</td>
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<td>• Fiscal Impact Issues: Nancy Fishman, New Jersey Institute for Social Justice</td>
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<td>• Public Opinion on Incarceration, Reentry and Criminal Justice Policy:</td>
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<td>Patrick Murray, Eagleton Institute Center for Public Interest Polling</td>
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<tr>
<td>11:20 a.m. – 11:30 a.m.</td>
<td>Break</td>
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<tr>
<td>11:30 a.m. – 1:45 p.m.</td>
<td><strong>Discussion</strong></td>
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<td>• Part One: Responses to presentations and identifying the unanswered questions (what we should know but don’t)</td>
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<td>(Lunch served)</td>
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<td>• Part Two: Visions and strategic overview — what we would like to see happen and what the obstacles are</td>
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<tr>
<td>1:45 p.m. – 2:30 p.m.</td>
<td><strong>Moving Forward</strong></td>
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<td>• Setting Roundtable agenda</td>
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<td>• Tasks and roles</td>
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<td>• Goals of final product</td>
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New Jersey Reentry Roundtable
Session Two: Reentry and Public Health

War Memorial, Trenton, January 24, 2003

AGENDA

8:30 a.m. – 9:00 a.m.  Sign-in

9:00 a.m. – 9:40 a.m.  Welcome
Session One follow-up: Approve Mission Statement and Goals
National Roundtable update: Michelle Waul, Urban Institute

9:40 a.m. – 11:00 a.m.  Substance Abuse, Mental Health & Reentry: Presentations & Discussion
  • Nancy Wolff, Ph.D., Center for Mental Health Services & Criminal Justice Research
  • Dr. Douglas Ziedonis, University of Medicine & Dentistry of New Jersey

11:00 a.m. – 11:15 a.m.  Break

11:15 a.m. – 11:45 a.m.  Health, Reentry and Public Health: Presentation & Discussion
  • George DiFerdinando, M.D., Dep. Commissioner, Public Health Services, NJDHHS

11:45 a.m. – 12:45 p.m.  Ideas from Programs on the Ground
  • Carol Shapiro, Executive Director, Family Justice, Inc.
  • Marta Nelson, Vera Institute and Director, Project Greenlight

12:45 p.m.  LUNCH IS SERVED (Working lunch)

1:00 p.m. – 1:30 p.m.  Possible Priorities for Policy and Programmatic Reform: Wrap-up from Morning Session

1:30 p.m. – 3:30 p.m.  Discussion: Choosing Priorities
New Jersey Reentry Roundtable  
Session Three: Employment & Community Development  
War Memorial, Trenton, April 11, 2003  
AGENDA

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<th>Time</th>
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<tr>
<td>8:30 a.m. – 9:00 a.m.</td>
<td>Sign-in</td>
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<tr>
<td>9:00 a.m. – 9:30 a.m.</td>
<td>Welcome &amp; Session Two summary: Co-Chairs John Farmer &amp; Stanley Van Ness</td>
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<td>9:30 a.m. – 10:50 a.m.</td>
<td>Employment and Reentry: Overview and Discussion</td>
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<td>Moderator: Ray Bramucci, CEO, Instructional Systems, Inc.</td>
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<td>• Bruce Western, Professor, Department of Sociology, Princeton University</td>
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<td>• William Tracy, Senior Policy Fellow, Heldrich Center for Workforce Development, Rutgers University</td>
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<td>• Employer perspective: Sam Delgado, Human Resources Manager, Verizon</td>
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<td>10:50 a.m. – 11:00 a.m.</td>
<td>Break</td>
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<td>11:00 a.m. – 11:45 a.m.</td>
<td>Discussion: Legal Consequences of Incarceration &amp; Impact on Reentry</td>
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<td>• Debbie Mukamal, Co-Director, National H.I.R.E. Network, Legal Action Center</td>
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<td>• Nancy Fishman, New Jersey Institute for Social Justice</td>
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<tr>
<td>11:45 a.m. – 12:45 p.m.</td>
<td>Ideas from Programs on the Ground</td>
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<td>• Rocco Meola, President and CEO, First Occupational Center of New Jersey</td>
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<td>• Tani Mills, Center for Employment Opportunities, NYC</td>
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<td>• Employer/participant perspective: Danny Lopez, Executive Chef, Aramark</td>
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<tr>
<td>12:45 p.m.</td>
<td>LUNCH IS SERVED (Working lunch)</td>
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<td>1:00 p.m. – 2:45 p.m.</td>
<td>Reentry in N.J. Neighborhoods</td>
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<td>• GIS Mapping Analyses of Reentry in Essex &amp; Camden Counties:</td>
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<td></td>
<td>Eric Cadora, Open Society Institute</td>
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<td>• N.J. Serious and Violent Offender Reentry Initiative: Melinda Schlager, NJ State Parole Board</td>
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<tr>
<td>2:45 p.m. – 3:30 p.m.</td>
<td>Concluding discussion: Ideas and Priorities</td>
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New Jersey Reentry Roundtable  
Session Four: Juvenile Reentry

Salon A, Marriott Conference Center, 1 West Lafayette Street, Trenton, June 20, 2003

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<tr>
<td>8:30 a.m. – 9:00 a.m.</td>
<td>Sign-in</td>
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<tr>
<td>9:00 a.m. – 9:30 a.m.</td>
<td>Welcome, Introductions, Session Three Feedback, Overview of the Day</td>
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| 9:30 a.m. – 10:45 a.m. | Background and Context  
  • A developmental perspective: Paulette Hines, Ph.D., Chief Psychologist and Director, Office of Prevention Services, UMDNJ - University Behavioral HealthCare, UMDNJ  
  • An operational and demographic overview: Bruce D. Stout, Ph.D., Executive Director, The Violence Institute of New Jersey & Behavioral Research and Training Institute, UMDNJ  
  • The view from the JJC: Howard Beyer, Executive Director, New Jersey Juvenile Justice Commission |
| 10:45 a.m. – 11:00 a.m. | Break                                                                    |
| 11:00 a.m. – 12:15 p.m. | The Multi-system Nature of the Challenge: Juvenile Justice, Child Welfare & Education  
  Commentators:  
  • Child welfare: Julie Caliwan, Director, Partnership for Children, New Jersey Department of Human Services  
  Cecilia Zalkind, Executive Director, Association for Children of New Jersey  
  • Education: Vincent Mays, Director of Alternative Education, Newark Public Schools  
  • Working with multiple systems: Michael Sinclair, Executive Director, Project Search, Newark |
| 12:15 – 1:00 | Lunch  
  • Ramone: thoughts from a reentering young person (over lunch) |
| 1:00 p.m. – 2:15 p.m. | Approaches Worth Considering  
  Project Confirm, New York City  
  • Molly Armstrong, Coordinator of Demonstration Projects, Vera Institute of Justice  
  • Zeinab Chahine, Deputy Commissioner, Division of Child Protection, New York City Administration for Children’s Services |
| 2:15 p.m. – 3:30 p.m. | The Civil Rights Perspective: Disproportionate Minority Confinement  
  • Peter Harvey, New Jersey Attorney General  
  • Michael Finley, W. Haywood Burns Institute |
| 3:30 p.m. – 4:00 p.m. | Concluding Discussion: Policy & Program Priorities |
# New Jersey Reentry Roundtable
## Session Five: Conclusions and Moving Forward

**Lafayette Yard Marriott, Trenton, October 15, 2003**

**AGENDA**

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<th>Time</th>
<th>Activity</th>
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<tr>
<td>8:30 a.m. – 9:00 a.m.</td>
<td>Sign-in</td>
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<tr>
<td>9:00 a.m. – 9:30 a.m.</td>
<td>Welcome and Introductions:</td>
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<tr>
<td>9:30 a.m. – 11:45 a.m.</td>
<td>Presentations and Discussion</td>
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<tr>
<td></td>
<td>• The Portrait of Prisoner Reentry in New Jersey</td>
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<tr>
<td></td>
<td>Jeremy Travis and Sinead Keegan, The Urban Institute, Washington, D.C.</td>
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<td>• The Reentry Mapping Project: Where are Prisoners Returning in New Jersey</td>
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<td>Eric Cadora, Open Society Institute</td>
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<td>• Understanding the Cost of Reentry in New Jersey</td>
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<td></td>
<td>Jon Shure &amp; Mary Forsberg, New Jersey Policy Perspectives</td>
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<td>• Views on Prisoner Reentry in New Jersey: Results of Statewide Poll, August, 2003</td>
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<td></td>
<td>Patrick Murray, Eagleton Institute Center for Public Interest Polling</td>
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<td>• A Prisoner Reentry Research Agenda</td>
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<td>Mercer Sullivan, Rutgers University School of Criminal Justice</td>
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<td>11:45 a.m. – 12:10 p.m.</td>
<td>Overview of Draft NJRR Final Report</td>
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<td>Lunch served (Working Lunch)</td>
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<tr>
<td>12:30 p.m. – 12:50 p.m.</td>
<td>Framing the discussion: New Jersey in the National Context</td>
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<td>• Jeremy Travis, The Urban Institute</td>
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<tr>
<td>12:50 p.m. – 3:30 p.m.</td>
<td>Discussion of Central Findings and Recommendations and Concrete Steps for the Coming Year</td>
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New Jersey Reentry Roundtable
Papers and Presentations 2002-2003

(Available at www.njisj.org)

■ Jeremy Travis and Michelle Waul, The Urban Institute: “A Portrait of Prisoner Reentry in New Jersey” (short, 2002)

■ Jeremy Travis, Sinead Keegan (Urban Institute) & Eric Cadora (Open Society Institute): “A Portrait of Prisoner Reentry in New Jersey” (long, 2003; forthcoming)

■ Nancy Fishman, New Jersey Institute for Social Justice, “Briefing paper: Prisoner Reentry in New Jersey”

■ Nancy Wolff, Center for Mental Health Services and Criminal Justice Research, Rutgers University: “Investing in Health and Justice Outcomes: An Investment Strategy for Offenders with Mental Health Problems in New Jersey”

■ Riki Jacobs, The Hyacinth Foundation: “Re-Entry Issues for Offenders Living with HIV”

■ Douglas Ziedonis and Nancy Violette, University of Medicine & Dentistry of New Jersey: “Reentry into the Community after Addiction Treatment with NJ’s Prison and Jails.”

■ John J. Heldrich Center for Workforce Development: “Employment Opportunities for Ex-Offenders in New Jersey.”


■ Bruce Western, Princeton University: “Incarceration, Employment and Public Policy”

■ Debbie Mukamal, The Legal Action Center: “Legal Consequences of Incarceration for Reentry”

■ Bruce Stout, The Violence Institute, University of Medicine & Dentistry of New Jersey: “Community Re-Entry of Adolescents from New Jersey’s Juvenile Justice System”

■ David Giles: “School Related Problems Confronting New Jersey Youth Returning to Local Communities and Schools From Juvenile Detention Facilities and Juvenile Justice Commission Programs”


■ Mercer Sullivan, School of Criminal Justice, Rutgers University: “Needs and Opportunities for Research on Prisoner Reentry in New Jersey”

■ Charley Flint (William Paterson University) and Matthew Sheridan: “Women and Reentry in New Jersey”

■ Mary Forsberg, New Jersey Policy Perspective: “Fiscal Impact of Incarceration and Reentry”


■ Patrick Murray, Eagleton Institute of Politics, Rutgers University: “View on Prisoner Reentry in New Jersey”