

### Chapter 14. Reentry Programs and Initiatives

The high rates at which criminals reoffend demonstrate that the criminal justice system is alone insufficient to deter and prevent crime. The specter of arrest and prosecution is important to criminal justice and discouraging crime, but recidivism remains a critical driver of crime: an estimated 68 percent of released prisoners are rearrested within three years, 79 percent within six years, and 83 percent within nine years.<sup>1</sup> As repeated elsewhere, law enforcement is but one aspect of any effort to prevent and reduce crime. It stands to reason, therefore, that crime prevention should not only focus on helping victims, but also on focusing on criminal offenders and the circumstances under which they commit and recommit crime.

Juvenile justice and social welfare programs are critical measures at the front end to do this, but once crime has occurred and the punishment has been served, these systems are not specifically tailored to help returning citizens later break the cycle of recidivism. Reentry programming serves that critical function by proactively engaging convicted offenders on their return to society, and focusing on what can be done to place them in a better situation than the one that led them to commit crime in the first place. Preventing offenders from reoffending is just as important to public safety as preventing crime at the outset.

As recounted above, former criminal offenders are an especially at-risk population to engage in criminal behavior.

Reentry programs and initiatives are critical to assisting law enforcement prevent and reduce crime. Since the reentering population is the population most likely to commit crime they must be directed towards support programs in the most effective manner while incarcerated and upon release to help divert these individuals away from returning to a life of crime. Law enforcement agencies should therefore be involved with and support reentry programs and initiatives in their communities in order to strengthen their crime prevention and reduction work.

Tony Lowden, executive director of the Federal Interagency Council on Crime Prevention and Improving Reentry (established by Exec. Order No. 13,826, 83 Fed. Reg. 10771 (2018)), says, “I believe making improvements in the way we prepare offenders to reenter society is critical. It's a critical element for an effective crime prevention strategy—not just from what we do as staff, correction officers to reentry officers—but what we do for the aftercare, too, so that those individuals do not return back to our facilities.”<sup>2</sup>

It is important for law enforcement to recognize that reentry begins at arrest. Jails and corrections systems need to assess the criminogenic needs and factors of criminals when they enter the system. Proper assessment can help to ensure incarcerated persons have access to appropriate programming and services. These programs should have a strong focus on education and job skills training to ensure that once released, former offenders are ready to enter the workforce. Stable employment and housing are fundamental to successful reentry. These are cornerstones that provide new opportunities once released and provide pathways to success, instead of pathways back to crime.

Upon reentry, formerly incarcerated persons need a strong support network. This can consist of their families, communities, or other appropriate networks that can help ensure accountability. It may require a combination of support networks to be successful. This chapter focuses on four change points that affect successful reentry, (1) risk and needs assessments, (2) jail and prison programming, (3) transition planning and release, and (4) community reintegration and supervision.

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<sup>1</sup> “Reentry Trends in the U.S.: Releases from State Prison,” Bureau of Justice Statistics, accessed June 16, 2020, <https://www.bjs.gov/content/reentry/releases.cfm>.

<sup>2</sup> *President’s Commission on Law Enforcement and the Administration of Justice: Hearing on Reentry* (April 23, 2020) (statement of Tony Lowden, Executive Director, Federal Interagency Council on Crime Prevention and Improving Reentry), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

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### 14.1 Risk and Needs Assessment Tools

In December 2018, President Donald J. Trump signed into law the First Step Act<sup>3</sup>. The First Step Act requires the Attorney General in consultation with the Independent Review Committee authorized by the First Step Act of 2018, to develop and release publicly on the Department of Justice website a risk and needs assessment system. The legislation's prescribed risk and needs assessment system is to be used to determine the recidivism risk of each prisoner as part of the intake process and classify each prisoner as having minimum, low, medium, or high risk for recidivism; to assess and determine, to the extent possible, the risk of violent or serious misconduct of each prisoner; determine the type, amount, and intensity of evidence-based recidivism reduction programs that are appropriate for each prisoner, and assign each prisoner to such programs accordingly and based on the prisoner's specific criminogenic needs. Furthermore, this model legislation highlights the need to reassess the recidivism risk of each prisoner periodically and reassign the prisoner to appropriate evidence-based recidivism reduction programs or productive activities based on the revised determination. The assessment tool laid out in the First Step Act seeks to ensure that all prisoners at each risk level have a meaningful opportunity to reduce their risk classification during the period of incarceration, the specific criminogenic needs of the prisoner are addressed and all prisoners are able to successfully participate in such programs.

#### **14.1.1 Jails and prisons should implement and standardize current, validated risk and needs assessment tools modeling the First Step Act to inform programming and increase public safety and positive reentry outcomes. These tools should be administered upon entry to correctional facilities and on a regular, recurring basis during and after incarceration, if released onto community supervision.**

While examining the use of risk assessments to determine sentencing, researchers found, "Across the U.S., states are using risk assessment to inform decisions about the imprisonment of higher-risk offenders, the supervised release of lower-risk offenders, and the treatment of offenders in efforts to reduce risk."<sup>4</sup> In this era of targeted criminal justice improvement, people who pose a low risk to public safety are often diverted to alternative settings so that increased time, money, and effort can be focused on those who pose a high risk to public safety.<sup>5</sup>

Risk assessment tools should be used to inform the reentry planning for all jail and prison populations, as they allow the correctional facilities to tailor programming and determine the best ways to target and allocate their resources. To reduce the risk of recidivism and improve the chances of successful reintegration into the community, prisons and jails must be responsible for implementing various risk and needs assessments for their populations. There are various considerations and options in selecting the best tool(s).<sup>6</sup>

While some corrections systems use the most current generation of assessment tools (e.g., Ohio, which uses the Ohio Risk Assessment System, and Georgia, which uses the Next Generation Assessment), the way systems implement these tools and use them to inform programming and practice varies widely.<sup>7</sup>

Currently, the Bureau of Justice Assistance (BJA) maintains a clearinghouse on public safety risk assessments tools.<sup>8</sup> Agencies may use this tool to determine the best assessment for their jail or prison and to help ensure the assessment tool is as consistent, fair, and effective as possible.

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<sup>3</sup> First Step Act of 2018, 18 U.S.C. §§ 3621-3632 (2018), <https://www.congress.gov/115/plaws/publ391/PLAW-115publ391.pdf>

<sup>4</sup> John Monahan and Jennifer L. Skeem, "Risk Assessment in Criminal Sentencing," *Annual Review of Clinical Psychology* 12, no. 1 (2016), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2662082](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2662082).

<sup>5</sup> Casey et al., *Offender Risk and Needs*.

<sup>6</sup> Sarah L. Desmarais and Jay P. Singh, *Risk Assessment Instruments Validated and Implemented in Correctional Settings in the United States* (New York: Council of State Governments Justice Center, 2013), <https://csgjusticecenter.org/wp-content/uploads/2020/02/Risk-Assessment-Instruments-Validated-and-Implemented-in-Correctional-Settings-in-the-United-States.pdf>.

<sup>7</sup> "Ohio Risk Assessment System," Ohio Department of Rehabilitation and Corrections, accessed June 16, 2020, <https://drc.ohio.gov/oras>; and "Assessment," Georgia Department of Corrections, accessed June 16, 2020, <http://dcor.state.ga.us/Divisions/InmateServices/RiskReduction/Assessment>.

<sup>8</sup> "Using Risk Assessment for Safer Communities," Public Safety Risk Assessment Clearinghouse, accessed June 18, 2020, <https://psrac.bja.ojp.gov>.

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### **[CROSS REFERENCE TO INTERSECTION OF CRIMINAL JUSTICE SYSTEM PERSONNEL]**

Incarcerated individuals may experience significant changes both while in a facility and after release. To account for these changes and to proactively manage and plan reentry efforts, corrections systems should conduct regular reassessments to identify the effect of those changes and how to adjust for them. Reassessments should also be administered when a person experiences a significant life event, such as a death, birth, marriage, divorce, or job change.

Staff in jails and prisons should be trained to understand, effectively administer, and accurately interpret the assessment tool to obtain the most accurate results.

#### **14.2 Reentry Programming for Jails and Prisons**

Developing and implementing reentry programming requires facilities to allocate appropriate resources, leverage technology effectively, and meet the needs of the population served.

##### **14.2.1 Jails and prisons should allocate resources to recidivism reduction programs.**

As was cited in the chapter on social issues, mental health and substance use disorders are very prevalent in the jail and prison population and without case management, treatment and support programs, as well as the continuation of care upon reentry, those disorders will persist and may contribute to criminal behavior resulting in recidivism. For inmates with alcohol and opioid use disorders, there are FDA approved medications that can assist with treatment, and these inmates should be screened, assessed and started on medications prior to release and connected to community-based treatment providers for continued care post release.

### **[CROSS REFERENCE TO SOCIAL PROBLEMS]**

Education and employment are two other programming areas that are vital to successful reentry and, therefore, key to programming in jails and prisons.

The Bureau of Justice Statistics reports that 65 percent of state prisoners do not have a high school degree.<sup>9</sup> In another report, high school dropouts are 47 more times likely to be incarcerated than peers with a four-year degree.<sup>10</sup>

Programs addressing the family unit, such as parenthood/fatherhood programming, have also been a focus for many institutions as the family unit is key to the support of individuals upon reentry and key to breaking the cycle of criminal behavior in future generations.

### **[CROSS REFERENCE CRIMINAL JUSTICE SYSTEM INTERSECTION AND SOCIAL PROBLEMS]**

Many recidivism reduction programs and other related productive activities have been shown not only to lower recidivism rates, but also to decrease behavior infractions while in jail or prison. Therefore, it is in the best interest of corrections institutions to allocate resources to and increase inmate participation in evidence-based and promising programs and activities. Various federal resources exist that catalogue such programs and activities and can serve as a resource for jails and prisons to identify programs to implement in their facilities including the Federal Interagency Reentry Council, DOJ's Crime Solutions.gov, the Bureau of Prisons list of Evidence-based Recidivism Reduction (EBRR) Programs and Productive Activities (PA), and the Substance Abuse and Mental Health Services Administration's Evidence-Based Practices Resource Center.<sup>11</sup>

##### **14.2.3 Jails and prisons should develop incentives to increase participation in recidivism reduction**

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<sup>9</sup> Caroline Wolf Harlow, *Education and Correctional Populations* (Washington, DC: Bureau of Justice Statistics, 2003), 1, <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=814>.

<sup>10</sup> Caitlin Curley, "How Education Deficiency Drives Mass Incarceration," GenFKD, November 18, 2016, <http://www.genfkd.org/education-deficiency-drives-mass-incarceration>.

<sup>11</sup> "CrimeSolutions.Gov," National Institute of Justice, accessed June 16, 2020, <https://www.crimesolutions.gov>; [https://www.bop.gov/inmates/fsa/docs/evidence\\_based\\_recidivism\\_reduction\\_programs.pdf](https://www.bop.gov/inmates/fsa/docs/evidence_based_recidivism_reduction_programs.pdf); and "Evidence-Based Practices Resource Center," Substance Abuse and Mental Health Services Administration, accessed July 6, 2020, <https://www.samhsa.gov/ebp-resource-center>.

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**programs, and should also develop technology solutions to facilitate these programs. These could include tele-health and tele-therapy programs, as well as technologies that could support educational and job-related skill-building.**

When populations in jails and prisons are allowed to decide whether to participate in recidivism reduction programming, the institution's ability to have a significant impact on recidivism decreases. Instead, jails and prisons should provide incentives to the population to participate in programming by developing strategies that encourage such participation (e.g., good time credits, improved housing, increased visitations, or program participation for work credits). The First Step Act seeks to improve recidivism reduction programming in the Federal Bureau of Prisons by using similar incentives. Jails and prisons may struggle with balancing using technology (e.g., internet access, cell phones, and tablets) and prioritizing security of both inmates and staff. Technology can help institutions increase their number of program offerings, which in turn reduces the amount of programming time lost due to lack of physical space, shortage of staff, or a short incarceration sentence. Jails and prisons should both maintain safety and security and improve the delivery of programs at the same time.

### **14.2.4 Jails and prisons should develop unique reentry and reintegration program offerings for specific populations, including veterans, parents, and women.**

The population in jails and prisons encompasses a range of people. By addressing the needs of specific populations, prisons and jails can improve their reentry outcomes.

#### **[BEGIN TEXT BOX]**

In his testimony before the President's Commission on Law Enforcement, Dr. Jean Wright explained;

"What is often lost in the traditional reentry models is that the men and women returning to their communities often have children. This fact requires us to reframe our concept of "reentry" into a vision of "reintegration." Dr. Wright reminds us that "Reentry into community focuses on the requisite necessity to develop a marketable skill/vocation, etc. Whereas, reintegration into community requires we focus on more "quality of life" skills to assist returning citizens to develop a more well-rounded (i.e. "holistic") approach to include aspects of being that will anchor the returning citizen into community life."

One example of a reintegration program would be PA-Fathers and Children Together Program Inc. (PA-FACT). As Dr. Wright explains "PA-FACT Inc. is a unique program because while it provides services and supports to children and their families in the community; it also reconnects children to their father while he is incarcerated. This unique fatherhood program is designed to heal relationships between fathers and their children. The program teaches incarcerated fathers the importance of developing positive relationships with their children through one-to-one visitation and intensive parenting classes, and also provides individual and group counseling for incarcerated fathers, for the children, and for the primary caregiver (most often, mother). PA-FACT strives to end the generational cycle of incarceration and recidivism that plagues children of incarcerated parents."<sup>12</sup>

#### **[END TEXT BOX]**

**PULL QUOTE:** "At one time in their lives, these men took an oath to protect us. If they were willing to lay themselves on the line for us, we owe them this much."<sup>13</sup> - Sheriff Peter J. Koutoujian, Middlesex County, Massachusetts

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<sup>12</sup> *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Reentry* (April 29, 2020) (testimony of Dr. Jean Wright, Director of Behavioral Health and Justice Related Services at the Philadelphia Department of Behavioral Health and Intellectual Disability Services), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

<sup>13</sup> Middlesex Sheriff's Office, *Housing Unit for Military Veterans (HUMV) White Paper* (Medford, MA: Middlesex Sheriff's Office, 2019).

### 14.3 Transition Planning and Release

Successful reentry begins at arrest and, therefore, transition planning should begin on that first day.

This could be with the risk and needs assessments which leads to appropriate programming and services while incarcerated and awaiting trial. After the trial and as the individual serves their sentence and gets closer to their release date, transition planning is essential.

Transitional planning is a proactive way to link people to the necessary community services, but does require coordination among various agencies.

**PULL QUOTE:** “We must craft policies to ensure that Americans with criminal records have a fair shot at a decent life. We must remove barriers to employment, housing, public assistance, education, and building good credit.”<sup>14</sup> - The Sentencing Project

The conditions that may have played a role in an individual being incarcerated in jail and prison are not likely to have changed upon release. Unstable housing, under or unemployment, lack of an education, lack of family ties or support, under or untreated mental health or substance use disorders, will all remain if not addressed while incarcerated and if no continuity of services exists upon release. The addition of a criminal record can have further and longer lasting effects on a person’s ability to successfully reenter and not recidivate. In addition to programming and services while incarcerated, is critical for jails and prisons to provide effective transition planning.

#### 14.3.1 State legislatures, in collaboration with criminal justice leaders, should review, identify, and eliminate legislation and regulations that pose barriers to successful reentry.

According to the National Inventory of Collateral Consequences of Conviction, “collateral consequences are legal and regulatory restrictions that limit or prohibit people convicted of crimes from accessing employment, business and occupational licensing, housing, voting, education, and other rights, benefits, and opportunities.”<sup>15</sup> Each state should review its laws and regulations in collaboration with representatives from corrections, courts, and community supervision agencies. By reviewing and eliminating such laws and regulations, states can remove unnecessary barriers to successful reintegration into the community.

According to a 2019 U.S. Commission on Civil Rights report, once an individual has completed the court-imposed sentence, there are often additional consequences that result in a worsened punishment, overlaying the initial criminal conviction. While some of these consequences are valid because they involve public safety, many are either not connected to the crime that led to the conviction or they have no bearing on public safety. Further, defendants, defense and prosecuting attorneys, and judges—and even the general public—often do not know the reach of these consequences. Such a lack of knowledge or awareness undoes any possible deterrent effect that might have resulted from connecting these consequences to criminal convictions.<sup>16</sup>

The 2019 commission report recommends, “Collateral consequences should be tailored to serve public safety. Policymakers should avoid punitive mandatory consequences that do not serve public safety, bear no rational relationship to the offense committed, and impede people convicted of crimes from safely reentering and becoming contributing members of society. Jurisdictions should periodically review the

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<sup>14</sup> Half in Ten, The Sentencing Project, and Community Legal Services, *Americans with Criminal Records* (Washington, DC: Half in Ten, 2015), <https://www.sentencingproject.org/wp-content/uploads/2015/11/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>.

<sup>15</sup> “What are Collateral Consequences?,” Council of State Governments Justice Center, accessed July 6, 2020, <https://niccc.csgjusticecenter.org/about/>.

<sup>16</sup> U.S. Commission on Civil Rights, *Collateral Consequences: The Crossroads of Punishment, Redemption, and the Effects on Communities, Briefing Before the United States Commission on Civil Rights* (Washington, DC: U.S. Commission on Civil Rights, 2019), <https://www.usccr.gov/pubs/2019/06-13-Collateral-Consequences.pdf>.<sup>17</sup> U.S. Commission on Civil Rights, *Collateral Consequences*.<sup>18</sup> “Collateral Consequences of Conviction Act,” Uniform Law Commission, accessed July 9, 2020, <https://www.uniformlaws.org/committees/community-home/librarydocuments?communitykey=74d9914f-f15e-49aa-a5b0-f15f6e5f258a&tab=librarydocuments&LibraryFolderKey=&DefaultView=>.<sup>19</sup> Jared Meyer, “States Need to Give Ex-Cons a Fresh Start,” *Forbes*, January 21, 2018, <https://www.forbes.com/sites/jaredmeyer/2018/01/21/states-need-to-give-ex-cons-a-fresh-start/#7b51cbcd2fad>.

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consequences imposed by law or regulation to evaluate whether they are necessary to protect public safety and if they are related to the underlying offenses.”<sup>17</sup>

Changes to legislation can improve an individual’s chances for reentering the community successfully. Organizations like the National Center for State Courts extend assistance to help states restructure this type of legislation. In addition, the Uniform Law Commission offers a Uniform Collateral Consequences of Conviction Law for states to consider.<sup>18</sup>

### **14.3.2 States or counties should establish reentry councils—in collaboration with service agencies, nonprofit organizations, and private businesses—to enhance the development, coordination, and success of jail and prison reentry initiatives.**

Reentry councils are a collaboration of a variety of community entities that all play a role in the successful reentry of incarcerated individuals, including, but not limited to housing, employment, education, and medical service providers; departments of motor vehicles; nonprofit organizations, such as faith-based groups; departments of corrections, jails, law enforcement, sheriffs, district attorneys, prosecutors, and community supervision agencies; legislators; and the courts. These councils should promote coordination across these entities, the importance of reducing recidivism and victimization, and should identify gaps in services and address barriers to reentry. Such councils currently operate locally and statewide across the country.

One such barrier can be the financial burden created by court fees and fines. People returning to their communities from jails and prisons are often unable to pay fines because it is often difficult for them to obtain employment that provides a living wage. An estimated 60–75 percent of persons previously incarcerated are still unemployed a year after release.<sup>19</sup> As they continue to seek meaningful employment, fees and fines unjustly burden people with debt.<sup>20</sup>

Tim Johnson, Founder and President of the Orlando Serve Foundation, whose Foundation’s mission is “Connecting communities and resources to provide systems of care to individuals and families in need in Central Florida” provides innovative ways to help lift burdens such as financial debt and suspended licenses from being obstacles limiting reentry. One of the Foundation’s innovative ways to support those returning to their communities is through the ‘He Got Up!’ campaign, which hosts events in the community. At the events, “guests register to determine their eligibility to restore their suspended driver’s licenses due to unpaid court costs, fees or fines. If eligible, they sign up for a reduced-cost payment plan that removes them from collections. The plan considers their ability to pay and offers lower minimum payments than typical. Depending on the county, they will see the Clerk at the event or at the Courthouse the following week. Alternatively, in Orange County, guests can sign up to perform community service hours in lieu of payment. In this case, they register at the event with the Department of Corrections and then see a judge in the weeks following to have the community service ordered. Upon sign-up for either plan, the suspension from the

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<sup>17</sup> U.S. Commission on Civil Rights, *Collateral Consequences*.<sup>18</sup> “Collateral Consequences of Conviction Act,” Uniform Law Commission, accessed July 9, 2020, <https://www.uniformlaws.org/committees/community-home/librarydocuments?communitykey=74d9914f-f15e-49aa-a5b0-f15f6e5f258a&tab=librarydocuments&LibraryFolderKey=&DefaultView=>.<sup>19</sup> Jared Meyer, “States Need to Give Ex-Cons a Fresh Start,” *Forbes*, January 21, 2018, <https://www.forbes.com/sites/jaredmeyer/2018/01/21/states-need-to-give-ex-cons-a-fresh-start/#7b51cbcd2fad>.

<sup>18</sup> “Collateral Consequences of Conviction Act,” Uniform Law Commission, accessed July 9, 2020, <https://www.uniformlaws.org/committees/community-home/librarydocuments?communitykey=74d9914f-f15e-49aa-a5b0-f15f6e5f258a&tab=librarydocuments&LibraryFolderKey=&DefaultView=>.<sup>19</sup> Jared Meyer, “States Need to Give Ex-Cons a Fresh Start,” *Forbes*, January 21, 2018, <https://www.forbes.com/sites/jaredmeyer/2018/01/21/states-need-to-give-ex-cons-a-fresh-start/#7b51cbcd2fad>.

<sup>19</sup> Jared Meyer, “States Need to Give Ex-Cons a Fresh Start,” *Forbes*, January 21, 2018, <https://www.forbes.com/sites/jaredmeyer/2018/01/21/states-need-to-give-ex-cons-a-fresh-start/#7b51cbcd2fad>.

<sup>20</sup> Mathew Menendez et al., *The Steep Costs of Criminal Justice Fees and Fines* (New York: The Brennan Center, 2019), <https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines>.

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guest's driver's license is removed, and if they honor their payment plan or community service agreement, their license remains valid."<sup>21</sup>

### **14.3.5 The Departments of Justice, Housing and Urban Development, and Agriculture should develop housing strategies for people who were formerly incarcerated that increase positive reentry outcomes.**

According to the Prison Policy Initiative, "formerly incarcerated people are almost 10 times more likely to be homeless than the general public."<sup>22</sup> Affordable housing and homelessness is a critical social problem for the larger community, which means people formerly incarcerated compete with the larger community for scarce resources. Currently, few jails and prisons have implemented housing strategies or programs, and that leads to negative reentry outcomes. Lack of housing can cause instability, which may lead to homelessness. Even if issues of substance use, mental health disorders, education, or employment are addressed, the lack of stable housing can be disruptive to reentry efforts.

In his testimony before the Commission, Secretary John Wetzel from the Pennsylvania Department of Corrections suggested that obtaining post release housing is the number one challenge upon release. In PA Secretary Wetzel testified they have found success with performance contracts that pay halfway housed based on recidivism rates. "Lower recidivism rates result in a bonus, one standard deviation of the average is normal pay, and an increase in two successive six month periods results in a contract loss. Incentives and accountability work when partnering with the private sector."<sup>23</sup>

#### **[CROSS-REFERENCE SOCIAL PROBLEMS]**

### **14.4 Community Reintegration and Supervision**

Because a majority of people who were incarcerated will be placed on some level of community supervision after serving time in jail or prison, community supervision agencies become an integral part of the criminal justice system at the point of reentry and the community supervision agency must maintain public safety and ensure that those who were incarcerated are monitored and comply with conditions of release.

BJS reports that at least 95 percent of all state prisoners will be released from prison at some point and that nearly 80 percent will be released onto parole supervision.<sup>24</sup> By the end of 2016, more than 4.5 million people—1 in 55 adults—were on some type of community supervision.<sup>25</sup> At the same time, 2.3 million people were incarcerated in jail or state or federal prison, meaning two-thirds of people under correctional control in 2016 were in the community.<sup>26</sup>

The large number of people on community supervision and high caseloads have made it difficult for supervision agencies to implement tailored recidivism-reduction strategies. In some states, community supervision officers are responsible for monitoring and managing the reentry needs of more than 100 people on supervision. Additionally, many people on community supervision are returned to jails and prisons for non-criminal violations. A quarter of all state admissions in 2017 were for breaking minor supervision rules known as technical violations—such as opening a credit account, missing an appointment, or failing a drug

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<sup>21</sup> *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Reentry* (April 29, 2020) (statement of Tim Johnson, Founder and President of the Orlando Serve Foundation), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

<sup>22</sup> Lucius Couloute, "Nowhere to Go: Homelessness Among Formerly Incarcerated People," Prison Policy Initiative, August 2018, <https://www.prisonpolicy.org/reports/housing.html>.

<sup>23</sup> *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Reentry* (April 28, 2020) (statement of John E. Wetzel, Secretary of Corrections, PA Department of Corrections), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

<sup>24</sup> Bureau of Justice Statistics, "Reentry Trends in the U.S."

<sup>25</sup> Danielle Kaeble, *Probation and Parole in the United States, 2016* (Washington, DC: Bureau of Justice Statistics, 2018), <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6226>.

<sup>26</sup> Kaeble and Cowhig, *Correctional Populations*.<sup>27</sup> "The Confined and Costly: How Supervision Violations Are Filling Prisons and Burdening Budgets," Council of State Governments Justice Center, June 18, 2019, <https://csgjusticecenter.org/publications/confined-costly/>.<sup>28</sup> *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Reentry* (April 23, 2020) (statement of John Koufos, National Director of Reentry Initiatives, Right on Crime), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

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test.<sup>27</sup>

Finally, it is important that jails and prisons share case management information with community supervision so that it can be used to develop the supervision case plan. The jail or prison case management file provides the community supervision officer with information about the individual's adjustments, changes, and needs while that person was incarcerated. This collaboration helps build the roadmap for what the person needs upon reentry. They should also ensure people have primary identification documents and eligible benefits at least 60 days prior to release. Government benefits often require people to have a birth certificate, driver's license, and a social security card to obtain public benefits and employment, and a formal process to obtain peoples' identification documents, assess the types of benefits or services they are eligible for, and complete applications to secure those benefits can greatly smooth the transition back into the community.

John Koufos, Right on Crime National Director of Reentry Initiatives, says, "every inmate needs to leave incarceration with a DMV—a Department of Motor Vehicle—non-driver identification card or a driver's license, not a prison ID."<sup>28</sup>

### **14.4.1 Community supervision agencies should adopt the case management model and initiate plans that are consistent with the plans developed by jails and prisons, tailored appropriately, and include engagement strategies to reduce recidivism.**

Parolees who receive consistent and properly sequenced services throughout their time in the criminal justice system are significantly less likely to be rearrested or reconvicted for new crimes within 18 months of release.<sup>29</sup> Recidivists are most likely to commit their new offense within two years of release.<sup>30</sup> Therefore, community supervision agencies should increase officers' efforts, time, and resources during this most critical time frame. Because they serve as both a law enforcement officer and social worker, supervision officers are uniquely situated to engage the reentering offender at the earliest possible stage, facilitate support and opportunity, and hold the parolee accountable. To ensure success of the system, the supervision officer must be properly and continually trained to identify the programs of proven effectiveness in the community for a reentering individual. Positive social and community interactions help improve reentry outcomes and at the Iowa Department of Community Supervision, officers are trained to mitigate a person's risk for recidivism by using case management plans that are designed to maximize community interactions, provide needed support services, and decrease the probability a person will commit a new crime.<sup>31</sup>

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<sup>27</sup> "The Confined and Costly: How Supervision Violations Are Filling Prisons and Burdening Budgets," Council of State Governments Justice Center, June 18, 2019, <https://csgjusticecenter.org/publications/confined-costly/>.<sup>28</sup> *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Reentry* (April 23, 2020) (statement of John Koufos, National Director of Reentry Initiatives, Right on Crime), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

<sup>28</sup> *President's Commission on Law Enforcement and the Administration of Justice: Hearing on Reentry* (April 23, 2020) (statement of John Koufos, National Director of Reentry Initiatives, Right on Crime), <https://www.justice.gov/ag/presidential-commission-law-enforcement-and-administration-justice/hearings>.

<sup>29</sup> Michael Ostermann and Jordan M. Hyatt, "When Frontloading Backfires: Exploring the Impact of Outsourcing Correctional Interventions on Mechanisms of Social Control," *Law & Social Inquiry* 43, no. 4 (2018), <https://doi.org/10.1111/lisi.12300>.<sup>30</sup> Bill Keller, "Seven Things to Know About Repeat Offenders," The Marshall Project, March 10, 2016, <https://www.themarshallproject.org/2016/03/09/seven-things-to-know-about-repeat-offenders>.

<sup>30</sup> Bill Keller, "Seven Things to Know About Repeat Offenders," The Marshall Project, March 10, 2016, <https://www.themarshallproject.org/2016/03/09/seven-things-to-know-about-repeat-offenders>.

<sup>31</sup> Sally Kremer, Director, 5th Judicial District, Iowa Department of Correctional Services, in discussion with Reentry Working Group during virtual site visit of the Judicial District Community Supervision, May 13, 2020.