



**Briefing Paper:  
An Overview of Prisoner Reentry in New Jersey**

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Issues surrounding prisoner reentry – how individuals leave the custody and control of the criminal justice system and reintegrate into the community – have gained increasing prominence both nationally and here in New Jersey. This paper is intended to provide an introduction to these issues by summarizing new national research and providing a first look at the reentry challenge in New Jersey.

Why is it so important to look at reentry now? First, as described in more detail below, New Jersey, like the rest of the nation, has experienced a dramatic rise over the past twenty-five years in both the rate of incarceration and the absolute number of individuals in our jails, prisons and youth detention facilities, with significant financial implications for the state. All but a very few of those incarcerated will return to their communities, and they will do so having served, on average, longer sentences with minimal rehabilitative programming. They return, for the most part, to poor and working class urban neighborhoods that are already under considerable strain. Last year, one third of those released in New Jersey returned to those neighborhoods without any post-release supervision. Once released, ex-offenders face significant barriers to obtaining employment, housing, medical care and other basic necessities, and recidivism rates are alarmingly high.

In light of the size, severity and cost of these problems, concerns about the effects of incarceration and the success or failure of prisoners reentering the community can no longer be considered solely a criminal justice policy issue. Along with public safety worries and significant fiscal implications for both state and local budgets, the difficulty of successfully managing prisoner reintegration on a large scale presents serious challenges to urban revitalization efforts and the economic development potential of the state as a whole. A more comprehensive approach to the problem is needed, and such an approach must begin with a look at what we know, and what we don't.

In addition, the evidence suggests that neither the public nor policy makers believe that our current approaches to incarceration and rehabilitation are working. A national poll released this year by the Open Society Institute, for example, found

significant support for prevention and rehabilitation as crime fighting strategies.<sup>1</sup> Almost two-thirds of the respondents agreed that “the best way to reduce crime is to rehabilitate prisoners by requiring education and job training,” twice as many as supported long prison sentences to incapacitate prisoners.<sup>2</sup> The poll also found that three quarters of those surveyed favored supervised mandatory drug treatment and community service rather than prison time for those convicted of drug possession and minor drug sales offenses.<sup>3</sup> These results and other indicators suggest greater public support for criminal justice policies which are not just “tough on crime” but which fairly and effectively increase public safety and reduce recidivism.

With these needs and opportunities in mind, and in the interests of expanding the conversation about what can and should be done to meet the challenge of prisoner reentry, we have prepared this brief overview of the state of our knowledge about reentry nationally and here in New Jersey. The section on national data draws heavily from work done by the Urban Institute in Washington, D.C., which has taken the lead in reentry research and in raising the profile of prisoner reentry as an issue with broad implications in multiple policy arenas. If we don’t know enough about the reentry picture nationally, we know even less about reentry in New Jersey, a research gap that will have to be addressed. This paper draws from existing public records, articles and interviews.

### *The National Picture*

As long as there have been prisons, prisoners who have served their time have been returning to the community. Prisoner reentry has always been a challenge, implicating public safety and government budgets as well as the lives of victims, former prisoners, their families and communities. What makes the issue of so much current significance has to do with large scale changes in who we incarcerate, in what numbers, under what conditions, and how, in the end, we release them, and where.

Between 1970 and 2000, the number of people incarcerated in state and federal prisons in the United States grew from just under 200,000 to just over 1.3 million (plus another 600,000 or so in local jails, and over 100,000 in youth detention facilities)<sup>4</sup>. The rate of incarceration, meaning the number of people incarcerated per 100,000 in the population, increased fivefold during that thirty year period, from 96 to 478.<sup>5</sup> By

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<sup>1</sup> Peter D. Hart Research Associates, Inc., *Changing Public Attitudes Toward the Criminal Justice System*, Issued by the Open Society Institute, Feb. 2002, at 3.

<sup>2</sup> *Id.* at 4. The majority of respondents felt that the nation’s approach to crime was on the wrong track and that efforts to rehabilitate prisoners have been unsuccessful.

<sup>3</sup> *Id.* at 11. There was also substantial support for sentencing nonviolent offenders to supervised community service or probation instead of incarceration.

<sup>4</sup> MARC MAUER, RACE TO INCARCERATE 19, (1999); U.S. DEPT. OF JUSTICE, BUREAU OF JUSTICE STATISTICS, SOURCEBOOK OF CRIMINAL JUSTICE STATISTICS 2000, at 507. [hereinafter “2000 SOURCEBOOK”]

<sup>5</sup> 2000 SOURCEBOOK at 507. The figures are calculated from statistics compiled by the Department of Justice’s Bureau of Justice Statistics. The overall increase in incarceration rates masks a striking difference for men and women. The rates for men increased fivefold, but the rate for women increased by almost twelve times, from 5 to 59 per 100,000. *Id.*

comparison, the prior thirty-year period had seen a net increase in the number of people incarcerated of only about 20,000, and the rate of incarceration had actually dropped by twenty-seven percent.<sup>6</sup> At its most simple level, the issue of prisoner reentry and reintegration has gained prominence because of this numerical story: more people going into the system means more people are coming out. More than 600,000 individuals will be released from state and federal prisons this year, at least 1,600 per day, with more coming out of local jails and juvenile facilities.<sup>7</sup>

The story, however, is more complicated than just those numbers. While the correctional population has continued to grow over the last ten years, and with it the number of people released from prison, the rate of release has not kept pace. Beginning in 1991, the ratio of released prisoners to the population in prison has declined considerably, suggesting what Bureau of Justice (BJS) statistics generally confirm, that the average time served in prison has increased.<sup>8</sup> In addition, not only have prisoners who are being released now been incarcerated longer on average, but also a larger percentage of prisoners have served longer terms.<sup>9</sup> These statistical trends reflect changes in policy: the mid to late 1970s onward saw an ideological and political shift away from indeterminate sentencing and discretionary parole, and toward an increase in severity, accelerated by the “War on Drugs,” leading to implementation of mandatory minimum sentences, truth-in-sentencing laws, “three-strikes” laws, sex offender community notification, and similar measures.<sup>10</sup> All have contributed to more people in more prisons for longer periods of time, meaning that more are being released after being away from their communities for increasingly extended time periods.

The release population also contains a larger percentage of “churners,” those who have already failed once on parole and been readmitted to prison, and released again, compared to ten years ago. In 1998, 36 percent of released prisoners were being released for the second time on the same sentence.<sup>11</sup> In fact, churners are the fastest growing category of prison admissions: parole revocations jumped from 18 percent in 1980 to over one third of all admissions by the late 1990s.<sup>12</sup> Prisoners are now also less likely to

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<sup>6</sup> The total numbers and the rate in 1970, indeed from 1966 until 1973, were slightly lower than the prior average, presumably due to the Vietnam War; a similar dip is observable during World War II. The Urban Institute uses 1973 as its benchmark to measure the increase. See Jeremy Travis, Amy L. Solomon, and Michelle Waul, *From Prison to Home: The Dimensions and Consequences of Prisoner Reentry*, Research Monograph of the Justice Policy Center of The Urban Institute, June 2001.

<sup>7</sup> Travis, Solomon and Waul, *supra* note 6, at 1, 4. These numbers have appeared in the popular press as well as publications coming out of the federal government. See, e.g., Amanda Ripley, *Outside the Gates*, TIME, Jan. 21, 2002; Joan Petersilia, *When Prisoners Return to the Community: Political, Economic, and Social Consequences*, U.S. Dep’t. of Justice, Papers from the Executive Sessions on Sentencing and Corrections, No. 9; “Going Home: Serious and Violent Offender Initiative” Department of Justice, Office of Justice Programs, Grant Application, at 1.

<sup>8</sup> James P. Lynch and William J. Sobol, *Prisoner Reentry in Perspective*, Urban Institute Justice Policy Center Crime Policy Report, Vol. 3, Sept. 2001, at 8.

<sup>9</sup> *Id.* According to the Urban Institute report, 13 percent of soon-to-be released prisoners in 1991 reported having served more than five years, while the number in that group had climbed to 21 percent by 1997.

<sup>10</sup> Travis, Solomon et al., *supra* note 6, at 5. See also, MAUER, *supra* note 2.

<sup>11</sup> *Id.* at 10.

<sup>12</sup> Travis, Solomon and Waul, *supra* note 6, at 22.

succeed on parole: in 1980, 70 percent of parolees completed their parole terms, but by 1998, only 45 percent were successful.<sup>13</sup> We know surprisingly little about why failures are more common now, although hypotheses abound. Funding for parole departments has not kept pace with the increase in the prison population, resulting in almost doubled caseloads for parole officers and consequently considerably less supervision – the average is less than two, fifteen minute meetings per month for the 80 percent who are not involved in some kind of intensive supervision.<sup>14</sup> At the same time, advances in surveillance technology and drug testing make detecting technical violations easier, and twice as many parole violators are returned for technical violations as for new crimes.<sup>15</sup> Parole failure may also be a reflection of the same tough-on-crime laws noted above, the lack of reentry planning, or any combination of these factors.

While the number of offenders on parole has more than tripled in the last twenty years, the rate of increase has slowed in the past ten years because more people are being released unconditionally, without any post-release supervision, after serving most of their sentences. Almost a quarter of all released prisoners in 1998 had “max-ed out” in prison, up from about 13 percent in 1990 (there is considerable variation across the states). We don’t know whether unconditional releases do better than those who are supervised.<sup>16</sup> We do know, however, that those who “max out” are usually the most serious offenders, those who have shown least willingness to engage in the programs and behavior that earn good time credits towards an early release.<sup>17</sup>

Complicating the picture further, an increasing number of those released are being released for the first time in their lives: about 44 percent of soon-to-be released prisoners in 1997 fell into this category, up from 39 percent six years earlier, suggesting a general expansion in the population experiencing incarceration. Researchers at the Urban Institute calculated that more than half of those first-time prisoners don’t return to prison, implying that the ranks of prisoners are being filled by more first-timers. Efforts to prevent recidivism will not address the problems caused by the expansion of incarceration.<sup>18</sup> More and more new people are becoming prisoners.

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<sup>13</sup> *Id.* There is a difference in the success rate of those on parole for the first time and those on a subsequent term of parole. In 1996, about half of the parolees had been released previously and returned to prison on a technical violation, and were released again on parole; only 20 percent successfully completed parole the second time. Of the other half of the parolees, out for the first time, 75 percent were successfully discharged. Thus, it appears that people are churning at a faster rate than are successfully completing parole. Lynch and Sobol, *supra* note 6, at 14.

<sup>14</sup> Joan Petersilia, *When Prisoners Return to Communities: Political, Economic and Social Consequences*, 65 FED. PROBATION 3, 4 (2001). Funding for the criminal justice system is incredibly skewed toward prison: although about 70 percent of the people under criminal justice supervision are on probation or parole and not in prison, prisons currently receive over 80 percent of the money budgeted for supervision. Mark A.R. Kleiman, *Community Corrections as the Front Line in Crime Control*, 46 UCLA L. REV. 1909, 1913-1914 (1999).

<sup>15</sup> Travis, Solomon and Waul, *supra* note 6, at 21-22. The authors point out, however, that technical violators are often arrested for a new crime committed while on parole, but are not tried for that crime. All of the revocations recorded as technical, in other words, may not be only that.

<sup>16</sup> Lynch and Sobol, *supra* note 8, at 13.

<sup>17</sup> Petersilia, *supra* note 14, at 4. Some states have also stopped awarding good time altogether, removing an important incentive for good behavior.

<sup>18</sup> Lynch and Sobol, *supra* note 8, at 10.

Other changes in the release population are worth noting. While the percentage of released prisoners who were convicted of more serious, violent offenses remained stable throughout the 1990s, at about 25 percent, the absolute number has increased and is likely to increase even more in the coming years, because releases have not kept pace with admissions.<sup>19</sup> Both the absolute number and the percentage of those released who were convicted of drug offenses increased during the 1990s, with the percentage reaching 32 percent by 1998.<sup>20</sup>

Most released prisoners will not have participated in educational, vocational or pre-release programming and the overall rate of participation has declined, largely due to a decline in the availability of such programs.<sup>21</sup> The 1990s in particular saw significant decrease in funding for programming, through “tough-on-crime” measures such as the Violent Crime Control and Law Enforcement Act of 1994, which denied prisoners access to Pell Grants, spurring similar retrenchment at the state level. In 1996, for example, almost \$22 billion was spent on prison construction, staff and maintenance of facilities and prisoners, but only 6 percent of that amount was spent on education, job training, treatment and similar program activities.<sup>22</sup> This is particularly troublesome because the majority of prisoners enter prison with substance abuse problems, but only 10 percent reported receiving treatment in 1997, compared to 25 percent in 1991.<sup>23</sup>

National statistics also show that the reentry population is increasingly geographically concentrated; as more prisoners are released, they are more likely to return to a relatively small number of neighborhoods located in core counties (counties containing the central city of a metropolitan area).<sup>24</sup> Research suggests that these neighborhoods are either poor or working class.<sup>25</sup> Whatever the overall impact of the reentry of an expanding group of prisoners who have served longer sentences, with little rehabilitative programming and minimal supervision or assistance on release, these neighborhoods will probably be the most affected.

Unfortunately, these are also communities already stretched for resources and in many ways least capable to facilitate the successful reintegration of former prisoners. In a series of papers commissioned by the Vera Institute on “The Unintended Consequences of Incarceration,” the authors highlight both the potentially disabling effect on communities of high rates of incarceration – including increases in crime as community ties are weakened and prison is demystified, and further economic instability for individual families and the community as a whole from the initial loss of an earning

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<sup>19</sup> *Id.* at 8.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.* at 11.

<sup>22</sup> Travis, Solomon and Waul, *supra* note 6, at 18.

<sup>23</sup> *Id.* The Office of National Drug Control Policy has reported that 70 to 80 percent of state prisoners need substance abuse treatment, but only 13 percent receive any while in prison. Petersilia, *supra* note 6, at 4.

<sup>24</sup> Lynch and Sobol, *supra* note 6, at 15-16.

<sup>25</sup> Parolees are generally released to the counties where they last lived prior to incarceration; since most come from poor, inner-city neighborhoods, most go back there as well. Petersilia, *supra* note 14, at 3.

member, and his or her decreased earning power upon release<sup>26</sup> – and also the dearth of research which specifically documents these effects.<sup>27</sup> We do know, however, that low-income urban communities have lost labor market share to the suburbs, creating a “spatial mismatch” between jobs and the inner city residents who need them, including ex-offenders. These areas are also likely to contain a high percentage of former welfare recipients competing for the same jobs as released prisoners.<sup>28</sup> Moreover, these home communities present particular challenges for individuals trying to avoid the people and places associated with past drug use and criminal activity.

On a national level, then, the challenge of prisoner reintegration increased in both scale and severity, exacerbated by public policy that expanded incarceration while reducing the capacity of the communities, programs and systems managing reentry. On an individual level, ex-prisoners face significant barriers to successful reentry. According to an Urban Institute review of the reentry population, “of the nearly 600,000 inmates returning to communities across the country each year, most have not completed high school, have limited employment skills, and have histories of substance abuse and health problems.”<sup>29</sup> Most, the study points out, entered prison with these problems as well. In addition, prisoners serving longer sentences have more attenuated family connections, which may hurt reintegration efforts.<sup>30</sup> Incarceration further reduces the employability of those with low educational attainment, low skills and minimal legitimate work history. A recent survey of employers in five major cities found that 65 percent of employers would not knowingly hire an ex-offender, and at least one third of these employers had checked the criminal histories of recently hired employees.<sup>31</sup> Former prisoners are banned from certain jobs and professions, and denied access to certain public benefits such as housing.<sup>32</sup> Multiplied by the large number of individuals emerging from prison each year, and concentrated in areas already hard hit by the panoply of challenges facing urban communities, these problems have implications not just for public safety (the context in which they usually arise) but also for federal, state and local budgets, for the economic health of states, municipalities and families.

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<sup>26</sup> See, e.g., Todd R. Clear, *Backfire: When Incarceration Increases Crime*; Joan Moore, *Bearing the Burden: How Incarceration Policies Weaken Inner-City Communities*; and Harold Watts and Demetra Smith Nightingale, *Adding It Up: The Economic Impact of Incarceration on Individuals, Families, and Communities*, in THE UNINTENDED CONSEQUENCES OF INCARCERATION, Papers from a Conference Organized by the Vera Institute for Justice, Jan. 1996.

<sup>27</sup> Watts and Nightengale, *supra* note 26.

<sup>28</sup> Lynch and Sobol, *supra* note 8, at 18.

<sup>29</sup> Travis, Solomon and Waul, *supra* note 6, at 9.

<sup>30</sup> A study by the Vera Institute of release offenders in New York, for example, found that high levels of family support was strongly correlated with measures of individual success (having a job, avoiding illegal activity and drug use, securing stable housing, etc.). Marta Nelson, Perry Deess, and Charlotte Allen, *The First Month Out: Post-Incarceration Experiences in New York City*, Paper published by the Vera Institute of Justice, Sept. 1999, at 10.

<sup>31</sup> Travis, Solomon and Waul, *supra* note 6, at 31. See also, Petersilia, *supra* note 14, at 6. The study was done by Harry Holzer in 1996. See HARRY HOLZER, WHAT EMPLOYERS WANT: JOB PROSPECTS FOR LESS-EDUCATED WORKERS (1996).

<sup>32</sup> See Amy Hirsch, Sharon Dietrich et al., *Every Door Closed: Barriers Facing Parents with Criminal Records*, Report by Community Legal Services, Inc., and Center for Law and Social Policy (2002).

## *The Reentry Challenge in New Jersey*

The picture in New Jersey, while not as complete from a data and analysis perspective, is similar to that found in the nation as a whole. The state prison population has grown as it has nationally. In 1975, the number of adult inmates was just under 6000.<sup>33</sup> By 1990, there were close to 17,000 adults and juveniles in state custody; by 2000, the number had reached over 28,000 (a slight decline from the year before).<sup>34</sup> According to the 2000 Census, there were 47,941 people in correctional facilities in the state, including federal and state prisons, county facilities, and halfway houses; in 1990, the census count had found 18,848 incarcerated in the state.<sup>35</sup> New Jersey has had some form of mandatory minimum sentencing since the criminal code was revised in 1979, and about half of the inmates serving time over the past ten years have done so with mandatory minimums. The median sentence term for the past ten years, according to the Department of Corrections (DOC), has been six to seven years, but almost half are committed with a sentence of between three and five years. Four percent are serving life sentences, and significantly less than one percent are on death row; in other words, 96 percent of all state inmates will eventually be released. New Jersey prisons are historically overcrowded. In 1981, Governor Brendan Byrne stated that prison overcrowding had reached crisis proportions, and declared a “temporary” state of emergency that has never really been lifted.<sup>36</sup> Last year, The New York Times reported that New Jersey had the most crowded prison system in the country, according to the Justice Department, operating at 143 percent of capacity.<sup>37</sup> Still, the number of prisoners released annually has almost doubled since 1990, going from 8945 in that year to 16,032 last year.<sup>38</sup>

The percentage of prisoners convicted of violent crimes<sup>39</sup> decreased over the 1990s, starting at 52 percent of inmates in 1990 and reaching about 40 percent by 2000, but the absolute number of violent offenders in state facilities has increased, from 8784 in

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<sup>33</sup> *Standing Corrected: Education and the Rehabilitation of Criminal Offenders*, Report and Recommendations of the New Jersey State Employment and Training Commission’s Corrections Education Task Force, August, 1997, at 5.

<sup>34</sup> These numbers are taken from the New Jersey Department of Corrections annual reports summarizing inmate characteristics, based on snapshots of the population taken in December or January. The highest overall prison population occurred in 1999, when the total sum exceeded 30,000. The subsequent drop was largely attributable to the reduction in the parole backlog, with some reduction as well in the number of new inmates admitted. Donna Leusner, *Number of Jersey Inmates Now Declining*, NEWARK STAR-LEDGER, Apr. 25, 2001; Matthew Dowling, *Prison Roles Dip Despite Rise in Overcrowding – Parole Revisions and Drop in Crime Credited for Lowering of Population*, NEWARK STAR-LEDGER, Apr. 13, 2001.

<sup>35</sup> Robert Schwaneberg, *Jersey Sending More to Prison – Data: People of Color are Locked Up Most*, NEWARK STAR-LEDGER, Aug. 19, 2001. Part of the increase was due to the opening of two new federal facilities in the state.

<sup>36</sup> Robert Schwaneberg, *‘Temporary’ Crisis in Crowded Lockups Drifts Toward Tenth Anniversary: Task Force Recommends Review of State’s Sentencing Policies*, NEWARK STAR-LEDGER, Jan. 1, 1991.

<sup>37</sup> David Firestone, *Prison Population in U.S. is Leveling Off: At 143 Percent of Capacity, New Jersey has the Most Crowded Prison System in the Nation*, N.Y. TIMES, June 9, 2001.

<sup>38</sup> William Kleinknecht, *Influx of Ex-cons and a Weakened Economy Help Murder Rate Soar*, NEWARK STAR-LEDGER, Mar. 11, 2002.

<sup>39</sup> Violent crimes include homicide, sexual assault, aggravated and simple assault, robbery, kidnapping, other sexual offenses and offenses against persons.

1990 to 11,513 in 2000. There was a slight increase in the percentage incarcerated for drug-related offenses,<sup>40</sup> from 30 percent in 1990 to 34 percent in 2000, but the absolute number of drug offenders almost doubled, from 5142 in 1990 to 9683 in 2000. In all facilities except the Adult Diagnostic Treatment Center, which holds convicted sex offenders, the majority of inmates were convicted of drug-related offenses.

Similar to the picture of core county concentration drawn at the national level, data from the New Jersey DOC reveals that 20 to 25 percent of all state prison inmates come from Essex County; this proportion has been consistent over the past ten years, and is the same for both adults and juveniles, and by most types of crimes (except for sex offenses, which are fairly evenly distributed across the state). Overall, residents of fewer than half of the counties in New Jersey have made up 70 to 80 percent of inmates. Released prisoners will face similar barriers to finding employment as other low-income Essex County residents in cities like Newark, Irvington and East Orange, compounded by the impact of incarceration and the concentration of characteristics common in those who end up in prison, such as lack of education, skills and work experience and substance abuse problems.

While we know something about who is in New Jersey prisons, analyses of the New Jersey reentry and recidivating populations comparable to those done at the federal level by the DOJ and The Urban Institute do not appear to have been done recently.<sup>41</sup> The DOC estimates that although the number of halfway houses in use has more than doubled in recent years, only a small percentage of inmates will go through that step before release.<sup>42</sup> The rest either max out on their sentences or are released on parole. Under the 1997 No Early Release Act, N.J.S.A. § 2C:43-7.2, those convicted of certain violent crimes are required to serve at minimum 85 percent of their imposed sentences before being eligible for parole, which has decreased the amount of time spent under parole supervision after release.<sup>43</sup> In fact, a recent article in the Star-Ledger provided some startling statistics about those being released from New Jersey state prisons. Since 1990, the percentage of prisoners being released into the community without any parole supervision has more than doubled, from 13 percent in 1990 to fully one-third of all released inmates in 2001.<sup>44</sup>

Far more people are under probation supervision than are actually confined to institutions. In 2000, there were approximately 67,000 adults and 14,000 juveniles on probation. While the state took over the probation system from the counties in 1996, and

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<sup>40</sup> Drug violations include distribution, sale, manufacture, possession and use. According to the DOC, over 90 percent of the drug violations are for distribution/sale.

<sup>41</sup> There was a recidivism study conducted by the Bureau of Justice Statistics in the mid-1980s and survey research on recidivism was done in the early 1990s through the Sentencing Policy Study Commission.

<sup>42</sup> In 2000, about 9 percent of the incarcerated population was housed in halfway houses, compared to about 2 percent in 1990. A large percentage of offenders coming out of maximum security prisons are ineligible.

<sup>43</sup> The statute provides a minimum parole term of five years, however, for those convicted of first degree offenses.

<sup>44</sup> Kleinknecht, *supra* note 38. The article discusses whether this shift might have led to an upturn in homicide rates.



increased the overall amounts spent on probation, the number of probation officers has not risen enough to meet the size of this population: there were only 452 probation officers, with about 150 cases each, supervising the adult population, and 200 officers for the juvenile population, an average of 70 cases per officer.<sup>45</sup> Supervision in such circumstances is acknowledged to be minimal, and the police reportedly made 24,000 arrests of probationers for new crimes per year.<sup>46</sup> Complaints about this situation resulted in state senate hearings in 2001, and protests by probation officers, who had worked without a contract for 2 years.<sup>47</sup> The Administrative Office of the Courts has pushed for more funding to ameliorate the case overload problems, and apparently funding for additional officers was included in the proposed 2002 budgets; whether those positions have been filled, and whether they might be a casualty of the budget crisis, is unclear. The probation department is part of the AOC, which limits its ability to do much more than collect money and enforce court orders. There has been some push to move probation into a separate executive agency.

Funding for prison programming in New Jersey, as across the nation, has not kept pace with the rise in the prison population. In 1997, the Corrections Education Task Force, convened by the State Employment and Training Commission, reported that only 1 to 2.5 percent of the Department of Corrections budget was spent on education, although approximately 75 percent of those incarcerated performed at the two lowest literacy levels. Most of the funding was directed at juveniles. According to information provided by the Office of Educational Services, about 21 to 23 percent of those in state prisons and juvenile facilities participated in either academic or vocational programming each year since 1995 (the earliest year for which they reported that data was available). Participation rates for the adult population are presumably lower, as these figures include juveniles for whom educational programming is mandated. The Task Force report indicated that all educational programs had waiting lists. Post-secondary education is at present almost non-existent; a federal grant has underwritten Project IN-SIDE (Inmate Network: Skills in Developing Employment), which provides certificate-granting training courses for inmates under 25 within 5 years of parole, by contract with Union and Mercer County Community Colleges.<sup>48</sup> Programming at halfway houses is more significant, but only a small percentage of those in prison will pass through the halfway houses.

While money for programming is scarce, the DOC has made some efforts recently to adjust its vocational programming to better reflect job opportunities on the outside, according to DOC personnel. There have been three recent job fairs within the prisons, although the figures for how many inmates got jobs from these job fairs are not available.

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<sup>45</sup> David Kinney, *N.J. Courts Seek 150 More Parole Officers – Millions of Dollars Asked for Drug Treatment*, NEWARK STAR-LEDGER, Jan. 30, 2001; Sherry Conohan, *Gormley Calls for Hiring More Probation Officers*, BERGEN RECORD, Jan. 30, 2001.

<sup>46</sup> David Kinney, *Hearings to Review Ideas for Probation – Aim is to Reduce Repeat Offenders*, NEWARK STAR-LEDGER, Dec. 29, 2000.

<sup>47</sup> Jennifer Hughes, *Probation Officers Have New Contract – Went Without Pact for 2 Years*, BERGEN RECORD, July 4, 2001; Maryann Spoto, *Probation Officers Protest Workload*, NEWARK STAR-LEDGER, Apr. 3, 2001. The contract eventually signed by probation officers addressed salary concerns but caseload issues remained to be negotiated.

<sup>48</sup> The 24-credit certificate program is called “Small Business Employment Readiness.”

Inmates at the prisons and in halfway houses can participate in work release programs; there is no data to indicate whether these lead to permanent employment upon release. There is, at present, no organized release planning; reportedly, inmates who attempt to plan for themselves are effectively penalized because of the uncertainty of parole; they lose the jobs and housing leads that they may have arranged because parole release is denied or delayed. In terms of family reintegration assistance, the DOC indicated that they provided some parenting classes, but nothing that actively involved family members. As in many other states, the DOC contract with AT&T adds a surcharge to prisoners' collect phone calls, placing an additional burden on family contact.

Although attention to and funding for drug treatment for those in state institutions or contract facilities has increased considerably over the past ten years, the need still far outstrips current resources. The push for treatment in prison, and for treatment as an alternative to prison, began in the early 1990s in New Jersey, as the number of drug offenders increased and initiatives around the country began to explore options for addressing the problem. In New Jersey, the Sentencing Policy Study Commission surveyed prisoners in 1993 and found that a quarter of all respondents were incarcerated for selling drugs, and almost one quarter had committed crimes to get money for drugs; one third reported unsuccessfully seeking treatment in prison.<sup>49</sup> While widespread belief in the importance of treatment did not produce a radical change in policy – especially given the tough-on-crime context of New Jersey in the 1990s – more treatment options now exist. In 2001, for example, there were 1359 therapeutic community beds in six different prisons, up from 329 as recently as 1998. The DOC reported, however, that there was still a waiting list for those slots of 200 to 500 people at any point in time.<sup>50</sup> Five counties now have drug courts, which offer treatment and intensive court and probation supervision as an alternative to prison, and this model is scheduled to expand throughout the state.<sup>51</sup> Those in the treatment community on the outside note that there is no consistent continuum of care for those transitioning from prison to halfway houses back to the community, which places returning addicts at high risk.

While there is not as much analysis and information about the reentry challenge in New Jersey, compared to what has been done at the national level, what we do know suggests that the situation in the state seems to fit with national trends. Additional research and analysis should form a part of any state strategy to begin addressing the problem.

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<sup>49</sup> *We're Failing to Try a Big Crime-Fighting Weapon*, BERGEN RECORD, August 20, 1993; Angela Stewart, *Panelists Criticize Lack of Funding for Drug Treating Drug-Addicted Inmates*, NEWARK STAR-LEDGER, Dec. 3, 1993; *Final Report of the New Jersey Sentencing Policy Study Commission*, Jan. 1994.

<sup>50</sup> Matthew Dowling, *Inmates Confront Drug Demons – Mountainview Prison Holds Peer-Run Treatment*, NEWARK STAR-LEDGER, Oct. 14, 2001. With the opening of Delaney Hall in 2000, DOC Commissioner claimed that the state had over 3000 treatment beds for inmates in state and county facilities.

<sup>51</sup> The state also runs something called the Pre Trial Intervention Program, providing rehabilitation and supervision instead of prison for first-time drug offenders.