



STAYING OUT!

by Fred Scaglione

Two years ago, in his 2004 State of the Union address, President Bush announced plans for a four-year, \$300 million initiative to reduce recidivism and the societal costs of reincarceration by helping inmates find work when they return to their communities. The President noted that every year 600,000 men and women are released from state and federal prisons. A larger number come out of local jails. The President didn't need to mention that two-thirds of those released prisoners will find themselves back behind bars within two years. Everyone, it seems, understands that our prison system doesn't work, at least not as a vehicle for rehabilitating offenders and assisting them to become productive members of society.

The President's Prisoner Reentry Initiative (PRI) has drawn both praise and criticism from those working with ex-offenders. The mere acknowledgement that the revolving door of incarceration and recidivism is a national problem, which needs to be addressed, was very welcome. There has been less than unanimous

enthusiasm for the structure of the initiative itself, which many see as symbolic of problems in government's traditional approach to the issue.

First, of course, is the adequacy of the proposed funding to the task at hand.

"It is absolutely nothing," says Elizabeth Gaynes, Executive Director of the Osborne Association which has been providing services for ex-offenders in New York since 1931.

"The President made a promise he would find \$300 million to create national demonstration programs and that largely has not happened," says Richard Cho, Senior Program Officer with the Corporation for Supportive Housing which has become active in the field of reentry programming. "There have been a couple of chunks of money, mostly in the Department of Labor (DOL)."

Last year, DOL got the ball rolling with the award of \$19.8 million in grants to 30 groups across the country to provide employment services for prisoners leaving incarceration. Two New York organizations – the Doe Fund and Urban Youth Alliance International – were among the awardees.



The Fortune Academy opened in 2002 to provide emergency and longer-term housing for 59 ex-prisoners.

(Goodwill Industries, based in New York, will serve New Jersey). Each of these awardees will receive \$660,000 annually to serve 200 returning prisoners. The DOL-funded services are just getting underway.

Providers also have concerns about the fragmentation of funding under the initiative and limitations on the ways it can be used. Both of these issues are already familiar problems to providers of reentry services.

Most existing programs for ex-offenders are stitched together with funding

designed to address the specific needs of subgroups with specific, non-incarceration-related disabilities – HIV/AIDS, substance abuse, homelessness, etc.

"Most of our funding is not specifically targeted for our population," says JoAnne Page, Executive Director of the Fortune Society which serves 4,000 ex-offenders in a variety of programs. "There is money for people who are long-term shelter users, have HIV or are seriously and persistently mentally ill, but there is almost nothing for people

who don't come with those issues and are just newly-released on their own in the community."

"I think we have done a pretty good job of drawing down on health funding, AIDS funding and some criminal justice funding," says Gaynes. "Our job placement services for people with criminal records are funded by the Department of Labor and the Dept. of Small Business Services. They have targeted services within some of their funding that focuses on this population. But it is not like there is some sort of dedicated overall approach."

Sometimes, however, funding designed to serve one sub-population may not actually be appropriate for ex-offenders. "The only housing available for substance abusers is often residential drug treatment," says Page. "Somebody coming out of prison often is not willing to go into another institution and doesn't need it. They do need help in staying sober, finding a job and learning the skills for functioning in the community."

In other cases, funding streams on which providers rely to serve ex-offenders actually create barriers to service.

"Federal McKinney-Vento Homeless Assistance funding is the backbone of most permanent housing projects for people who are formerly homeless," says Cho. "However, the federal definition of homelessness does not include people who are recently released from prisons or jail. In fact if you are coming out of prison or jail, you have to return to a

shelter or live on the streets before you are considered homeless. It is preposterous."

"It is the height of idiocy to take somebody at the highest risk of recidivism and make them sleep in a shelter, which are often violent and drug infested, or under a bridge," says Page.

"It is during this critical period during the first month after they get out that ex-offenders hit all these barriers," says Cho. "They can't get public housing. Their benefits – public assistance and Medicaid – have all been terminated and it takes at least 45 days to reinstate them."

Additional barriers include restrictions on services for ex-offenders with criminal records including violent or sex convictions. "Right now, there are a number of closed off doors for ex-offenders," says Cho. "Housing authorities and federal Section 8 will exclude anybody with a violent offense."

These restrictions are counter-productive, argues Gaynes. "I don't know about you, but if I am sitting on the subway, I am more interested in coming up with a plan for people with histories of violence."

Community programs also create their own barriers to service for ex-offenders. Requirements to demonstrate six months of sobriety are one example. "How do you do that if you have been incarcerated," says Cho. "You are de facto excluding people coming out of prison."

Getting around these legal and regulatory limitations can create budgetary

nightmares for providers. "We have an open-door policy," says Page. "We take anyone who comes to us for service, regardless of their criminal record." In 2002, the Fortune Society opened a housing program specifically designed to serve ex-offenders. The Fortune Academy, which is housed in a renovated school known as "the Castle" at 140th Street and Riverside Drive, can accommodate 59 emergency and longer-term residents.

"We deliberately cross-funded the Castle so we could control our program design and our intake," says Page. As a result, the Fortune Society struggles to fund the services component of the facility's budget. "We received a \$100,000 grant from the Oak Foundation in England which covers a good part of the supportive services. Sustainability is the problem. What happens when the grant runs out?"

Providers are concerned that the President's Prisoner Reentry Initiative, with its separate funding streams in DOL, the Department of Justice (DOJ) and other federal agencies, may continue this tradition of fragmented and restricted service delivery.

Some coordination of services is clearly planned. DOJ is expected to announce its own round of PRI grants within the next few months to state correctional systems for services in support of the DOL programs. "If things go as we hope, the DOJ grant will be shared by the State and the City Department of Correction (DOC) to help us get people ready to go into those programs," says Kathleen

Coughlin, Deputy Commissioner for Programs and Discharge Planning at NYE DOC. "We will identify them and do some work with them in jail for whatever time we have. This is a big collaboration."

Nevertheless, concerns remain. "All the performance measures, except for one, are employment measures," says Gaynes. "You are supposed to do all these things - find them mentors, get them treatment, make sure their mental health issues are addressed - but at the end of the day, you are measured on putting them in jobs and retaining them in jobs plus their recidivism rate. This suggests that this national commitment is very limited in its thinking about jobs being the silver bullet for people coming out of prison. It doesn't provide particularly for training, so jobs are likely to be low level where they can't support their families or make their child support payments."

And, PRI also is limited to offenders with no record of violence or sex offenses. "The DOL proposal would have touched only a small percentage of our population," says Page. New York's PRI program awardees are trying to work around the issue. Urban Youth Alliance has a separately funded program providing similar services which can accommodate clients with a violent offense on their rap sheet.

"There is a broad consensus that to solve the reentry problems you need a kind of system integration and a degree of collaboration that really has never happened in the criminal justice sys-

tem, human services and housing world,” says Cho. “What we are seeing out of the federal government is not that approach.”

Cho does see signs of innovative thinking in some states and localities, particularly New York City. Martin Horn, Commissioner of both New York City’s Correction and Probation Departments, has made discharge planning a high priority. Several nonprofit providers --including the Fortune Society, Osborne, Women’s Prison Association, Vera Institute of Justice, Center for Employment Opportunities and Samaritan Village -- now play active roles on Riker’s Island doing outreach, recruitment and pre-release planning for inmates who agree to participate in post-release services such as substance abuse treatment, employment training, education, counseling, etc.

“This program is built on the premise that if we keep people engaged for 90 days, the chances are dramatically reduced that the person is going to come back to jail or wind up in a shelter,” says Coughlin. “We are seeing early indications that this is the case.” She notes that providers are paid on a performance basis and on 30 day increments. “They don’t get paid unless they keep the clients engaged.”

Prior to these service enhancements, discharge assistance at Riker’s had primarily consisted of a bus ride to the Queensboro Plaza subway station, usually between midnight and 5:00 a.m. – a source of smoldering community resentment for years. In response, the Fortune Society opened a

Drop-In Center there in 2002 to offer services for inmates just being released.

Now, DOC provides bus transportation directly to post-release service providers for inmates who participate in the discharge planning program. “The program bus takes them to wherever their discharge plan calls for – a drug treatment program, a half-way house, a supportive housing arrangement or a family member,” says Coughlin. As evidence of this commitment to discharge planning, she notes that the percentage of city sentenced inmates simply released to Queensboro Plaza has fallen by more than half – from approximately 70% in the Fall of 2003 to a current level of roughly 33%. The balance goes directly to programs.

Another innovation is the new collaboration between DOC, the Department of Homeless Services and community-based supportive housing providers known as Frequent Users Service Enhancement (FUSE). The program grew out of data matches which identified individuals who had four separate incarcerations on Riker’s Island and four separate stays in the City’s shelter system over the past five years. Over 1,100 individuals were identified.

The Corporation for Supportive Housing has helped to coordinate a commitment from local nonprofits to allocate a total of 100 supportive housing units to this high-risk population. The JEHT Foundation has provided \$650,000 to support enhanced services necessary to recruit and maintain these individuals in

housing. As a condition of funding, DHS and JEHT negotiated a commitment from the City to provide ongoing support for the program, if proven successful, using monies saved from reduced incarceration and shelter use.

The goal is to reach this population wherever they can be found. “The providers are recruiting both on Riker’s in partnership with the discharge planners and in shelters in partnership with the case management staff,” says Jody Rudin, Director of Entitlements at DHS.” Since a “frequent user’s” stay in jail and shelter can be short, it may take several outreach efforts as they continue to cycle back and forth before clients can be engaged in the program.

“We began in January and are trying to fill all our housing units by June,” says Cho.

“It is an incredibly exciting program,” says DHS Deputy Commissioner Mark Hurwitz. “It is actually very expensive not to provide help for people who are caught in a negative cycle. Shelter is expensive. Jail is expensive. Emergency health care and detox services are expensive. What we hope to demonstrate through this program is that there is a humane way to provide services that also costs less.”

“You can’t underestimate the power of individual leaders in making something like that happen,” says Gaynes. “Marty Horn and Linda Gibbs are folks who are both interested and capable.” Locally, providers are pleased that Gibbs received the Departments of Corrections and Probation in

her new portfolio as Deputy Mayor for Health and Community Services.

New York State’s Department of Correctional Services (DOCS), which sends close to 20,000 inmates home each year, also contracts with nonprofits such as the Osborne Association to provide programming. DOCS will collaborate with the Doe Fund on its PRI program. However, collaborations between DOCS and community providers on discharge planning and prerelease services have yet to reach the level and intensity of those in New York City.

“People coming out of prison have enormous needs,” says Robert Crane, Executive Director of the JEHT Foundation which has been active in funding prisoner reentry demonstration projects. “However, meeting those needs is significantly cheaper than putting them back in prison.” To do so, he argues, requires a holistic approach.

“There is enough research out there to know what some of the basic needs are. High on the list is housing and employment, but there are other needs that need to be met as well.”