

Road to Reintegration

Ensuring Successful Community Re-Entry
for People Who Are Former Offenders

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The Road to Reintegration

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Call to Action

Goodwill Industries® calls upon key stakeholders — including state and federal policymakers, judges, law enforcement officials, service providers (including local Goodwill® agencies), educators, employers, and victims — to come together to create an environment that will hold people accountable and support individuals with criminal backgrounds who want to reintegrate into their communities and make positive contributions.

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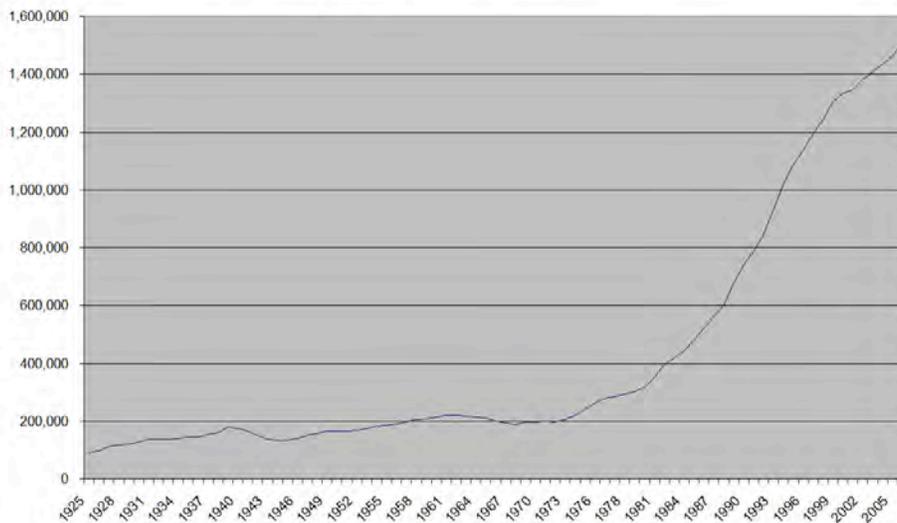
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By the middle of 2007, there were more than 2.3 million people in U.S. federal and state prisons, and local jails, giving the United States the largest prison population rate in the world.

As the rate of incarceration has increased, local, state and federal budgets have increased exponentially. At a rate of \$62.05 per day, or \$22,650 per year, average state spending per adult prisoner outpaced the growth rates for state spending on health, education and natural resources. In 2005, more than \$65 billion was spent on corrections, up 619 percent compared to the \$9 billion that was spent in 1982. The cost of corrections will only continue to grow at this current pace unless key stakeholders come together to closely scrutinize our nation's reliance on incarceration, consider alternative responses to crime and its prevention, and develop successful models for people to integrate back into their communities.

**Number of Sentenced Prisoners
Under Federal and State Correctional Jurisdiction (1925-2006)**



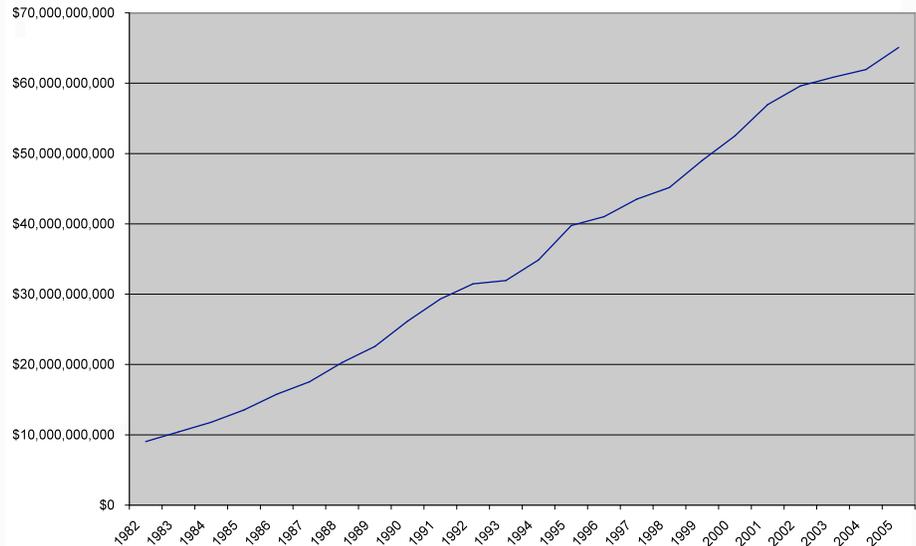
Source: <http://www.albany.edu/sourcebook/pdf/t6282006.pdf>.

According to the U.S. Department of Justice, nearly every person in jail, and 95 percent of state prison inmates, will someday be released. Of the nearly 700,000 prisoners who will be released this year, research shows that two-thirds of those (67.5 percent) will return to prison within three years.

The cost of corrections will continue to grow at a staggering rate unless key stakeholders —

- **Closely scrutinize our nation's reliance on incarceration.**
- **Consider alternative responses to crime and its prevention.**
- **Develop successful models for people to integrate back into their communities.**

Direct Expenditures on Corrections (1982-2005)



The financial impact on communities is significant when these people return home, cannot find employment, violate their probation or parole, and then return to jail or prison.

When people return to prison rather than successfully reintegrating into their communities, which are often high-poverty areas, those communities lose an estimated \$11.6 billion per year due to the lost potential earnings that these people could have earned. When we do not help people successfully transition back to their communities, we also spend an estimated \$15.8 billion each year to keep them in prison.

There are many barriers that can keep a person from successfully re-entering public life, from drug dependency and low educational attainment, serious illness, debt, and limited work experience. Laws, regulations and systemic practices have also built additional barriers these people must face when trying to find and keep employment.

While most people return to the communities they left, in many cases these communities do not have the services or employment opportunities to support this population. According to *Employment Barriers Facing Ex-Offenders*, a document produced by the Urban Institute Re-entry Roundtable, "Most return to low-income, predominantly minority communities that have relatively few unskilled jobs... that pay very low wages and provide few benefits or chances for

upward mobility. In these circumstances, many ex-offenders may simply choose to forego these employment options, in favor of illegal opportunities or more casual work.”

Racial minorities are disproportionately represented in the criminal justice arena. As a result, systemic and legal barriers that keep people from successfully returning to their communities affect the black and Hispanic communities more than other races.

Helping people with criminal backgrounds to find and keep employment is clearly difficult work and should not be considered a solution to the nation’s growing corrections crisis. As the nation’s largest non-profit provider of job-training services, however, Goodwill Industries® is uniquely positioned to be a leader in the successful reintegration of people who are ex-offenders and former prisoners into mainstream society. A number of Goodwill® agencies already run a variety of programs that are designed to help these people find and keep jobs, and provide help for housing, substance abuse, and health and mental health issues.



- **Goodwill Industries believes that providing job placement and employment services to people who are ex-offenders is essential for building a re-entry continuum that holds people accountable for their actions, yet supports them when they return to their communities.** This is especially important as local, state and federal corrections administrators and policymakers have felt it necessary to take cost-cutting steps, including reducing literacy and job training programs in jails and prisons.
- **Goodwill Industries believes that access to safe and stable housing is another cornerstone in the re-entry continuum.** The experience of local Goodwill agencies that work with people who are ex-offenders informs us that it is more effective to address people’s various needs once they have secured stable housing and found a legitimate source of income.

- **Goodwill Industries believes that until necessary steps are taken to help people attain and retain jobs, recidivism will continue to be an escalating problem that weakens families and communities, and stretches states' corrections budgets to the breaking point.** Goodwill seeks solutions that provide people who have criminal backgrounds with the skills and the tools they need to find work, launch careers and rebuild their lives. By keeping these people from returning to a life of crime and incarceration, we can increase public safety and reduce skyrocketing corrections costs while better utilizing community resources to tackle other compelling issues.



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The Need for a National Conversation

Goodwill Industries believes the time is long overdue for a national conversation that scrutinizes and considers alternatives to the justice system's "get tough" response to crime, and policies that needlessly penalize people with criminal backgrounds long after their sentences have been served.

We recognize the need for legislative change at the state and federal levels to help address the problem of recidivism. Goodwill Industries calls upon key stakeholders — including state and federal policymakers, judges, law enforcement officials, service providers (including local Goodwill agencies), educators, employers, and victims — to come together to create an environment that holds people accountable, minimizes the negative effects on communities and families, and supports those who want to make positive contributions to society.

We must have strong case management systems in place to meet people with criminal backgrounds where they are while supporting them as they journey toward making positive and legitimate contributions in their communities. While people can take numerous pathways that lead to their becoming a former prisoner or ex-offender, the continuum consists of one, two or all three of the following actions:

- **Diversion** — Pre-sentencing diversion commonly occurs when the charged individual enters a plea agreement with the district attorney's office. In exchange for entering a guilty plea, the individual is sentenced to participate in programs such as job training, substance abuse counseling, or any other activity designed to hold the person accountable while addressing an issue that may have contributed toward his or her decision to commit the criminal offense. Upon successful completion of the programs, the charges against the individual are dropped.

If our nation is to overcome the two-pronged challenge of rising incarceration rates coupled by high rates of recidivism, we need to build a national service continuum of programs for people who have criminal backgrounds.

- **Incarceration** — In many cases, the interests of justice and public safety demand that certain offenses result in removing people who committed the offenses from their communities. Ideally, the corrections facility where the person is incarcerated will have general training and pre-release programs available. Pre-release programs differ from general training because they occur when an individual approaches the release date. Pre-release programs are meant to smooth transitions from correctional institutions to their communities by working with the offenders to develop plans — including housing, employment and participation in post-release programs — that will help them successfully re-enter their communities.
- **Post-Release Programs** — Residential and community-based post-release programs represent the final phase in the national service continuum. Individuals may be referred to community-based counseling, job training and job placement programs, among other supports, that can help those who want to legitimately transition from incarceration to their communities.



Re-Entry Challenges for Special Populations

- The effects of a **parent's incarceration** on children are numerous, including loss of financial support, social stigma, weakened parent-child relationships, poor school performance, increased delinquency, and placement in the child welfare system. These effects have long-term implications that can last long after people have served their sentences.
- **Youth who are involved with the courts** face several challenges when re-entering their communities. Many have physical, mental health and substance abuse problems. Some have children. Yet most have never graduated from high school, held a job or lived independently. And many are returning to communities where poverty, unemployment, homelessness, drug addiction and crime are endemic.
- Since 1985, the number of **women in prison** increased at almost double the rate of men — 404 percent compared to 209 percent. Compared to their male counterparts, females tend to come from lower socioeconomic backgrounds, suffer from mental health problems at higher rates, abuse drugs at higher rates, and are likely to have been sexually abused. Policies that ban people who have committed drug-related offenses from receiving public assistance or accessing public housing disproportionately affect females, because they are incarcerated for drug-related offenses at a higher rate than men.
- Nearly all of the people who leave prison have a **physical health, mental health or substance abuse problem**. Furthermore, research finds that a significant number of people returning to their communities have more than one of these health conditions — approximately four in 10 men and six in 10 women.
- Longer sentences, reduced use of parole, growing incarceration rates and a rapidly aging general population are commonly cited reasons for the **rapid growth of elderly inmates** in prisons nationwide. Many of these older individuals may have physical and mental disabilities common to those experienced by the general aging population. When older people are released from prison, especially after serving long sentences, they are likely to lack family support systems that are willing or able to help secure housing.

The national discussion must take into account the effects of incarceration and recidivism on several special populations.

Opportunities Created by Federal Laws or Regulations

Re-entry programs such as those authorized under the Second Chance Act, the Federal Bonding Program and the Work Opportunity Tax Credit are useful supports for people with criminal backgrounds. However, the experience of local Goodwill agencies that serve this population informs us that these supports, while helpful, are not enough.

- **Second Chance Act** — In response to the nation’s alarming incarceration and recidivism trends, the Second Chance Act of 2007 was signed into law on April 9, 2008. Authorizing \$330 million in funds over two years for re-entry programs, the act represents a good first step toward addressing the national corrections crisis. Goodwill Industries was active in the efforts that led to passage of the act, and now advocates for Congress to provide financial support for the programs and activities authorized by the new act.
- **Federal Bonding Program** — While most employers purchase commercial Fidelity Bond insurance to protect against loss of money or property sustained through the dishonest acts of their employees (i.e., theft, forgery, larceny and embezzlement), insurance companies will not usually cover “at-risk” employees because they are designated by insurance companies as being “not bondable.” As a result, job applicants who are considered at-risk are routinely denied employment. Only through their participation in the Federal Bonding Program can they become bondable.
- **Work Opportunity Tax Credit** — The Work Opportunity Tax Credit is an incentive for private sector businesses to provide on-the-job training and employment opportunities to people in nine target groups, including people who have criminal backgrounds who have been released for less than one year and who are known to have significant barriers to employment. In exchange for providing employment opportunities to people representing one of the target populations, employers may claim a federal tax credit.

Legal and Regulatory Barriers

- **Employment** — Title VII of the federal Civil Rights Act protects individuals from the denial of employment by certain employers because of arrests that do not lead to conviction unless there is a “business justification,” or because of a criminal conviction unless there is a “business necessity.” However, states, rather than the federal government, set most policies and legal standards governing the employment of individuals with criminal records.
- **Education** — People in state or federal penal institutions are not eligible to receive federal Pell Grants to fund their post-secondary educations. In addition, people who are convicted of possessing or selling drugs while in school and receiving federal student aid are ineligible for any grants, loans or work assistance programs. In August 2008, this law was changed to allow these students to restore their eligibility if they pass two random drug tests.
- **Public Housing** — While public housing could be a useful resource in providing shelter to people who are ex-offenders, local Public Housing Authorities often use the existence of a criminal background to automatically disqualify applicants. The public housing law also grants authority to public housing agencies to deny admission to public housing if it determines that an applicant or any member of the applicant’s household has ever “engaged in any drug-related or violent criminal activity or other criminal activity which would adversely affect the health, safety or right to peaceful enjoyment of the premises by other residents.”
- **Adoption and Safe Families Act** — Under this law, states are required to file a petition to terminate parental rights for any child, regardless of age, that has been in foster care for 15 out of the most recent 22 months. In the meantime, states are also required to identify, recruit, process and approve a qualified adoptive family on behalf of these children. While the law simply aims to protect the rights of children by limiting long-term foster care placements, one of the collateral consequences is that the families of people with criminal backgrounds are at serious risk of being permanently dissolved.



- **Loss of Voting Rights** — Prohibiting people with criminal backgrounds from voting has not been proven to deter people from committing crime. Instead, it disproportionately disenfranchises racial minorities and the high-poverty communities in which they live by ensuring that their important issues remain low priorities among legislators who need not concern themselves about the issues of non-voters.
- **Military Eligibility** — People who are ex-offenders, particularly those who complete their sentences at a relatively young age, may look to the military for stability and as a resource that would teach them discipline while offering valuable hands-on training and educational benefits once they complete their service. Regardless of the circumstances surrounding an individual's conviction, if the military believes a person has committed a serious felony or a number of other serious offenses, the person is not eligible to serve in the military.

Recommendations at the Local Level

- A National Service Continuum for People with Criminal Backgrounds
 - Improve the connection between corrections and social services.
 - Encourage workforce agencies to implement strategies that take the needs of people who are ex-offenders into account.
 - Work with local stakeholders to build a social service network to connect people to pre- and post-release supportive services such as treatment, counseling, housing assistance, education (including GED and ESL), and job training and placement.
 - Ensure that there are resources in the community for people who have committed crimes against people.
- Employers
 - Encourage employers, including Goodwill agencies, to offer appropriate employment opportunities that could be filled by people with criminal backgrounds.

- Provide technical assistance to these employers to ensure that they understand their liability and appropriately place those individuals.
- Unless it is relevant to the available position, discourage employers, including municipal and state governments, from asking for arrest and conviction information on employment applications.
- **Housing**
 - Urge local housing authorities to implement procedures that allow case-by-case decisions about whether to deny access to public housing for people who have been convicted or who are related to people who have been convicted of drug-related crimes.
 - Work with people who have been convicted of drug-related crimes to ensure that they successfully complete drug rehabilitation programs, and work with public housing authorities to ensure that their completion and subsequent public housing eligibility are quickly recognized.
- **Education**
 - Improve access to education by encouraging community colleges to offer classes during non-traditional hours, and/or distance-learning opportunities.
 - Encourage universities to restore scholarships that were revoked due to a criminal conviction.
- **Corrections**
 - Reduce barriers to prisoner–family contact.
- **Military Service**
 - Educate people with criminal backgrounds about military restrictions while encouraging those who may qualify to serve to work with recruiters.

Recommendations at the State Level

- Re-entry Preparation
 - Require prisons to provide assistance and adequate planning time to people who will soon be released.
 - Require prisons and jails to provide access to GED and ESL programs, substance abuse treatment, counseling, vocational rehabilitation and job training.
 - Prohibit jails and prisons from releasing people without identification, such as driver's licenses, government identification cards and social security cards.

- Job Training
 - Allow participation in job training to count toward work requirements if mandated by parole.

- Employment and Career Opportunities
 - Create incentives for employers who hire people with criminal backgrounds.
 - Allow only those professional prohibitions that prevent people from becoming employed in professions related to their crimes.

- Minimize Financial Disincentives for Finding Legitimate Employment
 - Pass through all child support payments to families.
 - Set realistic support and restitution orders.
 - Automatically suspend child support obligation or set orders at zero during incarceration.
 - Provide information to parents and families during the prison intake process.

- Expungement
 - Implement a process that allows people to correct inaccuracies in their criminal background records.
 - Allow people who committed non-violent crimes to petition the state to expunge or seal their criminal records after a reasonable amount of time without a conviction.

- Sentencing
 - Increase alternatives to incarceration, such as diversion.
 - Reconsider state mandatory minimums and adultification laws. Give judges the flexibility and tools they need to identify people who would respond to sentences that hold them accountable for their crimes while minimizing the negative affects associated with their incarceration.

- Transportation
 - Repeal laws — such as banning driver’s licenses — that limit access to job opportunities.

- Voting Rights
 - Restore voting rights to people with criminal backgrounds.

Recommendations at the Federal Level

- Appropriate the full authorization level for the Second Chance Act.

- Create incentives for one-stop operators to make pre-release contact with people who are incarcerated.

- Work Incentives — Expand financial incentives for people who have criminal backgrounds to accept low-wage jobs.

- Employers — Improve and publicize the federal bonding and tax credit programs to assist employers who hire individuals with criminal records.

- Education — Restore Pell grants to people who are incarcerated. Support alternative education programs that serve people who are ex-offenders. Provide incentives to community colleges and universities to accommodate those who want to improve their education.

- Family Strengthening — Protect children, yet be judicious when implementing policies, such as terminating parental rights, that prevent families from reunifying.

Recommendations for Goodwill Agencies and Other Social Service Providers

- Learn about serving people with criminal backgrounds.
- Offer ESL and GED programs.
- Offer soft-skills training that helps families reconnect.
- Provide support that helps re-entering parents to care for their children after they are released.
- Reach out to the administrators of regional jails and prisons to offer supports for people that will prepare them for their release.
- Educate other service providers about serving people with criminal backgrounds.
- Build and strengthen relationships with stakeholders at the local, state and federal levels.
- Learn about and get involved in existing local, state and federal efforts to promote systemic and legislative change.
- Suggest including legislative proposals on state and regional associations' legislative agendas to address barriers faced by people with criminal backgrounds.

