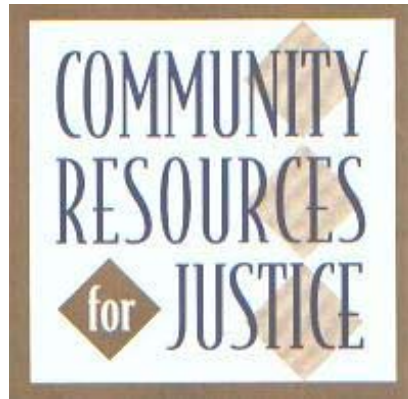


**POLICY BRIEF
JANUARY 2001**



Returning Inmates: *Closing the Public Safety Gap*

Rising numbers of inmates, coupled with the loss of pre-release training and outside supervision, foreshadow an unanticipated and generally unanswered breakdown in the continuum of community safety, particularly for inner cities. New innovations in the prisoner reentry field, both within the Massachusetts corrections system and in local communities, hold some promise but these approaches are limited and address only a fraction of the thousands of inmates released each year.

This monograph was supported by a grant from the Gardiner Howland Shaw Foundation. Points of view or opinions stated are those of the author and do not necessarily represent the official position or policies of the Gardiner Howland Shaw Foundation.

Community Resources for Justice, Inc.

Brian A. Callery
President

John J. Larivee
Chief Executive Officer

Copyright 2001, Community Resources for Justice, Inc.

Community Resources for Justice, Inc. reserves the right to reproduce, publish, translate, or otherwise use, and to authorize others to publish and use all or any part of the copyrighted material contained in this publication.

TABLE OF CONTENTS

FOREWARD

PREFACE

INTRODUCTION

MASSACHUSETTS CORRECTIONS

Policy Structure

Prisons

Prison Population

Reentry Issues

Employment Readiness
Substance Abuse
Housing
Public Health

PRISONER REENTRY

Numbers
Parole
Parole Waivers
Wrapping

REENTRY PROGRAMS IN MASSACHUSETTS

The Massachusetts Department of Correction
County Houses of Correction
Hampden County House of Correction
Suffolk County House of Correction
Norfolk County House of Correction
Conclusions

THE FIRST DAY OUT

BARRIERS TO REENTRY

Identification
Homelessness
Criminal Record Exclusion
Employment

IMPACT ON THE COMMUNITY

RECOMMENDATIONS

CONCLUSION

APPENDIX A

FOREWORD

In recent years the criminal justice system has become increasingly aware of the shortcomings inherent in its' contemporary practices. The first wave of change came in the form of a swing toward an incarceration-based approach to crime that has been incorporated over the past two decades. Now we face a second wave - the release of an unprecedented number of inmates to the streets of our neighborhoods and communities. The systematic withdrawal of prisoners' rights coupled with severely underutilized pre-release programs make for a community safety problem of epic proportion. Research and statistics suggest that we have, within our reach, the resources to navigate this oncoming problem. The successful transition of ex-offenders from the prisons to our streets is a question of management. It does not mean increasing the flow of funding to new programs. It does not require the passing of large amounts of new legislation. It does not mean the coddling of criminals.

This report is intended for corrections officials, police, probation officers, judges, politicians, human service providers, and community leaders. Our aim is to expand the boundaries of the discussion of prisoner reentry, bringing together all the interested parties. We also aim to educate the public-at-large in order to dismiss needless anxiety and enhance the knowledge needed to secure greater success. In short, this report is intended for anyone who has a professional or personal interest in increasing community safety.

Community Resources for Justice, Inc., has a long-standing history of working for public safety: the successful transition of male and female offenders from a life behind bars to a civil and productive life in the community; education and services provided to troubled and at-risk youth; specialized service to individuals with psychiatric disorders and mental retardation. This report is informed by that work, and the many women and men who provide those services - services that impact communities throughout New England.

It is our hope that this report will be useful in the assessment and management of pre-release services in Massachusetts. We will continue to work for better solutions and protocols as we face the challenges posed by prisoner reentry and community safety.

Brian A. Callery
President, Board of Directors
Community Resources for Justice, Inc.

January 2001

PREFACE

In the fall of 1998, the Executive Board at *Sentencing and Corrections*, a publication sponsored by the U.S. Department of Justice, was deeply involved in the discussion of prisoner reentry and the coming problems built into an incarceration-based approach to criminal justice, an approach that had been embraced by the U.S. over the past two decades. At the same time, Jeremy Travis, director of the federal National Institute of Justice, presented a seminal paper, "But They All Come Back", which inspired many to take a deeper look at prisoner reentry and what might be done to better manage the transition of ex-offenders from life behind bars to the streets of our cities and neighborhoods.

With that idea in mind, Community Resources for Justice requested and received a grant from the Gardiner Howland Shaw Foundation to research the onslaught of prison releases and the practices of the Massachusetts criminal justice system. Our hope was to uncover the best practices, as well as the gaps between what ought to be done and what was being done. The result is this report.

Countless hours were spent conducting interviews with professionals from all quarters of the criminal justice system in Massachusetts - police, probation, parole, sheriffs, correction officials, ex-offenders, human service providers. In concert with these interviews was research, which was constantly being updated and focused, through the latest publications and online sources.

Many individuals were involved in the process of research, writing and support, without whom we would not have been able to complete this report: Thomas Coury, Robyn Frandsen, William Rodriguez, Mary Breslauer, Michael Oliver, Kate Bradley, Angie Barboza, Elizabeth Curtin, John Sullivan, Brenda O'Donnell, Peter Flynn, Cathy Peek. Thanks to all of you for your invaluable input, feedback, and advice.

John J. Larivee
Chief Executive Officer
Community Resources for Justice, Inc.

January 2001

I. INTRODUCTION: THE PRISONER REENTRY CRISIS

The Commonwealth of Massachusetts is facing a significant hurdle if it is to cement the gains it realized in falling crime rates, one that will require a fundamental shift in the expectations placed on our corrections system. In our collective desire for safer streets, criminal justice reforms have focused on two primary objectives - tough sentencing and strict incarceration in prison and county jails. As more and more offenders have been arrested and jailed, crime rates have fallen and our streets and neighborhoods have become quantifiably safer.

On the surface, it would appear that we have found the right formula. The problem is that those inmates are now returning to the same streets and neighborhoods that sent them away one, five, 10 and 20 years ago. In fact, within two years, most of the inmates now behind bars in Massachusetts will be released. If we continue with current policy and practice, within three years of getting out of state prison, 62% will be rearrested, and 41% will go back inside. These burgeoning numbers are gaining national attention: "Without making contingency plans for it - without even realizing it - we are creating a disaster that instead of dissipating over time will accumulate with the years," reports the *Atlantic Monthly*.

Anxiety over the potential coddling of criminals has long stopped or eroded efforts to assist offenders in making a successful transition outside prison walls. In striving to stay tough on crime, we have created a new public safety crisis in the Commonwealth. Of the nearly 21,000 ex-offenders who leave prison each year, between 25% and 39% were convicted of violent felonies. While this is precisely the group of inmates who potentially pose a threat to public safety, they are also the inmates least likely to receive any preparation for their release, or any supervision or oversight once they are out. And we expect a lot from them, as we should. They must find jobs and homes; they must learn basic living skills they do not have; and they must both develop and maintain structure in their lives.

Clearly, Massachusetts communities have the most to gain if we minimize the opportunities for failure, particularly for those inmates posing the greatest threat to public safety. Rising crime rates in the Seventies and Eighties brought an understandable public outcry for tougher sentencing. The early results bolstered that approach - crime rates have fallen to the lowest levels in 30 years as tougher sentencing put more criminals behind bars and kept them there longer.

Now those sentences are ending, and huge numbers of ex-offenders are returning back to the community, most without any education, many with unresolved drug and alcohol abuse problems, no support, no prospects for work, no place to live and no supervision.

In the last 20 years, the incarceration rate in the United States has more than tripled, making it the highest reported in the world. According to the U.S. Justice Department, 1999 marked the first time two million people were behind bars. The growth in the Massachusetts incarceration rates mirrors the national experience. What we have failed to recognize, however, is that increased commitments to prison are followed by increased releases. Over the last five years, an average of 1,800 offenders were released from Massachusetts prisons and jails each month, most of them returning to the neighborhoods that had sent them to prison in the first place.

The following report, which compiles the most recent data available on the inmate population in Massachusetts, as well as the erosion of programmatic and supervisory support over the last 10 to 15 years, documents the growing crisis. There are some promising efforts underway to better protect communities by better preparing and supervising inmates upon their release. But most are pilot programs, and many cautiously craft eligibility criteria to ensure the greatest success, as well as continued funding. The problem is, the most needy, and, potentially, dangerous inmates are bypassed.

It is our conclusion that to enhance public safety, especially of our inner cities that inherit the greatest numbers of newly released inmates, we must consider the impact of release from the moment we sentence and incarcerate a criminal. We must answer these fundamental questions:

- How will these former offenders become civil and productive members of society, and who are the key players in that effort?
- How do we best support the communities where they are most likely to return, especially the often fragile urban neighborhoods that are least able to absorb large numbers of offenders?
- Should ex-offenders be monitored, assisted, or both?
- Does the criminal justice system that governs the terms of release, in fact, sometimes impede the ex-offender's success?

If the one-dimensional mandate of Massachusetts' corrections policy - incapacitation -- continues to dominate, the nearly half-million inmates who will return home over the next 20 years will arrive unprepared, vulnerable to the same temptations and more likely to harm again. Some inmates with exceptional desire, ability, or support systems will succeed, surmount obstacles, find and keep jobs, reenter society with a will to do the right thing. Most will not. Many will almost surely be more, not less, dangerous than when they went in. Because most are unprepared, they will often choose badly, give in to old patterns, victimize their families or neighbors, commit a new crime or violate the terms of

their release, and return to prison.

The opportunity inherent in the successful management of prisoner reentry is greater public safety, but that means work. It means the effective utilization of resources that are already in place. It means targeting, not avoiding, high-risk offenders. It means establishing stronger coordination and support within the criminal justice system. It means cooperation among the executive, legislative and judicial branches of government. It means galvanizing the political will to broaden its approach to criminal justice issues. In other words, it means doing more than sentencing and throwing away the key.

How do we retool the public safety dictate to view incarceration as a step in an ongoing process that begins with removal from society, and includes preparation in prison for an eventual release, as well as a managed return to society?

Our criminal justice system must learn to function equally well when the prisoner goes home as it does when it first removes him/her from civil life. Without a well-managed process from start to finish - one that recognizes the inmate's return as part of the sentence - we will eventually fail at protecting public safety in the Commonwealth.

II. MASSACHUSETTS CORRECTIONS

A. Policy

The staggering numbers of unprepared inmates, whose offenses were often violent -- the designation *violent* describes felonies under the categories of sex offense or "person" offenses -- heading for the prison exits is not a situation that crept up on us gradually. It took only fifteen years for the problem to reach the present "tipping point" - a condition wherein one more social deficit can create the pressure to throw the entire community into a kind of cultural chaos --growing exponentially, like an epidemic, into a crisis.

Until the 1980s, two-thirds of Massachusetts' inmates were generally released from prison on parole, a conditional release at the end of a prison term that was typically accepted by the public as the natural conclusion of incarceration, and was routinely granted after one or two hearings. But in the late 1980s, following a highly publicized 1986 incident in which Willie Horton, a convicted murderer serving a life-without-parole sentence, committed two heinous crimes while on his tenth furlough from a state prison, the political outcry for public safety "soon overshadowed all other concerns" in criminal justice.

A furlough, seldom granted today but quite common prior to the Horton outcry, is a specified period of time spent away from the prison, usually supervised but sometimes unsupervised, for an inmate to visit family, seek employment, or otherwise make a contact to help the transition home. After the Horton crimes and a 1988 presidential campaign that used it as a national symbol for coddling criminals, we began to suspect corrections and parole of hiding a deep flaw in the system, one that let dangerous criminals out early, raring to commit another crime. Harsher and longer sentences, many without parole or pre-release preparation as an option, were the response: if criminals went away longer, we were safer.

The reaction in Massachusetts to this shift, as in most of the country, was a focus on incapacitation and punishment as the goals of prison. In short, the prevention of further crime was achieved by isolation and removal of criminals from society. Thereafter, incapacitation rapidly became the overriding mandate of state corrections policy. Propelling this change was discouraging research about the apparently hopeless results of rehabilitation, ultimately resulting in the diminishment, both in emphasis and quantity, of rehabilitative programs in Massachusetts' correctional institutions. At the same time, Massachusetts, like many states, faced the seemingly intractable problem of prison overcrowding, then approaching a crisis level. As a result, many resources that had previously been directed towards rehabilitative programs were diverted to increase prisoner housing and provide the needed security for the burgeoning inmate populations. Consequently, by the early 1990s, the political will in the Commonwealth, having embraced the "breaking rocks" model, aimed for public safety at all costs - and the costs were high, with each state prisoner costing \$32,975 per year, on average, in fiscal year 1999.

The 1994 federal Omnibus Crime Bill, which included a substantial "no frills in prison" section, eliminated Pell Grants

for all U.S. inmates taking college-level courses while in prison, sounding the death knell for higher education in penal institutions. This effectively precluded an inmate from taking college-level courses while incarcerated. Politically, the removal of the Pell Grants was presented as necessary to prevent inmates from getting money that should rightfully go to law-abiding citizens. Actually, no money was diverted to inmates from ordinary citizens, as the grants were not awarded through a competitive process, but were provided to all those who qualified. Following the elimination of the grants, higher education classes in penal institutions all but vanished. This occurred despite well-documented statistics proving that felony recidivism drops commensurate with the amount of higher education received while in prison. What happened after the offender got out was not on the table. We are beginning to face the daunting consequences of those policy decisions now.

Thus, under the modern-sounding rubric of "incapacitation" came a broad return to the retributive corrections mandate of a much earlier day. Along with the rest of the nation, Massachusetts responded to the changed mandate by developing, whether by accident or design, a system of incarceration that appears not to acknowledge that nearly every inmate eventually completes his sentence and comes out. Today's correctional system does little to prepare inmates for their inevitable release, even as it manages an exponentially increasing number of those ill-prepared offenders heading home. They are not ready - and neither are we.

B. Structure

The correctional system in Massachusetts is divided into state and county jurisdictional levels. The Massachusetts Department of Correction is the state agency responsible for running the Commonwealth's 28 correctional facilities where offenders, convicted in Superior Court, are generally sentenced to terms longer than 2 1/2 years. Massachusetts' 13 county houses of correction are managed by each county sheriff's office, and house inmates, convicted in district courts, who are sentenced to 2 1/2 years or less, per offense. The average sentence of a county inmate is less than one year, and is usually served for less severe offenses than those facing state prison sentences. There is also a third distinction: county jails hold inmates awaiting trial or sentencing.

Additionally 16 Community Corrections Centers have opened in Massachusetts, with a 17th soon to open in Worcester. These centers are intended to provide intensive services and support for offenders under probation, parole supervision, or inmates from county houses of correction placed on electronic monitoring, and day reporting status. The centers are funded by the Office of Community Corrections (OCC), created in 1996 as a component of the Probation Department under the Trial Court. In most cases the county sheriffs operate these centers working jointly with the OCC, the state's Probation Department, and the Massachusetts Parole Board.

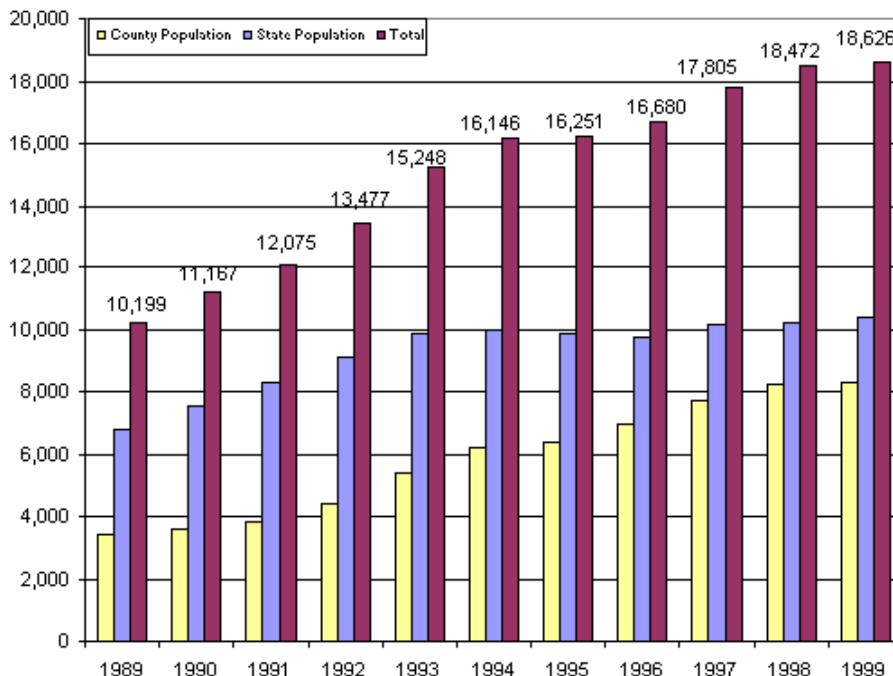
Finally, the Massachusetts Department of Correction operates five Community Resource Centers throughout the state. These centers offer services to all offenders under supervision, as well as ex-offenders within six months of their discharge date.

C. Prisons

On June 30, 2000, the total number of prisoners held in Massachusetts' state prisons and County Houses of correction was 21,976. Roughly half of this number represents inmates housed in state prisons. On January 1, 2000 the Department of Correction counted 9,962 sentenced inmates in their facilities, a decline of approximately 4% over the previous year's population. This drop is the first decline in many years, as overall there has been a 53% increase in state inmates between 1989 and 1999.

Figure 1.

**Massachusetts Inmate Population
on January 1, 1989-1999**



Mass DOC 1999 Inmate Stats., Appendix A - all numbers represent sentenced inmates.

Both state and county correctional institutions currently house many more inmates than they were designed to hold. On June 30, 2000, six state prisons holding the most serious offenders were bulging between 137% and 197% of their design capacity, with state prisons overall averaging 117% of capacity.

Houses of correction in the state's 13 counties held a total of 11,450 inmates on June 30, 2000, averaging 140% over their design capacity, with 10 of the 28 facilities dramatically overcrowded, holding from 172% to as much as 251% of their inmate capacity. This overcrowding has caused even those correctional officials strongly concerned about post-release issues to focus their energy instead upon the many safety and security problems fundamental to managing perpetually overcrowded institutions.

D. Prison Population

The demographic characteristics of Massachusetts state inmates are fairly typical of the U.S. prison population. In 1999, nearly two-thirds were between the ages of 25 and 39 at the time of their release, and reported that they were single at the time of incarceration. Like the federal prison system, minorities are far more heavily represented behind bars in Massachusetts than in the state's general population. On January 1, 2000, 46% of state inmates were Caucasian, and 24% were Latino, an increase since 1993 of over 26% in the Latino inmate population. African Americans comprise 29% of the Massachusetts prison population, a ratio that has changed little over the last decade, but is more than five times the proportion of the state's general population.

Figure 2.



With regard to gender, the prison population in Massachusetts is overwhelmingly male. The Department of Correction is responsible for housing the majority of female offenders in the state, because of the 13 county houses of correction, only 4 have facilities that can accommodate women. Department of Correction statistics report that women make up 6% of the inmate population, but 25% of their releases. This is because most female offenders are convicted of less serious crimes, serve shorter prison terms, and therefore have a higher turnover rate. Women are generally not considered to be a threat to public safety because they are much less likely to commit violent crimes.

E. Reentry Issues

The circumstances and general characteristics of the typical Massachusetts inmate do not paint an encouraging picture. If one were to list the qualities of an individual who is unlikely to succeed as a contributing member of his community - poor employment skills, history of substance abuse, unstable housing, lack of a positive support network -- many of the characteristics common to these inmates would be included. Clearly, they face complex challenges when their sentences end and they return home, as do the neighborhoods receiving them.

Employment Readiness.

National statistics indicate that seven in 10 prison inmates function at the two lowest levels of both prose and numeric literacy, meaning that they are unable to fill out a Social Security or job application, write a business letter, calculate a price discount, read a bus schedule, or perform many other text- and number-based tasks of daily life.

Substance Abuse.

Nationally, over 80% of prisoners reported past drug use. The Massachusetts Department of Correction reports that 86.5% of state inmates committed in 1999 would benefit from substance abuse treatment. During that same time, about 33% of the state's prison population participated in some form of voluntary substance abuse treatment.

There is little evidence that in-prison treatment alone guarantees success on the street. Studies have shown that those who receive only in-prison treatment were almost as likely to relapse as those who received no treatment while incarcerated. In contrast, inmates who receive in-prison treatment followed by a six-month aftercare program did significantly better than their counterparts. These inmates were two to three times more likely to be drug free 18 months post release than offenders who received no treatment, or only in-prison treatment for substance abuse. These results reveal the importance of treatment programs that contain strong aftercare components that help offenders practice abstinence in their communities where drugs are often readily available.

To date, the Massachusetts Department of Correction is committed to providing only voluntary, in-prison treatment in an effort to maintain the quality of the treatment programs as well as help the parole board evaluate inmates for early release. Corrections officials believe that the voluntary nature of the programs enables the parole board to effectively

evaluate inmates' involvement in and receptiveness to treatment and willingness to change.

Statistics from the state judiciary challenge this approach, claiming that, "motivation improves as treatment progresses, and that abusers who are coerced into treatment fare just as well, if not better than, those who enter into treatment voluntarily."

Housing. An ex-offender often faces roadblocks in securing legitimate housing. Parole restrictions, public housing statutes, and stringent shelter policies, designed to enhance public safety, often limit the ex-offender's housing options. Ironically, shelters and public housing developments are the places where many of them wind up.

In December 1997, the McCormack Institute of Public Affairs conducted a "snapshot" survey of the inhabitants of Boston homeless shelters. Their findings: 57% of the people had lived in at least one institutional setting within the prior year - hospitals, mental health facilities, jails, detox centers, or halfway houses, "and 22% had recently lived in a criminal justice setting."

The state's Executive Office for Administration and Finance supported a recent examination of discharge practices and policies. Their list of "best practices" poses a challenge, mainly, to correctional institutions, and, to a lesser degree, human service providers. The focus is on the reintegration of the inmate, beginning in prison and following through the transition to community living. Special attention is paid to the continuity of services that community-based organizations can provide.

Public Health.

A disproportionately large percent of the U.S. population that have a serious infectious disease are among our incarcerated population. Approximately 25% of all U.S. residents with HIV/AIDS were released from a correctional facility in 1997. Similarly, almost one third of people in the U.S. living with hepatitis C or tuberculosis in 1997 were released from a correctional facility that year. The release of these offenders present important public health challenges as these inmates, when discharged, usually return to their communities, neighborhoods, families and partners. Even though these inmates receive free health care and medication while incarcerated, their transition to community based health services is not always seamless. Access to affordable health care and sufficient medication from the moment of discharge is critical to both the health of the offender as well as that of the public-at-large. Adherence to medication regimens is crucial to prevent patient relapse into active and transmissible disease; while adherence to HIV regimens is particularly important as non-adherence may cause patients to develop drug-resistant viral strains of the HIV virus. Although some Massachusetts counties (like Hampden) have well-developed medical discharge plans, there is no comprehensive statewide approach to address this serious issue.

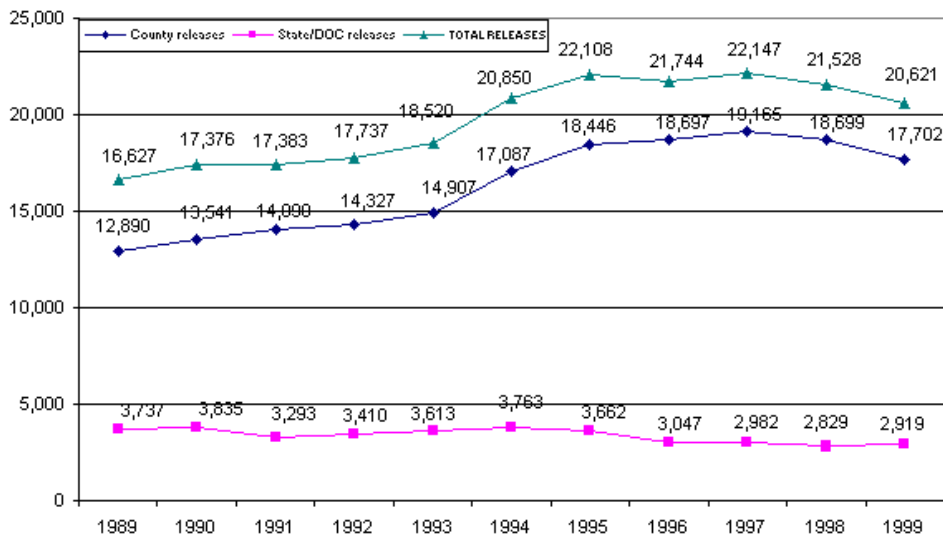
III. PRISONER REENTRY

A. Numbers

Longer prison sentences have done little to change the revolving door of prisons that are sending record numbers of inmates back home. On average, 40% of state prison inmates are released nationally each year. In 2000, an estimated 585,000 state and federal inmates will be released from American prisons, as well as many more hundreds of thousands from local jails. While nationally nearly 80% of discharged state inmates will be under conditional release supervision, in Massachusetts this trend is reversed, with over 66% of state inmates released directly to the street with no parole supervision.

In 1998 and 1999, Massachusetts released approximately 21,000 inmates each year, 86% from county houses of correction, and the remainder from state prisons. Between 1989 and 1999, Massachusetts saw a 24% increase in the total number of annual releases, despite differing trends in state and county statistics. From houses of correction, the number of releases grew by 37% during this time. In contrast, releases from state prisons dropped by 22%, even while the percentage of inmates released from maximum-security prisons tripled between 1997 and 1999. . In the year 1999, the number of offenders released statewide - 20,000 - virtually equaled the number incarcerated, fully realizing a true *revolving door* in our prison system.

**Massachusetts Releases from State and County Facilities
1989-1999**



See Appendix A for numbers and sources.

Figure 3.

B. Parole

Parole is a period of conditional supervision into which an adult inmate enters by parole board decision after serving a prison term. Nationally, 97% of all parolees served their prison time for a felony conviction. **Parolees** are released to community supervision for a specified period, subject to specific conditions placed upon them and to the supervision of parole officers who monitor compliance. Parolees can be returned to jail or prison for rule violations or other offenses.

The shift in corrections towards incapacitation discredited parole's conditional-release function and, by implication, parole supervision as well. In 14 states, as well as in the federal system, parole release has been abolished, though Virginia and Connecticut have since reinstated it.

Massachusetts has not followed suit, but has markedly tightened restrictions on both the release process itself and the parolee's release conditions. Consequently, the purpose of parole has essentially changed. The state's parole board today makes extremely cautious release decisions, and far fewer inmates are paroled than in years past: even the carefully assessed inmates thought to be among the lowest risk are denied at a rate of 36%.

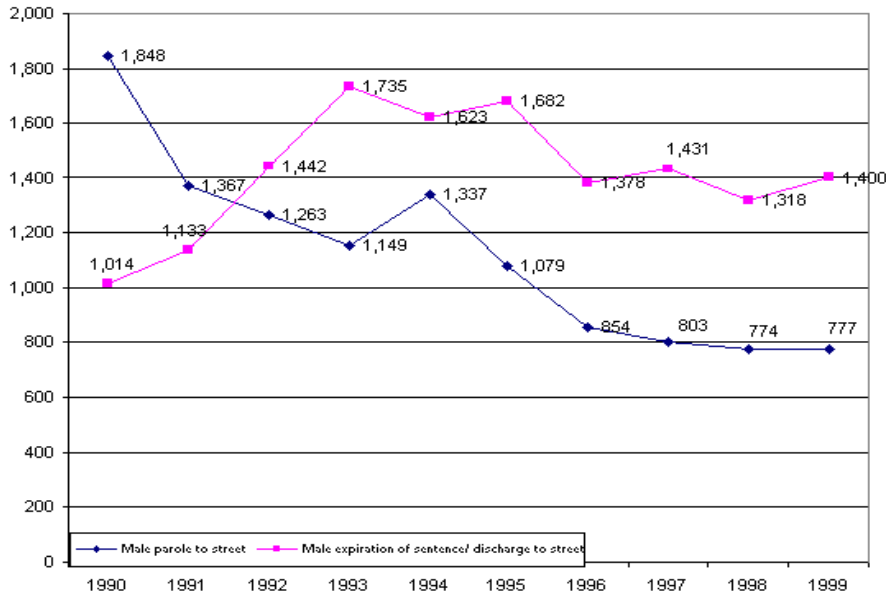
Before considered for parole in Massachusetts, an offender's plan for transition to the outside world must be in place, including a place to live, at least a potential job, and a support network consisting of family, a church, perhaps a 12-step program, and/or other social supports.

The role of parole officers providing post-release transition assistance seems to run counter to their primary role of surveillance and policing. Parole officers spend the great majority of their time in training and on the job focused on their surveillance function, and receive little or no training in accessing or coordinating post-release support activities. Even if a parolee would like to take advantage of parole's limited assistance role, he rightly fears reincarceration if he discloses certain circumstances that violate the terms of his conditional release.

One recently paroled ex-offender who served a double-digit prison term, and is now working full time and regularly attending church says, "I violate my parole every day. I'd go back to prison for three years just for calling the wrong people on the phone."

In the past decade, the proportion of male offenders released on parole in Massachusetts has nearly been cut in half, shifting from 65% of total releases in 1990 to only 36% in 1999. Conversely, in 1990, only 35% of released inmates completed their sentences in-house; by 1999 that fraction had grown to 64%.

**Male Releases from State Prison 1990-1999:
Parole vs. Discharge to Street**



Mass DOC Releases in 1999

Figure 4.

Eligibility for parole has also undergone essential changes. The advent of mandatory sentences, and the subsequent large numbers of inmates serving time under them, has removed many offenders from parole eligibility in Massachusetts. Very few violent offenders receive parole, and those who do, are paroled only at the very end of their sentences, and usually only for a few months.

Although Massachusetts Parole has always had "reintegration support" included in its mandate, in reality this is far from what occurs. Parole does not offer support services of its own, and officers can only refer their parolees to the same waiting lists for programs and services that face all recipients of social services. Often, Massachusetts' parolees are placed on the bottom of these lists, as many service providers wrongly believe that parolees have access to treatment options and resources unavailable to other ex-offenders. As a result, scarce treatment slots and shelter beds go to parolees last.

Nationally it is estimated that 42% of inmates discharged from prison on parole or conditional release return to prison or jail for either a violation of release conditions or for committing a new crime. In Massachusetts the percentage is higher, as a recent Department of Correction report states that 52% of state parolees recidivated within three years; the greatest number of these took place within the first twelve months. The parolee - once again approved for a supervised release and deemed by the Parole Board to have a good chance for success in the community - finds himself with more, and tougher, conditions added to his terms of release, leading to a growing list of new "opportunities" to violate those terms and return to prison. Consequently, Massachusetts has seen increasing numbers of technical parole revocations -- a violation of one of the terms of the inmate's release that does not pertain to obeying the law -- further inflating the numbers behind bars.

Parole Waivers.

A surprising trend has emerged in the last decade as the percentage of parole-eligible inmates choosing to entirely forego their parole hearing has increased by 113%. Ten years ago, 15% of those eligible for parole turned down a hearing, compared to 32% in 1999. Some inmates choose to waive their parole hearing to avoid the ongoing surveillance, and many realize they will not be granted parole anyway, and don't bother applying. With so many parolees returning to prison for violating their often-complex release terms and not for new crimes, many inmates probably waive the hearing because they feel that as a parolee they are bound to fail. Whatever the reason, an increasing number of inmates are foregoing their parole eligibility, further swelling the proportion of inmates who complete their sentences behind bars.

C. Wrapping

Wrapping is the term used to describe the completion of a sentence behind bars that allows an inmate to return to the community without parole, or any other form of post-release supervision. Most violent inmates, serious offenders, and those sentenced to a mandatory term in Massachusetts wrap their sentences, and for them, the release scenario is very straightforward. State inmates considered violent or dangerous are not eligible for programs that allow them to reside in the community for any portion of their sentences, and they qualify for very little in the way of pre-release preparation. The exception is a voluntary five-day "transition planning" course, offered to all state offenders within a year of their release. Sometimes considered too dangerous to leave their cells, except for daily hygiene routines, these serious offenders are usually ending lengthy sentences, having had little institutional preparation for release to the community and almost never qualifying for parole. They are released to the street without post-release supervision, support, or accountability of any kind. Since an inmate who wraps his sentence owes nothing further to correctional authorities, he is not required to have a job waiting, nor anyone willing to interview him for a job; he is under no obligation to continue drug treatment or mental health counseling; he is likely to have nowhere to live and often becomes immediately homeless upon release.

IV. REENTRY PROGRAMS IN MASSACHUSETTS

In response to their rapidly growing concern for the reentry crisis, corrections administrators both at the state and county level are striving to develop a workable offender reintegration strategy, one that draws upon the community partnerships that are crucial to finding solutions to the growing offender reentry problem.

A. The Massachusetts Department of Correction

State prison officials have recently become more involved in community efforts, facing difficult questions head-on about reentry obstacles. They are exploring prototype connections with community agencies and neighborhood residents, seeking to build coalitions that can help direct and support returning offenders. Although it is a slow process, the state's correctional system is incorporating more reentry initiatives and community corrections programs. While the department's legal responsibility for offenders who wrap their sentences ends the minute they walk out the door, there is an increased awareness of corrections' potential role in improving the outcomes of releases, which reduces victimization of communities and citizens, and enhances overall community safety.

According to its own mission statement, the Department of Correction "promotes public safety by imprisoning convicted offenders while providing opportunities for rehabilitation through a structured reintegration model." Officials state that they do a fair job of establishing community connections for parolees, but struggle with helping offenders who wrap link to similar resources in the community. With the Department's admitted historic reliance on the parole board to do the job, officials now face swelling numbers of non-paroled offenders coming out of prison and into communities with no controls or supervision.

The Department maintains some pre-release centers for offenders who are released to probation or parole. These centers assist inmates in their transition to the community by allowing them to reside outside of the institution while they work, reacquaint themselves with family members, and attend a variety of mandatory rehabilitation programs. Department officials acknowledge that they are very cautious in choosing inmates for their pre-release programs, basing their decisions on one primary factor - risk to the community. Since the Department is legally responsible for the behavior of the inmates while living and working in the community, they do not accept high-risk offenders, who presumably could jeopardize their pre-release programs and community efforts. That cautious approach, combined with today's political climate, has resulted in fewer than half the pre-release beds available today than ten years ago when the inmate population was only 80% of its present size.

To improve the outcomes with released offenders, the Department instituted the Public Safety Transition Plan, a two-part release preparation program for all inmates. The first component is the Risk Reduction Plan, which mandates that all inmates be assessed at intake to identify needs and determine appropriate in-prison program referrals. All programming is aimed at reducing recidivism and enhancing public safety. Inmates sign their Risk Reduction Plans and Correction Program Officers monitor compliance.

The second component is the Transition Planning Workshops that were implemented in 1998. All inmates, within one

year of release, are encouraged to participate in the workshops including those who wrap their sentences and those ineligible for any other reentry preparation. The workshops consist of five two-and-a-half hour sessions where inmates develop transition plans detailing expectations regarding employment, housing, counseling, treatment, and medical needs. Workshops are accompanied by a curriculum designed to enhance basic life skills, and transition staff members are available for referral and case management services. Participation is voluntary, with approximately two thirds of the inmates completing a plan. Unfortunately, despite the efforts of the transition staff, these discharge plans may be thwarted as the community resources and service providers they recommend to the ex-offender can be overburdened with long waiting lists and limited resources.

Even those programs with adequate fiscal resources are limited in the numbers of offenders they can accommodate at one time.

For example, the Moving Ahead Program at Saint Francis House in Boston, a highly regarded and successful job training program for drug-addicted offenders that focuses on the use of employee internships, can only accept 10-15 participants per four-month session, for an annual total of no more than 60 offenders. Even with increased funding requests to triple the program, the maximum 180 annual participants makes limited headway against the nearly 400 offenders released to the Boston area each month, 85% of whom are believed to be substance-dependent.

At 10 state facilities inmates at high risk of recidivism benefit from the Correctional Recovery Academy (CRA), an intensive residential treatment program that works to enhance cognitive skills and restructure thinking patterns. CRA provides programming to 554 inmates, slightly more than 5% of the total prison population, in different CRA units throughout the prison system. Participants are drug-tested regularly and are chosen based on their risk/need evaluation. Reintegration services are available for CRA inmates who have completed its' Graduate Maintenance Programming. Services consist of group and individual instruction in preparing discharge plans, and optional post-release tracking services where counselors track ex-offenders by phone, and identify community-based services.

B. County Houses of Correction

County houses of correction officials are forging alliances with groups of concerned citizens and with faith-based and grassroots organizations to establish paths to community resources for their parolees and probationers. To their credit, every county sheriff's office in Massachusetts now has some form of reintegration program in place, some still in prototype form, serving small numbers of inmates. These efforts range from fully developed programs that partner with large networks of social service agencies to a single staff person just beginning to evaluate the reentry problem in their county. For this report, CRJ reviewed a representative sample of Hampden, Suffolk, and Norfolk Counties.

Hampden County House of Correction

Hampden County has been markedly effective in their reintegration efforts largely because inmates are encouraged to focus on their release almost from the moment they walk in.

Upon commitment, all sentenced inmates go through an orientation where they are introduced to the variety of in-house services. Expectations are defined, and their potential movement through the programs and security levels at the facility is explained. Inmates who choose not to participate in programming are placed in amenity-free environments to encourage them to seek services, out of sheer boredom.

Additionally, all inmates within 30 days of commitment are eligible to attend Orientation to Aftercare groups, where they are introduced to aftercare services and the importance of anticipating and planning for their release. Release Planning Groups are held for all inmates within three months of release. At these groups, which meet for 90 minutes per session for two weeks, inmates define needs, and aftercare staff makes recommendations and work with institutional case managers to develop individual transition plans. Offenders are offered incentives such as two-and-a-half days earned good time and early release on the day of discharge in order to encourage participation. Upon release, approximately 75% of inmates chose to participate in aftercare support services and take advantage of the healthcare, housing, employment and substance abuse support and referral services available to them.

Pre-release and day reporting centers are also widely used in Hampden County. Almost 30% of inmates released from custody in 1999 were discharged from either day reporting or pre-release status. These centers provide structure and support to offenders finishing their sentences while they begin living and working in the community. All participants enter into strict schedule contracts with staff and must submit to electronic monitoring and urine tests.

Hampden County is also entering into a new partnership with the state Department of Correction. State inmates returning to communities in Hampden County are transferred to the County Correctional facilities several months prior to release in order to access the array of available transition services.

Suffolk County House of Correction

With a new focus on improving release practices, Suffolk County now conducts discharge workshops in each unit. Workshops are held approximately every six weeks and are open to all inmates who are within 90 days of release. While Suffolk County actively encourages inmate involvement, participation is voluntary and no incentives are offered. At the workshops, inmates fill out forms detailing their post-release needs and staff complete individualized discharge plans two weeks prior to an inmate's release. Approximately one third of inmates seek discharge assistance and have a plan.

Suffolk County operates three pre-release centers that house about 60 male and female inmates completing their sentences. In addition, the county plans to open a Community Corrections Center adjacent to their house of correction. The Center will have an additional 50 pre-release beds, while also serving as a day-reporting and aftercare center. The Suffolk County Sheriff's Department hopes to staff the center with peer mentors who have successfully transitioned to community living.

Suffolk County has received two three-year grants from the U.S. Department of Education focusing on reintegration. The first grant started in 1998 and was called the "Demanding Inmate Accountability/Lifeskills Program". (Although the funding period of this grant is technically over, leftover funds are being used to extend the delivery of services for those offenders already in the program until the spring/summer of 2001).

The DIA/Lifeskills grant serves as a pilot program that provides academic, vocational and transition support services to offenders both before and after release. Initially inmates participated in an adult diploma or life skills course while in the House of Correction and worked to develop a transition plan. Following release, offenders living in pre-release centers or in the community received job training and career counseling through a partnership with three One-Stop Career Centers. Additional case management and transitional support services were provided to ensure that offenders obtained identification, birth certificates, work clothes and other essential items. Approximately 175 offenders participated in the program, a number that represents only 13% of Suffolk County's inmate population. Participation was voluntary, and only non-violent offenders and those not serving mandatory sentences were eligible and referred to the program.

The second grant, awarded jointly to Suffolk and Hampden Counties, creates an Offender Reentry Program. Similar to the pilot project, this program will focus on cognitive skills and job readiness. Inmates will be thoroughly evaluated for risk/needs assessment prior to release and an individual discharge plan will be created addressing educational, employment and peer support needs. Once housed in pre-release centers, participants will go through a five-week curriculum focusing on cognitive and life skills called, "Action for Personal Choice."

Educational and peer support services will supplement the life skills curriculum and case managers will help transition participants from the pre-release centers to the community. Again, only a small portion of inmates will be eligible with each county offering slots for 280 offenders each year. The program will target offenders with some sort of conditional release to ensure that their involvement can be linked to parole or probation conditions. Offenders will be referred by classification and will most likely not include violent offenders or those serving mandatory sentences. While this program is now underway in Hampden County, it will be operational in Suffolk County in early 2001.

Norfolk County House of Correction

In its reintegration effort, Norfolk County is now operating a new U.S. Department of Education funded program to work with a specific unit. The 72 inmates in the unit, who must be non-violent offenders, are offered access to substance abuse groups in a separate 90-day program. The overall six-month program provides intensive pre-release counseling, a 150-hour basic-skills course, and trade-related skills development.

Norfolk's reintegration coordinator follows up on each release several times by phone to check on progress and offer assistance. As the number of participants grows, this personalized follow-up will require a substantial increase in staff. The Sheriff's Department plans to open the program to every sentenced inmate in the Norfolk County facility, but only on a voluntary basis.

C. Conclusions

While there are programs in the state and local systems that are up and running, there are a number of issues that need to be addressed:

- The political climate over the last two decades has made corrections officials wary of all community-based forms of supervised release. The upshot is that only the low-level, low-risk offenders are eligible for step-down and pre-release programs. Violent offenders, untreated sex offenders, those with escapes on their record, and inmates who are alleged to have gang affiliations are not eligible for these programs, and they contribute to the growing number of inmates released directly from maximum-security to the streets. Classification practices must account for the fact that most inmates will be released, and would benefit from step-down programming. The politics and nuances of classification should not inhibit the effective use of pre-release programs. Public safety is threatened when inmates are discharged from maximum security and solitary confinement directly to our city streets, while pre-release beds go unused.
 - The low parole grant rate, and late parole eligibility dates compound to increase the number of offenders who wrap their sentences, allowing for a higher number of offenders to reenter society with no supervision. Parole grant rates should be based on what is best for community safety and not what is politically expedient. Likewise, judges who set parole eligibility must show as much regard for community safety as they do for the punishment of criminals. Setting parole eligibility so far into sentences that inmates see no advantage in going before a parole board undermines the system.
 - Substance abuse treatment that does not include follow-up care is ineffective. This is not in the best interest of community safety. Without aftercare programs, ex-offenders face a higher risk of relapse and recidivism.
 - While there exist community-based correctional centers throughout the state, it is unclear that they are being effectively utilized in the prisoner reentry process. The services of some of the Community Resource Centers, run by the Department of Correction, appear to be severely underutilized. Community Correction Centers (CCC), run by the Office of Community Correction (OCC), focus on parolees and probationers, mostly serving as centers for drug testing and day reporting. Only those offenders mandated to participate in the CCC's can avail themselves of their services. In some cases the classes and criteria of the CCC's inhibit opportunities for employment, and undermine successful reintegration, creating more problems for the ex-offender and his/her family. Houses of correction should ensure that the bulk of programming and classes takes place while offenders are behind bars, leaving these centers to support and supplement in-house programming while allowing offenders to live and work in the communities.
-

V. THE FIRST DAY OUT

Recent research suggests that the first days following release are critical to an offender's failure or success establishing a law-abiding life. In fact, many ex-offenders describe the first day as a kind of hinge upon which the future turns. Offenders often have very high expectations of what life will be like after they are free - expectations that are rapidly dashed following release. "We have grandiose ideas about what's going to happen when we get out," says one offender. "We should be warned about what you're going to see... ."

One ex-offender, recently released after serving 18 years in a Massachusetts prison for a violent felony and now battling a recurrent drug addiction while living in a recovery house, has vivid and painful memories of his first day out of prison: "That first day is the killer. I didn't have any ID, so I had to worry that I was going to get stopped by the cops without ID. I couldn't get into a shelter 'cause they were too crowded, but I didn't have anywhere else to go. And with no money, the whole thing was a real mess." One County House of Correction official even believes that "the first two hours make it or break it" for the ex-offender. "If they connect with the right people right away, they have a shot. Otherwise, probably not."

Often, the ex-offender finds that the positive things he has been expecting upon his release do not happen. "They create these hopes," says one ex-offender of the preparation he received in the institution, "but when you get out, there's nothing there."

One Boston resident describes the experience of an ex-offender following his release: "I had a friend from the neighborhood that got out of prison. But he wasn't excited; he got very depressed. He said he couldn't find a job, and people avoided him; he was really terrified. I remember when he said to me, 'I can't do it out here so I might as well go

back.' So finally he did. He did something and went back."

When an offender is released and returns to the street, far from it being a time of relief or joy, anecdotal evidence indicates that it is rather a very difficult and confusing time. "I was free and I should have been happy but I had never been sadder at any time in my life," says one. "I had no one to call...nowhere to go. I didn't know how to do anything... I had all the best intentions but I was wicked lonely. Where do you go?"

VI. BARRIERS TO REENTRY

A. Identification

A number of bureaucratic issues facing an ex-offender upon release, though they seem small, can become the crux of a failed attempt to put a law-abiding life together. One of the biggest problems for ex-offenders during the first days and weeks after release is that of securing identification. "ID," says one ex-offender, "is the real show-stopper." Many are confused about how to access the information they need to establish their own legal identities. As one man explained, "How do I get papers that certify that I received my GED while in prison? What about immunizations? Where do I get that information on myself? Where do I get my birth certificate? I've taken college courses, business courses, can do welding, but how do I prove it?"

Generally, a prison or corrections identification card is issued to an inmate at the beginning of incarceration, but is taken away when he is released. As a result, many offenders, particularly those who have been incarcerated for a long time and have lost track of many of their belongings, are left without legal identification. Securing legitimate employment, applying for Medicaid or other support services, driving a car, and cashing a check are impossible without identification. It is a technical parole violation for a parolee to be without identification. Unable to participate in reentry programs, many ex-offenders are unaware of alternate ways to secure the documents they need.

One former inmate, who spent 17 years in prison and currently lives in a recovery house, described his first few days out of prison as a tremendously discouraging time as he tried to secure the papers he needed to work. "I tried to go apply for jobs," he said, "but I couldn't get a job without my ID. Since I didn't have one, I knew they wouldn't hire me. But to get one, I had to go to my hometown to get a copy of my birth certificate. How was I gonna do that? I was born in Kansas."

B. Homelessness

The Massachusetts Department of Correction states a zero-tolerance policy for homelessness among offenders released from their institutions. However, while corrections and parole officials can ensure that parolees establish a verifiable residence before their release, this policy is impossible to enforce for those inmates who wrap their sentence. In fact, an estimated 20-25% of inmates who wrap are homeless upon release, many of whom enter the shelter system. Even parolees often find themselves without a permanent home within a short time of leaving prison, exposing themselves to parole revocation and an automatic trip back behind bars.

Of those released offenders who do have a place to go, anecdotal evidence indicates that almost none are able to find or afford housing. Most stay with relatives, some with friends, and nearly all these situations are temporary. Some are simply not welcome anywhere. One ex-offender stated that his family "has their own lives and don't need an adult child."

Corrections officials and ex-offenders agree that even temporary living arrangements with family members are not cheerfully established or easily maintained. It is believed that some inmates pressure their families into housing them after their release, and that it is a less than perfect arrangement. As one offender states: "So many of us have burned our bridges with our families that they don't want us there. We tell them, 'I'm going to straighten out this time,' and they say, 'Yeah, how many times is it now - five, six times you've told me that?' They don't believe us and they don't want the [living] situation - they want us out." Ex-offenders with lengthy substance abuse histories especially fall into this category. Relations with family and friends are often strained and tenuous, and their presence is only briefly tolerated, after which homelessness quickly follows.

Homeless shelters are not ideal places for the recently released inmate. According to the Massachusetts Housing and

Shelter Alliance, homeless offenders living in shelters are "more violent, paranoid about being watched, and afraid to go back to prison, especially those on probation or parole." Homeless shelters are usually full, their services taxed by the burgeoning numbers of homeless people. Adding to the problem, shelter staff report that the corrections personnel often call to arrange an offender's housing just one day prior to release, and with long waiting lists, acceptance may be weeks or months away, making immediate accommodation impossible. To compound the problem, many newly homeless offenders find the shelters so much like prison that they would prefer the streets.

Extensive and effective lobbying by homeless-advocacy groups on the issue of homeless offenders has propelled much of the recent search in the Commonwealth for sound reintegration processes. This attention to the issue of homeless ex-offenders comes as the lack of affordable housing in many parts of Massachusetts, particularly in metropolitan Boston, has reached crisis proportions. The current strong economy has exacerbated the problem, as shrinking vacancy rates and soaring rents make it extremely difficult to find housing outside the shelter system. The number of lodging-house rooms in Boston, for example, which were once a temporary post-release housing resource for former prisoners, has declined by 90% in 10 years, from 10,000 to only 1,000 today.

One offender who wrapped his sentence says, "It's either go to a shelter or sleep on the streets." For a variety of reasons, many are reluctant to lean upon their families for support following their release, and become shelter residents instead, sometimes long-term. One parolee states flatly, "Ninety percent of the guys coming out of prison are homeless. I mean, they're staying on someone's couch, but it won't last long. I don't care what the statistics say."

A number of regulations exacerbate the housing situation for ex-offenders. In particular, local policies and federal guidelines that effectively disallow parolees or ex-offenders from returning to subsidized or public housing limit affordable options. Another hurdle is that an ex-offender must be homeless for 24 hours following release before he may enter any shelter funded by Housing and Urban Development. In order to enter such a shelter, he must avoid staying even the first night after release with a friend or family member, and must enter another shelter to document his homelessness. Ironically, these 24 hours correspond with the critical time immediately following release, and prevent a structured and controlled transition.

When first entering a shelter, a guest is asked about his incarceration record. An offender with nowhere to stay has a strong motivation to be untruthful at this point, since he does not know if a "yes" answer means no bed for the night. Indeed, many shelters are reluctant to house offenders, fearing their violent histories, their growing numbers, or their mental illness. Therefore, the self-identification of ex-offenders in shelters, which is the only statistical measurement of their numbers, may well be underreported, as 22% of residents reported that they had been recently in a criminal justice setting.

In a recent survey of homeless offenders, virtually all respondents said they received little or no reintegration assistance while incarcerated, and many complained about an absence of appropriate discharge planning. What little did exist came too close to release (within one month) to be of much use.

C. Criminal Record Exclusion

The Criminal Offender Record Information system, or CORI, was developed to maintain the confidentiality of a criminal record and to protect a convicted offender's privacy. Today, however, laws and regulatory restrictions effectively prevent former offenders with certain offenses in their background from working in a wide strata of professions for years; sometimes forever. This restriction is often applied when an employer receives certain governmental funding. For example, any organization receiving funds from the state's Executive Office for Health and Human Services Department (EOHHS) must CORI-check all potential employees, and, for all intents and purposes, is forbidden to hire anyone with a felony record, regardless of whether the former offenses would affect their job performance or the safety of others.

Citing interviews with homeless offenders, a recent study found that the CORI check by employers and landlords was perceived to be the most consistent barrier to obtaining a job and a home. Many offenders, fearful of having their records revealed through the CORI check, avoid situations in which they may have to submit to the clearance at all, and seek out employers who pay under the table. This choice results in employment with no medical or other benefits, that makes no payment to Social Security or unemployment, and that generates no income tax revenue. While this may seem like an advantage, under-the-table employers usually conceal that they hire workers outside the system, so that the offender cannot use that employer as a reference if he seeks other employment.

When asked, most offenders say they do not understand what the CORI check reveals about them, and few know what kinds of work a criminal record excludes. By and large, they believe the broadest possible interpretation: All employers check their history, and all employers reject all ex-cons. "The CORI tells them I have a record," says one ex-offender, "and then I don't get the job." A substantial number of ex-offenders believe they will never be hired for a regular job.

Some offenders handle their fear of the CORI by simply lying on job applications, as well as in interviews if they can get them. As one offender explained, "Ten years. Where do I say I was for 10 years? Was I self-employed? Was I working for the state? No matter how you try to explain it, CORI checks will eventually identify you as being an ex-con." Ex-offenders reason that they will not be hired if they admit to a criminal record; but by lying, they may be able to get a job at least for a while, work for three weeks or perhaps more until the CORI paperwork comes back and they are found out.

When employers learn an offender has lied on the application, the offender is often fired, usually for falsifying the application and not for the criminal record itself. Given the often desperate financial circumstances of many former inmates and their misinformation about their job prospects, lying seems to them to be a reasonable course of action. Unfortunately, CORI restrictions sometimes preclude even the most willing employers from hiring ex-offenders. For example, homeless shelters that receive state EOHHS funds, and most Massachusetts shelters do, are prevented from hiring ex-offenders, though many shelter officials consider them some of the "most desirable employees" to work in the shelter setting.

Inmates who successfully complete in-house programs preparing them for jobs are substantially better informed about the CORI and its restrictions than are inmates who do not participate. Usually, only non-violent offenders who are not considered a high risk to public safety are eligible for these in-house programs. The more serious offenders, who are ineligible for such programs while incarcerated, are consequently the least informed about the CORI restrictions they face, and as a result are less likely to seek and find legitimate work.

D. Employment

There is a good deal of overlap between the issues faced by an ex-offender with regard to the CORI check and those related to employment, as the former can so strongly affect the latter. For the ex-offender, finding a job is the most important, and often the only, item on his agenda after release. The reasons for this, from the offender's perspective, are plain: life is virtually impossible without money, and a job is the legitimate source for that commodity. Right after release, most ex-offenders intend to move towards a law-abiding life. They understand that finding a job that pays a living wage is crucial to that effort. In addition, stable employment helps the released offender establish a fiscal relationship in mainstream society, to become a contributing member of his community and family, and to develop a positive network of social support outside his criminal network.

Though many ex-offenders perceive their most pressing need to be finding employment, this can be the most discouraging effort they face. Without work, housing is temporary at best; without income, education is an meaningless luxury; without money, support of one's family cannot occur. Despite the CORI check, the strong economy has made it considerably easier now than in the past for an ex-offender to find a decent job. However, the ex-offender saddled with a poor, or non-existent, work history still lacks the essential knowledge of how to hold onto and excel at a good job.

In the current strong economy, considerable changes are taking place in the employment picture for ex-offenders. Some companies whose hiring policies have always excluded offenders are beginning to consider them as an untapped labor source. Indeed, a growing number of employers are discovering that ex-offenders are often loyal and appreciative workers, and can become some of their most valuable employees. Many Massachusetts companies, desperate for entry-level workers, are for the first time considering implementing ex-offender hiring policies.

VII. IMPACT ON THE COMMUNITY

What is the effect of such large numbers of ex-offenders returning home? With approximately 21,000 inmates released each year in Massachusetts from county facilities and state prisons, many low-income, fragile urban neighborhoods may be coping with two or three newly released ex-offenders per block, who may be unskilled, are likely unemployed, and

often lack supportive social connections. Too little is known about how many ex-offenders a neighborhood can actually absorb, particularly if that neighborhood is near the "tipping point".

Though it is virtually impossible to be certain of where non-paroled offenders go after release, anecdotal evidence strongly indicates that for the great majority, the first point of return is the same community and, in fact, the same street where they lived before they went into prison. Suffolk County corrections officials commonly say that if you draw a circle on a map around the jail with a five-mile radius, that's where over 90% of the inmates go when they are released. For example, a resident of Dorchester explained that, "every day on my block, there's at least one" young man in the neighborhood who had been incarcerated and is now back on the same street with nothing to do.

Consequently, another key issue is victimization. On the one hand, the ex-offender who finds himself in troubled surroundings, with little or no supervision, and scant support services poses a safety threat to the community. On the other hand, the community needs to be informed, in a constructive and effective way, in order to facilitate the successful transition of ex-offenders.

VIII. RECOMMENDATIONS

To close the gap in public safety, the Commonwealth must embrace responsibility for preparing inmates to leave our prisons and jails and live among us as civil and productive members of the community. Criminal justice agencies and institutions can no longer stand apart from the cities and towns that will inherit inmates. Police and prevention efforts, particularly around juvenile justice issues, have demonstrated the strength of a broader approach that involves not just law enforcement but social service and health care providers, educators, community activists and policy makers.

Now, as thousands of inmates return each year to the cities and neighborhoods that put them behind bars, we must invest in their successful reentry to stabilize and enhance public safety. To achieve that goal we must view prison for what it is - a temporary restraint on the liberty of offenders who will inevitably be released. A significant framework of information and controls informs the challenge.

- We know our target population of potential offenders and the level of risk they pose to community safety.
- We know that basic needs like employment, housing, and drug treatment must be provided.
- We have temporary control of their liberty in prison and, potentially, in the community after release.
- And we know from past experience and success that strategic, coordinated partnerships with broad community participation can reduce crime.

Enhancing public safety requires a structured release based on achievable and manageable conditions for every inmate. It requires a heightened and sustained level of cooperation and collective will among law enforcement, corrections, local officials, and human service providers. In turn, the executive, legislative and judicial branches of the government must support these alliances. In addition, there must be strong efforts to educate and involve the people and organizations that will have direct contact with the inmate once he/she is released -- families, neighbors, employers, and service providers.

To that end, Community Resources for Justice recommends five significant changes to address this escalating public safety concern.

1. The mandate of state prisons and county jails must shift from simple incarceration to managing and directing the eventual release of all inmates.

Massachusetts has experienced a slow, but systematic retreat in preparing inmates for release. Prison classification systems place fewer inmates in lower security options that offer the best preparation for release, which means more inmates are released directly from high security. Programs that once offered inmates skills and training inside prison have been severely reduced. Community-based pre-release preparation, such as furloughs and work release, which structures and controls the inmate's transition to the community, has dramatically declined forcing providers to focus on those few inmates who are less in need, less at risk. Post-release supervision is at its lowest in over a decade, and more and more inmates are choosing to forego parole altogether by wrapping their sentences.

With 1,800 inmates released each month, correctional authorities must broaden their responsibilities for community safety beyond the prison walls by undertaking the following:

- Prisons must assess every inmate at commitment to identify the risks posed to community safety, as well as the specific obstacles faced after release.
- Based on that assessment, prisons must program and manage the inmate through the duration of imprisonment to best prepare him for release and life in the community.
- Prisons must provide every inmate with a pre-release placement that guides and supervises the inmate as he/she nears release into the community.
- Prisons and parole must improve their cooperation and interactions to ensure that every inmate leaves with a community-based transition plan that includes some level of supervision or oversight based on the risk posed to the community.
- The legislature must repeal the barriers to pre-release placement in mandatory sentencing.

2. The mandate of parole must shift from a dictate of denying parole to a system that employs parole as a public safety tool of oversight and supervision responsibilities.

Parole impacts fewer inmates today than it did 10 years ago when our prison releases were fewer. In 1990, when the prisons released 17,376 inmates, 5,774 (33%) were granted conditional, supervised release; in 1999, when 20,621 inmates were released, only 4,910 (24%) were paroled. So in a period that saw an 18% increase in releases, those released to supervision declined 15%. While some may applaud this change that keeps more inmates behind bars longer, the truth is those inmates not paroled eventually leave. When they leave, they are not monitored, supervised or supported.

Today the number and percent of inmates released through parole is declining, while the number and percent of inmates who wrap their sentences is increasing. In addition, more and more inmates waive parole consideration altogether. Last year, 4,744 inmates chose to waive their parole hearing; in 1990, 1,719 waived their eligibility for parole consideration.

The parole system in place today ignores or rejects the inmates who present the greatest risk upon release. While this guiding policy shields the parole board from public criticism, it significantly jeopardizes the safety of our streets and neighborhoods. The Commonwealth and its citizens need a parole system that ensures that the offenders we most fear are the ones we watch and supervise most carefully.

- The Parole Board must enact policies that provide some amount on community-based control to every released prisoner.
- The legislature must repeal the exclusion of parole in mandatory sentencing.

3. Using other successful crime-prevention models, prisons and county jails must establish partnerships with community service providers, policy makers, activists and law enforcement to minimize the risks posed by newly released inmates.

Community involvement must begin at least three months prior to an inmate's release recognizing that for many, the transition from prison to life outside presents unique barriers and stresses. Those who have served long prison terms will be strangers to contemporary technologies and lifestyles, and will, literally, enter a New World. Those who have served shorter terms must learn a new way of life and avoid old relationships, habits and pitfalls.

A partnership must be formed among criminal justice agencies, social service providers, and community-based organizations. This new standard of corrections-community partnership must focus on the following issues if it is to be successful in minimizing, or eliminating, the public safety risk inherent in release.

- Corrections, social services, neighborhood organizations, and law enforcement must provide oversight and assistance to those inmates soon to be discharged with special attention to the effects of a criminal record, securing employment and housing, and navigating the demands of modern society.
- Families cannot be caught off-guard, or assumed to know how to handle this extremely fragile and often difficult transition. Whatever the family structure, both the inmate and those who will take on the immediate responsibility and impact of his/her return must receive support and guidance during the first month of release.
- The corrections-community partnership must make use of gradual release options, such as halfway houses, temporary conditional release, and parole that allow the inmate to experience life in the community while under strict restrictions and controls.
- There must be a revision of the minimum-mandatory sentencing so that all inmates can participate in

community-based transitional management and controls.

- As the day of release nears, inmates must be given a simple message: he or she is not anonymous nor without support, but must adhere to a civil and productive life.

4. Recognizing that the first 24 to 72 hours is a critical time for newly released inmates, prisons and parole must ensure that the inmate's "port of entry" is controlled and managed.

From both research and the experience of police, probation and parole officers, we know that the success of an inmate's adjustment to the community is determined in the first 24 to 72 hours. This critical time must be structured and controlled by rigorous oversight through the following measures.

- The corrections-community partnership must ensure that the inmate is discharged at a time and in a manner that supports successful transition. Release should be structured to ensure that the inmate has a friend, family member, service provider or community representative to greet and escort him/her to the first destination.
- The corrections-community partnership must ensure that every inmate leaves prison prepared to succeed; they should be equipped with appropriate personal identification, housing, employment, and placement in relevant treatment services.
- The corrections-community partnership must ensure that the inmate's initial period in the community is a formalized return to citizenship, complete with both its rights and the correlative responsibilities.
- Prison administrators and community healthcare providers must ensure that inmates with medical and mental health needs are provided with an adequate supply of medication, and an immediate appointment for follow-up healthcare in the community. Inmate adherence to treatment regimens is critical to both the health of the ex-offender and society-at-large.

5. Following release, community supervision must be provided to every inmate in terms relevant to his/her risk of recidivism and need for assistance.

Shortly after release, many ex-offenders confront situations similar to those that led to their criminal behavior and imprisonment. Supervision and assistance must be in place to enable the ex-offender to respond appropriately in the face of temptation, and to avoid situations of foreseeable risk. Such supervision includes the following measures that must be managed by the corrections-community partnership.

- Structured and supervised criteria for each released inmate with specific conditions governing his/her release and behavior in the community.
- The employment of graduated sanctions, from increased supervision up to, and including, return to prison, that can be swiftly applied to those released inmates who violate conditions of their release.
- Minimizing broad barriers to an inmate's successful reentry by opening opportunities to employment, housing and public support options. While restrictions are necessary for public safety, they must be targeted to individual offenders based on specific risk/need criteria.
- Supervision and assistance for a minimum of three to six months after release providing comprehensive, wrap-around services for employment, housing, health and mental health services, substance abuse treatment, and brokering community and family relations.
- The Commonwealth must revisit prohibitions on the sharing of information regarding health and treatment matters in the case of dually diagnosed or triply diagnosed inmates, in order to increase coordination of service delivery.
- For those inmates posing the greatest risk, the corrections-community partnership must develop a network of individuals - family members and co-habitants, employers and co-workers, treatment providers, neighbors, ex-offenders - who can provide additional oversight and guidance.

IX. CONCLUSION

This analysis of prisoner reentry is not only a call-to-arms, but a reasoned proposal. It is a challenge to create strong and lasting alliances between criminal justice agencies, social service providers, and community organizations to restore and maintain community safety. It will be a difficult undertaking, but not an impossible one.

Although some recommendations will certainly require amending existing laws, particularly those around minimum mandatory sentencing and its aftermath, much of the work can be achieved without new legislation, and without allocating additional funding. As this report indicates, and pilot projects demonstrate, much can be accomplished by refocusing existing efforts. What is required is the political will to institute the necessary changes. Gaps in our collective knowledge about reentry cannot be overcome unless we are willing to advance the research and implement the best practices.

We need to complete the criminal justice circle to experience full public safety. Ten and twenty years ago, we thought our job was over at sentencing and lock-up. We have learned that tough sentencing is not a panacea. Increasingly, our role in fighting crime is both more complex and longer lasting. We locked the prison gates, but 97 percent eventually come back. If we can minimize an inmate's risk for re-offending, we can begin to break the circle of crime.

[Appendix](#)