

# CORRECTIONS AND RE-ENTRY

## Scope of the Problem and Indicators of Need

Over the last two decades, the New Jersey incarceration rate has increased astronomically, from 76 per 100,000 residents in 1980 to 331 per 100,000 residents in 2002—a 335 percent increase.<sup>1</sup> While modest declines are evident in recent years (the 2004 incarceration rate was 306 per 100,000 residents), the overall trend represents a changing attitude toward imprisonment in New Jersey.<sup>2</sup> The increasing rates of incarceration are due, in part, to ideological and political shifts that emphasize more severe sentences for drug related crimes and the implementation of mandatory minimum sentences. The following information provides the background necessary to assess whether the state’s budget allocations are adequate. It begins by exploring the need for efforts to prevent incarceration, treatment for those who are incarcerated, and help for ex-offenders returning to their communities. A profile of New Jersey’s offenders is followed by a discussion of the impact drug laws have had on incarceration trends for the state. It also describes the growth of drug courts as an alternative to imprisonment and outlines the treatment needs of New Jersey prisoners. Finally, it highlights the necessary components for successful re-entry by prisoners into their communities.

Last year, snapshot data from the Department of Corrections (DOC) revealed that 18,624 adults resided in New Jersey state correctional institutions and another 3,764 were under the jurisdiction of the DOC in programs such as halfway houses or electronic home monitoring.<sup>3</sup> Nearly half (47.4%) of these adults in custody had committed a violent offense.<sup>4</sup> Sixty-five percent had mandatory minimum terms and the median mandatory minimum was four years. The overall median term for adult offenders in January 2006 was five years, down one year from the mid-rate in 2001.<sup>5</sup> Young adults were over-represented, with 39 percent of all adult offenders ranging between 21-30 and a median age of 33 years old.<sup>6</sup> Most prisoners were men (94% in 2005), while women constitute a growing share of the prison population.<sup>7</sup> Well over half of prisoners are African-

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<sup>1</sup> Travis, Jeremy, Sinead Keegan, Eric Cadora, Amy Solomon, and Charles Swartz. November 2003. “A Portrait of Prisoner Re-Entry in New Jersey.” Urban Institute.

<sup>2</sup> Harrison, Paige and Allen Beck. October 2005. “Prisoners in 2004” Bureau of Justice Statistics Bulletin.

<sup>3</sup> New Jersey Department of Corrections. January 9, 2006. “Offender Characteristics Report.” Policy Analysis and Planning. Note on the source: Corrections data is collected on a “snapshot” basis, meaning it is gathered on around the same day each year, rather than being averaged over the course of a year. This provides an accurate portrait of prisoners within New Jersey facilities at this particular point in time every year but limits the ability to describe annual averages.

<sup>4</sup> These numbers reflect the offenders’ ‘base offense’ when they have been convicted of more than one crime. Source: Author’s Analysis of New Jersey Department of Corrections. January 6, 2006. “Offender Characteristics Report.” Policy Analysis and Planning.

<sup>5</sup> New Jersey Department of Corrections. January 6, 2006. “Offender Characteristics Report.” Policy Analysis and Planning; New Jersey Department of Corrections. January 8, 2001. “Offender Characteristics Report.” Policy Analysis and Planning.

<sup>6</sup> New Jersey Department of Corrections. January 6, 2006. “Offender Characteristics Report.” Policy Analysis and Planning.

<sup>7</sup> New Jersey Department of Corrections. January 6, 2006. “Offender Characteristics Report.” Policy Analysis and Planning.

American (61%) while 21 percent are White, and 17 percent are Hispanic or Latino. In all, eight out of ten adults incarcerated in New Jersey on January 9, 2006, were minorities.<sup>8</sup>

The use, sale, and distribution of illegal drugs accounts for both a major point of entry for adults into the corrections system as well as a major expense of the DOC. Indeed, nearly a third of adults incarcerated in the state's prison system on January 9, 2006, were drug offenders. According to an analysis done in 2003, New Jersey has the highest proportion of prisoners incarcerated for drug offenses in the nation.<sup>9</sup> In 2001, New Jersey spent \$266 million incarcerating drug offenders, an amount that is more than one-third of the state's spending on the entire corrections system.<sup>10</sup> Just as arresting individuals involved in criminal activity is intended to deter crime, increased spending and "cracking down" on drug offenses is meant to decrease the number of individuals willing to sell drugs, in order to limit the sale and distribution of drugs. Yet, despite its high imprisonment rates for drug offenses, a state-by-state comparison reveals that New Jersey does not experience less drug use than other states with lower rates of imprisonment.<sup>11</sup> This suggests that New Jersey's tough drug laws, despite their high cost, are doing little to drive down the use, sale, and distribution of drugs within the state.

"Tough on drugs" policies also account for the disproportionate incarceration of minorities, particularly African-Americans. By 1999, 52 percent of incarcerated African-Americans carried drug-related charges while only 34 percent of admissions of Whites did.<sup>12</sup> This is due, in part, to New Jersey's "drug free school zone law," which states that anyone distributing, dispensing, or possessing drugs with intent to distribute in the area around a school carries a mandatory minimum three-year sentence. In urban areas, schools are more densely concentrated and, because New Jersey includes daycare centers, vocational training centers and other education facilities in its definition of schools, most urban places are within a drug free school zone. For example, three-quarters of Newark and more than half of Jersey City and Camden are within a drug-free zone, while only six percent of Mansfield Township lies in one.<sup>13</sup> New Jersey cities are populated with more low-income, communities of color than are New Jersey suburbs. This results in the disproportionate commitment of poor, urban residents of color with mandatory minimum sentences. This legislation intended to dissuade drug dealers from operating on school grounds and conjures images of drugs on the playground. When an entire city is enclosed

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<sup>8</sup> New Jersey Department of Corrections. January 6, 2006. "Offender Characteristics Report." Policy Analysis and Planning.

<sup>9</sup> Schiraldi, Vincent and Jason Ziedenberg. 2003. "Costs and Benefits? The Impact of Drug Imprisonment in New Jersey." The Justice Policy Institute.

<sup>10</sup> Schiraldi, Vincent and Jason Ziedenberg. 2003. "Costs and Benefits? The Impact of Drug Imprisonment in New Jersey." The Justice Policy Institute.

<sup>11</sup> Schiraldi, Vincent and Jason Ziedenberg. 2003. "Costs and Benefits? The Impact of Drug Imprisonment in New Jersey." The Justice Policy Institute.

<sup>12</sup> Schiraldi, Vincent and Jason Ziedenberg. 2003. "Costs and Benefits? The Impact of Drug Imprisonment in New Jersey." The Justice Policy Institute.

<sup>13</sup> Greene, Judith, Kevin Pranis and Jason Ziedenberg. March 23, 2006. "Disparity by Design: How drug-free zone law impact racial disparity—and fail to protect youth." Justice Policy Institute, commissioned by the Drug Policy Alliance.

in a drug free school zone, however, heavy sentences for small-time dealing in homes and apartments becomes less purposeful in addition to unnecessarily costly.

At the same time, public support of strict sentencing for drug-related crime is weak. A public opinion poll conducted by the Eagleton Institute of Politics in 2004 found that 80 percent of New Jersey adults support using treatment and community services sentences for low-level, non-violent drug offenses if it will save money. Furthermore, 73 percent support the use of drug courts or mandatory treatment programs for offenders with drug and alcohol addiction. The same three-quarters support allowing judges to set aside mandatory minimum prison terms for low-level drug offenses.<sup>14</sup> Much of this support for alternatives to incarceration may stem from personal experience—the poll found that over half of New Jersey residents were personally affected by drugs and drug crimes, with one in three residents knowing someone who has been to prison or used illegal drugs.<sup>15</sup>

For this reason and many others, New Jersey has developed drug courts. The mission of these specialized courts is to address the abuse of alcohol and other drugs in order to eliminate drug and alcohol-related crime. Drug courts provide intensive supervision, including drug testing and court appearances, along with a mandatory regimen of treatment and recovery services as an alternative to incarceration. In New Jersey, drug courts started as pilot programs in 1996 and by 2001 legislation had expanded them statewide. By 2003, more than 2,600 non-violent offenders with substance abuse problems had entered the drug court pilot programs and 31 babies were born drug-free to participants who had been addicted.<sup>16</sup>

Substance abuse treatment is also a necessity for incarcerated prisoners. In 2002, 57 percent of New Jersey prisoners had moderate to extreme substance abuse disorders while 85 percent had some level of drug and/or alcohol problems.<sup>17</sup> Yet, treatment often remains out of reach. Earlier research has found that, while 75 to 80 percent of New Jersey prisoners had substance abuse disorders, only eight to 12 percent were receiving treatment.<sup>18</sup>

In addition to struggling with drug and alcohol addictions, many of New Jersey's prisoners also suffer from mental and physical health difficulties that can require intensive assistance. According to a 2003 analysis, substance abuse treatment during incarceration does not include most psychosocial and medication treatments. Co-

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<sup>14</sup> Eagleton Institute of Politics, Center for Public Interest Polling. October 2004. "New Jersey's Opinions on Alternatives to Mandatory Minimums." Conducted for Families Against Mandatory Minimums.

<sup>15</sup> Eagleton Institute of Politics, Center for Public Interest Polling. October 2004. "New Jersey's Opinions on Alternatives to Mandatory Minimums." Conducted for Families Against Mandatory Minimums.

<sup>16</sup> New Jersey Judiciary. "Adult Drug Court Programs." NJCourtsOnline.com [web:online] accessed on July 16, 2006 at <http://www.judiciary.state.nj.us/criminal/crdrgct.htm>.

<sup>17</sup> New Jersey Department of Corrections. 2002. "Annual Report 2002." Division of Programs and Community Services.

<sup>18</sup> New Jersey Institute for Social Justice. December 2003. "Coming Home for Good: Meeting the Challenge of Prisoner Reentry in New Jersey." New Jersey Institute for Social Justice and New Jersey Public Policy Research Institute.

occurring mental illness and substance abuse are currently not treated together in the corrections system. Approximately one-third of prisoners had mental or physical health conditions or disabilities upon reentry into communities in 2002.<sup>19</sup> There is some suspicion, as well, that the degree of mental health problems among inmates has been underestimated. A national study by the Bureau of Justice found that 56 percent of state prisoners, 45 percent of federal prisoners, and 64 percent of jail inmates in the U.S. report a mental health problem.<sup>20</sup> To the degree that national trends provide insight into local ones, this data suggests that mental health problems among New Jersey inmates could be more severe than previously thought. It is clear that many individuals leave prison without having received the treatment they need and therefore encounter continued barriers to health and well-being.

Most ex-offenders return to their community when they are released. In New Jersey, there have been approximately 14,000 state prison releases and the same number of admissions per year since 2001.<sup>21</sup> The New Jersey Institute for Social Justice estimates that 70,000 people will be released from state prison over the next 5 years, along with additional releases from jails. In 2002, nearly all (95%) of individuals incarcerated in New Jersey remained in New Jersey after release.<sup>22</sup> A large number returned to a handful of communities within New Jersey. Of individuals incarcerated in 2002, nearly one-third of these returned to Essex or Camden counties alone.<sup>23</sup> This suggests that the successful re-entry of ex-offenders is of significant concern for all of New Jersey, but particularly for certain communities. Indeed, many returning offenders re-offend. A recent outcome study found an overall re-arrest rate of 55 percent for adult offenders previously in a New Jersey facility. They also found a 43 percent reconviction rate and a 31 percent overall re-incarceration rate.<sup>24</sup> One of the reasons for this return to prisons has been an increase in parole violations. A recent Urban Institute study found a six-fold increase in parole violations between 1980 and 1998.<sup>25</sup> Much of this may be due to changes in the work practices of parole officers. Many parole officers have become more likely to evoke parole because of two high-profile violent crimes committee by parolees in 1995 and 1996. The Parole Board reported to the Urban Institute that, of the 4,482 parole revocations in fiscal year 2003, 96.5 percent were issued because of technical violations of parole and only 3.5 percent were due to new crimes.

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<sup>19</sup> Travis, Jeremy, Seinead Keegan, Eric Cadora, Amy Solomon and Charles Swartz. November 2003. "A Portrait of Prisoner Reentry in New Jersey." Urban Institute.

<sup>20</sup> James, Doris J. and Lauren Glaze. September 2006. "Mental Health Problems of Prison and Jail Inmates." U.S. Department of Justice, Bureau of Justice Statistics, Special Report NCJ 213600.

<sup>21</sup> New Jersey Institute for Social Justice. December 2003. "Coming Home for Good: Meeting the Challenge of Prisoner Reentry in New Jersey." New Jersey Institute for Social Justice and New Jersey Public Policy Research Institute.

<sup>22</sup> New Jersey Institute for Social Justice. December 2003. "Coming Home for Good: Meeting the Challenge of Prisoner Reentry in New Jersey." New Jersey Institute for Social Justice and New Jersey Public Policy Research Institute.

<sup>23</sup> Travis, Jeremy, Sinead Keegan, Eric Cadora, Amy Solomon and Charles Swartz. November 2003. "A Portrait of Prisoner Reentry in New Jersey." Urban Institute.

<sup>24</sup> New Jersey Department of Corrections. "Frequently Asked Questions." [web:online, accessed on 7/24/2006 at [www.state.nj.us/corrections/OTS/faq\\_ots.html](http://www.state.nj.us/corrections/OTS/faq_ots.html)].

<sup>25</sup> Travis, Jeremy, Sinead Keegan, Eric Cadora, Amy Solomon and Charles Swartz. November 2003. "A Portrait of Prisoner Reentry in New Jersey." Urban Institute.

Many adults who have been incarcerated face substantial difficulties when they are released and return to their communities. For many, substance abuse problems and health conditions that have not been addressed adequately during incarceration continue to plague them. In addition, low educational levels and the heavy stigma attached to a criminal record add to the difficulties of reintegrating after release. For many ex-offenders, having a criminal record bars them from obtaining employment at certain jobs. Both federal and state laws stipulate lifetime prohibitions on certain job categories for persons with criminal convictions for what are broadly defined as “crimes of moral turpitude.”<sup>26</sup> These jobs include many entry-level positions such as, but not limited to school bus drivers; New Jersey Turnpike Authority employees; liquor retail, wholesale, manufacturing or distribution employees; child care center employees; employees at community residences for developmentally disabled individuals; crossing guards; and bank employees. Additionally, New Jersey employers looking for alcohol and drug counselors, casino employees, insurance adjusters and social workers are required to consider the criminal record of an applicant and supply proof of rehabilitation. In all, there are some 22 categories of jobs which, depending on the criminal conviction, may be barred for an ex-offender.<sup>27</sup> Many private employers also choose to collect information on an applicant’s criminal background even when it is not required by law. Compounding the problem is the fact that finding employment is frequently a condition for parole; therefore, any barriers to work put a returning offender at risk for a violation of parole. For many returning offenders, these barriers prove insurmountable and make successful re-entry to a community nearly impossible. These barriers increase the chances of re-conviction and continue a cycle of crime.

A high number of adults live in the state’s correctional facilities and a disproportionate share of them are people of color. Heavy sentences for drug crimes have contributed to the growing prison population as well as the increase in incarceration of minorities. This is particularly the case because of New Jersey’s “drug free school zones,” which cover nearly entire urban centers. Substance abuse and mental illness also affect many of the persons who are incarcerated. The re-entry of ex-offenders to the community is of particular concern, as many face insurmountable barriers to successful reintegration.

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<sup>26</sup> Fishman, Nancy. April 11, 2003. “Briefing Paper: Legal Barriers to Prisoner Reentry in New Jersey.” Prepared for the New Jersey Reentry Roundtable, New Jersey Institute for Social Justice.

<sup>27</sup> Ibid.

## Corrections & Re-entry Programs

The philosophy on corrections historically runs in cycles. Public opinion shifts from periods where some believe that incarceration is meant for retribution to times when the corrections movement focuses on rehabilitation. The State of New Jersey's Corrections budget represents a mix of programs serving these two goals of retribution for crimes and rehabilitation for offenders. In addition, New Jersey's budget also provides money for re-entry of ex-offenders. While institutional programs are important, there is no time that the corrections budget affects low-income people more than it does when a person is transitioning back into the community. In an attempt to enhance public safety as well as reduce the risk that offenders will re-offend, the Department of Corrections operates an Office of Transitional Services. This office provides oversight of all social services and transitional programs and coordinates the process of reentry for an offender. Their goal is to match a returning inmate to community and treatment programs that assist their rehabilitation. Programs and services are concentrated in four areas—employment; mental, physical and spiritual health; housing; and family stability.

New Jersey's spending on programs for offenders and ex-offenders funds two agencies, the Department of Corrections (DOC) and the State Parole Board (SPB). In general terms, these two agencies focus on institutionalization of offenders and re-entry, respectively, although there is some necessary cross-over to facilitate the transition. The entire Corrections budget for FY07 totals \$1.075 billion, including funding for the State Parole Board. This is a decrease in funding of \$6 million from the adjusted appropriations in FY06.

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*Note: Some services related to Corrections and Re-entry that are also related to other need areas are addressed throughout other chapters in this report. Substance Abuse, Juvenile Justice, and Education are cross-referenced in this section. The recommendations for this section also refer to Health, Child Welfare, Employment, Child Support, and Additional Social Service Programs.*



## Detailed Program Descriptions

### Institutions

#### *Program Purpose and Description:*<sup>28</sup>

The Department of Corrections, Division of Operations, operates 14 correctional institutions located throughout the state. These institutions vary in security levels from minimum to maximum and are specialized for different populations, such as capital sentences, sex offenders, gang members, or female inmates. In combination with county jails and community treatment programs, these institutions house approximately 27,500 inmates.<sup>29</sup> Most of these institutions are specifically for adults but three are what the Department of Corrections calls Youth Correction Facilities, which house only 18 to 30 year-old inmates.

Within the Department of Corrections facilities, they operate three industry programs that are administered without appropriated fund because they are self-supporting: DEPTCOR, AgriIndustries and the Community Labor Assistance Program. DEPTCOR voluntarily assigns work to incarcerated men and women in factory and service industries throughout the state.<sup>30</sup> AgriIndustries involves incarcerated individuals in food production technology to make products for various other governmental departments.<sup>31</sup> The Community Labor Assistance Program uses minimum custody inmates in work crews on task-specific jobs in cities, towns, and regions throughout the state. The Department of Corrections also provides Chaplaincy Services to the inmate population if they make a request. Each facility has a chaplain representing a major faith group; these services are also supplemented by community volunteers.<sup>32</sup>

It is important to note that the information in this section is only for state institutions; the budget data for state-sentenced offenders in county correctional facilities and private halfway houses under DOC contracts are accounted for in the “System-Wide Program Support” section of the State FY05 Budget Book and is not broken out in line-item detail. The individual state institutions are briefly described below.

Vroom Central Reception and Assignment Facility provides central processing for all adult males and conducts intake activities, including examinations and evaluations of relevant physical and mental conditions. The facility also operates the Jones Farm, a satellite minimum security work camp for non-violent offenders with short-term sentences.

New Jersey State Prison is a maximum security facility in Trenton for adult male offenders and includes an administration and management services unit available for

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<sup>28</sup> New Jersey State Budget Book FY07, p. D-68-70.

<sup>29</sup> State Budget Book FY05, p. D-55.

<sup>30</sup> [http://www.state.nj.us/deptcor/who\\_we\\_are.html](http://www.state.nj.us/deptcor/who_we_are.html) accessed on July 21, 2006

<sup>31</sup> <http://www.state.nj.us/corrections/AgriInd/index.html> on July 21, 2006

<sup>32</sup> <http://www.state.nj.us/corrections/structure/html/community.html#3> on July 21, 2006

housing and programming designed to treat severe behavioral problems that occur in the prison system. The institution offers various levels of educational and work opportunities, including vocational education.

East Jersey State Prison includes minimum, medium and maximum security programs for adult males. It also provides work opportunities through five State Use Industries shops and vocational technical training in auto body, welding, mechanics, building trades, painting and decorating, masonry, and horticulture.

South Woods State Prison houses adult male offenders in a medium security unit with 960 beds and 264 minimum security beds as well as 44-bed long-term care facility.

Bayside State Prison houses adult male inmates in both medium and minimum security units as well as providing services for an inmate unit housed at Ancora Psychiatric Hospital. Inmates are provided basic education and vocational education as needed and there are work opportunities for both minimum and medium security inmates.

Southern State Correctional Facility provides medium security custodial care of adult male inmates and also opened a 352-bed minimum security unit in FY04.

Mid-State Correctional Facility leases federally-owned land to house adult male offenders in a medium security facility. The lease agreement allows no work release, furlough or community activities. All inmates are assigned work details on site.

Riverfront State Prison is a medium security prison for adult male offenders adjudicated for a variety of offenses.

Edna Mahan Correctional Facility for Women is the only Department of Corrections facility for female offenders age 16 and older. In addition to custodial functions, the facility provides educational opportunities from basic education through college courses, vocational education,<sup>33</sup> drug and alcohol treatment, and individual and group therapy.

Northern State Prison is a medium security adult male facility. Inmates with minimum security status housed in the facility may participate in programs involving work release, furloughs, and community service. Vocational training and work opportunities are provided to all inmates.

Adult Diagnostic and Treatment Center, Avenel is a specialized treatment facility for adult male sex offenders. In addition to inpatient custodial treatment, the institution also offers outpatient services, including diagnostic assessment for state agencies and aftercare therapy for parolees. The Center also administers two treatment facilities for offenders who have been civilly committed.

### **Youth Correctional Facilities**

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<sup>33</sup> See discussion of the type of vocational education offered in the recommendations subsection at the end of the Correction & Re-entry chapter.

The Department of Corrections operates three Youth Correctional Facilities (YCFs) in New Jersey which provide correctional, rehabilitative, and vocational intervention with young adult offenders between 18 and 30 years of age. In general, YCFs are medium or minimum security facilities and provide more in-depth educational programming for inmates.<sup>34</sup>

The Albert C. Wagner YCF is a medium security institution for males. The facility provides vocational and academic education, individual and group psychotherapy, social casework, and substance abuse and psychiatric treatment. The facility also houses a limited number of adult prison inmates and a 120-bed residential Adult Offender Boot Camp, which was initiated in FY97.

The Garden State YCF consists of eight housing units. The facility offers academic education, vocational training, and a supportive education team program as well as two therapeutic community programs.

The Mountainview YCF is a medium security institution which houses male inmates with state prison sentences with limited history of commitment to any correctional institutions. It offers work opportunities, including a farming operation and work release projects.

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<sup>34</sup> Information provided by staff at the Department of Corrections, Office of Public Information, November 2006.

***Budget and Performance Trends:***

<b>Detention and Rehabilitation Evaluation Data</b>				
<b>Average Daily Population</b>	<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
New Jersey State Prison	1,932	1,931	1,907	1,898
Vroom Central Reception and Assignment Facility	1,061	1,056	1,134	1,123
East Jersey State Prison	2,032	1,928	1,941	1,922
South Woods State Prison	3,352	3,378	3,352	3,331
Bayside State Prison	2,170	2,249	2,364	2,340
Southern State Correctional Facility	1,924	1,940	2,048	2,028
Mid-State Correctional Facility	627	640	649	643
Riverfront State Prison	1,083	1,018	1,019	1,009
Edna Mahan Correctional Facility for Women	1,146	1,114	1,112	1,101
Northern State Prison	2,656	2,651	2,641	2,615
Adult Diagnostic and Treatment Center, Avenel	656	679	691	684
Garden State Youth Correctional Facility	1,754	1,733	1,836	1,818
Albert C. Wagner Youth Correctional Facility	1,362	1,350	1,395	1,381
Mountainview Youth Correctional Facility	1,251	1,265	1,270	1,265
<b>Source: State FY07 Budget Book (p. D-70 – D-73)</b>				

**Department of Corrections Detention and Rehabilitation  
Appropriations Data**

	<b>Orig. &amp; ---Suppl. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>FY06 Adjusted Approp.</b>	<b>Request/ Recomm. FY07</b>	<b>Actual Approp. FY07</b>
Total direct state services*	\$721,977,000	\$734,665,000	\$732,630,000	\$771,574,000	\$770,316,000	\$770,316,000
Total federal funds**	\$1,807,000	\$3,088,000	\$2,696,000	\$1,881,000	\$1,813,000	\$10,109,000
Total all other funds	---	\$25,789,000	\$23,011,000	\$21,434,000	\$22,928,000	---

**Source: State FY07 Budget Book (p. D-74-D-75) & State FY07 Appropriations Bill S2007 (p. 45 & 238)**

\*Note: Direct State Services funding includes funding for a new unit expansion and sewage hauling and disposal costs at Jones Farm Repopulation, within the Southern State Correctional Facility. This funding is provided in the base appropriation beginning in fiscal 2007.

\*\*Note: Federal funds requested by the state included only Institutional Care and Treatment while federal funds appropriated included an additional \$8,296,000 of Institutional Program Support as well.

***Additional Analysis:***

The categories listed in the FY05, FY06, and FY07 State Budget Books are different from those of previous years. The chart on the following page is compiled from the FY04 state budget materials and provides a line-item budget number for each of the 14 institutions operated by the DOC. Unfortunately, the past three years' Corrections budgets do not identify individual funding for each correctional facility.

The collapsing of budget detail into a generic category for 14 institutions is representative of the need for greater transparency in the budget. The FY04 budget, although it does not make clear how much of the state's money goes towards administration in facilities rather than rehabilitation, at least provides general information about relative funding for facilities. This loss of detail in the last three Budget Books moves the State Budget in the wrong direction in terms of transparency. What is needed to allow for analysis of the state's funding decisions is an enumeration of the services being provided and the cost for each service. For example, Corrections Officers are currently asking for increases in their wages and benefits. The budget does not give specific numbers about how much they are being paid and how much the benefits cost. The explanation of what activities are funded under the line item for "Institutional Control and Supervision" (included on the following page) does not provide specific enough information to analyze the dispute between the DOC and the Corrections Officers. The same lack of transparency exists in the "Institutional Care and Treatment" description. It is impossible to know if the state is spending enough money on inmate

medical care because the budget does not provide the numbers. This concern regarding reduced transparency is also addressed in the Juvenile Justice Section of this document.

Despite the steady level of the inmate population, there exists a decrease in funding for the purchase of services in county facilities. The statistics on those who are entering prison certainly do not suggest that notion. Information about all of the services provided in the county jails for state prison inmates would be useful.

**(FY04 - Example Chart) Adult Correctional Facilities  
(Grand Totals)  
Appropriations Data**

	<b>Orig. &amp; --Supple. FY02</b>	<b>Total FY02 Available</b>	<b>Expended FY02</b>	<b>FY03 Adjusted Appropriation</b>	<b>Request/ Recommend FY04</b>	<b>Actual Approp. FY04</b>
NJ State Prison	\$58,929,000	\$62,202,000	\$61,777,000	\$64,596,000	\$66,192,000	\$65,472,000
Vroom Central	\$32,293,000	\$34,519,000	\$34,053,000	\$33,403,000	\$34,988,000	\$34,528,000
East Jersey State Prison	\$55,118,000	\$62,901,000	\$61,124,000	\$61,293,000	\$62,809,000	\$62,481,000
South Woods	\$78,658,000	\$83,395,000	\$82,292,000	\$84,804,000	\$87,584,000	\$85,950,000
Bayside State Prison	\$50,691,000	\$56,588,000	\$55,735,000	\$57,844,000	\$59,904,000	\$58,344,000
Southern State Correctional	\$43,916,000	\$45,631,000	\$45,337,000	\$46,289,000	\$37,685,000	\$36,459,000
Mid-State Correctional	\$19,150,000	\$20,513,000	\$20,372,000	\$20,419,000	\$20,759,000	\$20,289,000
Riverfront State Prison	\$32,224,000	\$35,882,000	\$34,934,000	\$33,994,000	\$34,893,000	\$34,034,000
Edna Mahan Correctional for Women	\$33,842,000	\$34,907,000	\$34,590,000	\$34,996,000	\$35,978,000	\$34,408,000
Northern State Prison	\$67,254,000	\$70,000,000	\$69,644,000	\$69,774,000	\$72,257,000	\$70,493,000
Avenel	\$38,544,000	\$39,701,000	\$35,712,000	\$41,440,000	\$45,094,000	\$44,413,000
Garden State Youth C. Facility	\$40,229,000	\$44,952,000	\$43,919,000	\$45,807,000	\$46,517,000	\$42,062,000
Albert C. Wagner Youth C. Facility	\$42,420,000	\$48,665,000	\$43,918,000	\$44,732,000	\$45,900,000	\$43,621,000
Mountainview Youth C. Facility	\$34,374,000	\$38,496,000	\$37,445,000	\$37,809,000	\$38,199,000	\$35,524,000

**Source: State FY04 Budget Book (p. D-75 –D-100) & Senate Appropriations Bill No. 3000 (p. 37 - 44)**

Currently, the only way to identify funding amounts for these facilities is to calculate the actual amount from various State Appropriations Handbooks for individual years. An example of an appropriations chart compiled in this manner is shown below. Although it is possible to see the amount of funding appropriated to each facility, it is not possible to compare the funding to the Governor’s recommendations or the Department’s requested amounts, nor to see what monies may have been re-appropriated or

supplemented for any of these facilities. There is also a lack of detail on how the money was spent within each facility. (This same observation is made in the Juvenile Justice chapter.)

<b>(Compiled from Appropriations Handbooks SFY05-SFY07)</b>			
<b>Adult and Youth Correctional Facilities</b>			
<b>Appropriations Data</b>			
	<b>Actual Total Appropriations FY05</b>	<b>Actual Total Appropriations FY06</b>	<b>Actual Total Appropriations FY07</b>
NJ State Prison	\$66,644,000	\$76,158,000	\$77,192,000
Vroom Central	\$35,444,000	\$38,513,000	\$39,509,000
East Jersey State Prison	\$65,657,000	\$65,312,000	\$67,188,000
South Woods	\$85,315,000	\$98,737,000	\$101,500,000
Bayside State Prison	\$58,147,000	\$61,731,000	\$64,135,000
Southern State Correctional	\$52,026,000	\$56,477,000	\$58,508,000
Mid-State Correctional	\$21,053,000	\$22,021,000	\$22,911,000
Riverfront State Prison	\$35,423,000	\$37,328,000	\$38,081,000
Edna Mahan Correctional for Women	\$35,887,000	\$40,485,000	\$42,257,000
Northern State Prison	\$71,636,000	\$75,613,000	\$81,093,000
Adult Diagnostic - Avenel	\$51,967,000	\$50,388,000	\$52,380,000
Garden State Youth Correctional Facility	\$43,414,000	\$44,555,000	\$47,635,000
Albert C. Wagner Youth Correctional Facility	\$44,457,000	\$47,011,000	\$48,114,000
Mountainview Youth Correctional Facility	\$37,127,000	\$39,177,000	\$40,726,000
<b>Source: SFY05 Appropriations Handbook (p. B-26-35),SFY06 Appropriations Handbook (p. B-26-36) &amp;SFY07Appropriations Handbook (p. B-34-42)</b>			

Although lacking in budget detail, state FY07 budget materials do offer some clarifying information pertaining to the categorical line items in the FY07 appropriation charts provided under Budget and Performance Trends on the preceding pages. While clarifying the activities that are funded under each of the general line-item categories, these descriptions also raise further issues. The description states that “institutional work is available in the State Use shops.” The budget materials, however, do not provide information about the use of the profits from the State Use shops. The language from the

State FY07 Budget Book (p. D-68) is included verbatim below in the interest of maximizing transparency.

**Institutional Control and Supervision:** Designed to provide the level of control necessary to protect the inmate and the community from harm, by providing custodial control and supervision in all institutional areas and during inmate transportation outside of the institution.

**Institutional Care and Treatment:** Includes the activities of housekeeping, safety and medical care, which provide a safe, sanitary and healthful environment for inmates and employees; and food service, which meets the nutritional needs of inmates and staff. Provides suitable and adequate clothing to inmates to meet their needs during the period of incarceration. Provides medical, dental, surgical and nursing services to maintain and promote the physical health of inmates. Includes the treatment and classification services designed to assist the offender with emotional and/or maturational problems; makes program assignments, reassignments, and release decisions for inmates; and maintains accurate, up-to-date cumulative records of relevant information concerning all inmates from admission to final discharge from parole. A recreation program is provided to enhance inmate social development and promote the constructive use of leisure time. Professional staff activities in the disciplines of psychology, psychiatry and social work provide guidance counseling and other diagnoses and treatments designed to enable offenders to adopt norms of acceptable behavior, improve their adaptive behavior and increase their positive interaction with the staff, other offenders and the community upon release. Institutional work is available in State Use shops, otherwise known as DEPTCOR, and in the operation of farming, laundry, bakery, maintenance and food service programs. In addition, furlough and work release programs are provided for the transition to normal family and employment situations.

Provides basic, secondary and college education, library activities, high school equivalency and vocational training. State and federal funds support this program.

**Administration and Support Services:** Coordinates the fiscal, physical and personnel resources of the institution. Comprises the planning, management and operation of the physical assets of the institution, including utilities, buildings and structures, grounds and equipment of all kinds. Activities include operation, maintenance, repair, rehabilitation, improvement, custodial and housekeeping services.<sup>35</sup>

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<sup>35</sup> All descriptive information in this section comes from The FY07 State Budget Book, p. D-68.

**Offices of Community and Drug Programs**

***Program Purpose and Description:***

These offices provide evidence-based drug treatment and rehabilitative services for offenders prior to their release from prison. Third-party providers are contracted to provide prison-based treatment and community-based residential services. Objective assessment tests and analyses of criminal and substance abuse/addiction histories are performed. Relying on the results, these providers identify, refer and process the transfer of eligible offenders to a continuum of treatment programs for substance use disorders and/or to community residential programs. Through their contract development and contract monitoring functions, the offices are charged with recognizing current best practices, establishing critical performance standards, and ensuring the quality, accountability and cost-effectiveness of the service providers.

DOC currently contracts for 1,414 Therapeutic Community beds in 10 different programs, located in eight different institutions, one of which is a 60-bed program for females incarcerated at Edna Mahan Correctional Facility for Women. At present, DOC contracts with private and non-profit providers for 21 community-based programs, including two assessment and treatment centers, one special needs program, and 18 residential community release programs. They also contract with five licensed facilities to provide residential community-based drug treatment.<sup>36</sup>

***Budget and Performance Trends:***

The information in state budget materials regarding the DOC budget does not separately designate the administrative expenditure within DOC for the Office of Community and Drug Programs or the funding for contracts to institutions and community providers provided through this office.

<b>Purchase of Community Services Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY04</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>FY06 Adjusted Appropriation</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$61,495,000	\$58,793,000	\$58,793,000	\$61,495,000	\$61,495,000	\$61,495,000
<b>Source: State FY07 Budget Book (p. D-77) &amp; State FY07 Appropriations Bill S2007 (p.47)</b>					

Note: The line item for Purchase of Community Services in the DOC budget incorporates funding for a variety of corrections and re-entry services, of which the Therapeutic Community programs and other services contracted through the DOC Office of Community and Drug Programs are only a portion.

<sup>36</sup> <http://www.state.nj.us/corrections/structure/html/community.html> in November 2006.

## **Department of Corrections Office of Educational Services**

### ***Program Purpose and Description:***

The office of educational services is responsible for supervising, supporting and ensuring delivery of educational services, recreational activities and law library services to inmates. Educational services for grades K through 12 are mandatory for every inmate under the age of 20 in all 14 of the DOC's primary facilities. Inmates age 20 and older, and inmates with a high school degree or equivalent, may participate in the offered education programs on a voluntary basis.

The facilities offer a range of educational services, including remedial, pre-secondary, secondary, and special education programs, and an array of pre-vocational and vocational programs.<sup>37</sup> The individual facilities vary significantly in the specific academic and vocational education opportunities they offer. A number of basic educational services are offered at all institutions, including the youth correctional facilities. These include pre-secondary, intermediate and secondary education, reading, math, language arts, and social studies. Other educational services offered by all or almost all of the facilities are moral reconnection therapy (17 facilities), stock market game (17), library services (16), life skills training (16), recreation (15), and college programs (14). Among the other academic and enrichment programs offered at only some of the facilities are ESL (offered at 8 facilities) and Focus on Literacy (offered at 8). Fatherhood, African history/culture, and Hispanic history/culture educational programs are each offered at only two facilities. With the exception of the Adult Diagnostic and Treatment Center, all facilities offer between 17 and 25 educational and enrichment programs.<sup>38</sup> At the three youth correctional facilities, educational programming is intended to be more intensive. While each facility provides basic education services and many of the programs mentioned above, each institution provides a few different education opportunities. Programs offered at only one or two of the youth facilities includes ESL (offered at Albert C. Wagner and Mountainview), focus on literacy (Albert C. Wagner), fatherhood (Garden State), behavior modification (Garden State), and African history and culture (Mountainview). Hispanic history and culture is not offered at any of the youth facilities.<sup>39</sup>

Vocational programs focus primarily on industry-specific skills, although all facilities offer vocational assessment and nine of the facilities, including all three youth facilities, also offer a general "employability skills" program. Other programs include repair/service training (such as computer, auto, and plumbing programs), office skills, food preparation and service, equipment operations, building and carpentry skills, and some domestic skills. Paralegal training is offered at the greatest number of facilities (11) and other commonly offered programs are culinary arts, horticulture, graphic arts,

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<sup>37</sup> <http://www.state.nj.us/corrections/structure/html/community.html#1>.

<sup>38</sup> Chart of NJDOC Academic/Enrichment Programs dated November 4<sup>th</sup>, 2003, provided by DOC Office of Educational Services on October 28<sup>th</sup>, 2004.

<sup>39</sup> Chart of NJDOC Academic/Enrichment Programs dated November 4, 2003, provided by Office of Educational Services on October 28, 2004.

computer applications, and building services/training. The facilities also vary in the number of vocational programs offered, with the Garden State Youth Correctional Facility and the South Woods State Prison both offering 21 programs, while the Northern State Prison offers only six and the Mid-State Correctional Facility only four.<sup>40</sup> Carpentry and building skills programs are present at all three youth correctional facilities. Garden State YCF, however, offers a larger number of vocational training programs than the other YCFs (21, compared to 13 at Albert C. Wagner YCF and 14 at Mountainview YCF), including computer and automobile-related training. Mountainview YCF also has food service and sanitation training programs.

The Office of Educational Services is also responsible for developing and scheduling community outreach programs aimed at prevention of involvement with the corrections system among juveniles. Promoting Responsibility In Drug Education (Project P.R.I.D.E.) brings escorted minimum custody offenders into middle schools and high schools to share their personal experiences with drugs and alcohol with the program goal to thereby reduce the appeal and expose the consequences of substance abuse. Youth involved with a law enforcement agency of the court system may participate in the Scared Straight program, which brings youth into adult correctional facilities to tour the facility and engage in intensive face-to-face sessions with inmates.<sup>41</sup>

***Budget and Performance Trends:***

Information on program utilization for each facility is included in the evaluation data listed on the following page.

The appropriations information for all DOC facilities is included in the overall Institutions appropriations information under the Institutional Care and Treatment line item in state budget materials. Educational services funding is not broken out as a separate line item. For the total Institutional Care and Treatment budget line item, see the Institutions appropriation data earlier in this section.

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<sup>40</sup> The Adult Diagnostic & Treatment Facility (Avenel) and Vroom Central Reception & Adjustment Facility also offer few vocational programs (2 and 4 respectively), but these facilities have unique functions which makes training less central to their mission.

<sup>41</sup> <http://www.state.nj.us/corrections/structure/html/community.html>.

<b>General Educational Development (Adults) Evaluation Data</b>				
	<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
<b>NJ State Prison:</b> Adult Basic Ed.	371	399	405	405
General Ed. Development	43	50	51	51
Vocational Education	26	18	20	22
<b>Vroom Central:</b> Adult Basic Ed.	104	110	110	110
General Ed. Development	54	45	48	48
Vocational Education	41	39	40	40
<b>East Jersey State Prison:</b> Adult Basic Ed.	393	405	410	410
General Ed. Development	169	134	145	145
Vocational Education	128	131	128	129
<b>South Woods:</b> Adult Basic Ed.	709	674	681	685
General Ed. Development	322	323	325	328
Vocational Education	941	1,097	1,097	1,099
<b>Bayside State Prison:</b> Adult Basic Ed.	281	219	220	220
General Ed. Development	122	211	215	215
Vocational Education	241	287	288	288
<b>Southern State Correctional:</b> Adult Basic Ed.	419	382	391	398
General Ed. Development	114	148	151	155
Vocational Education	361	300	310	324
<b>Mid-State Correctional:</b> Adult Basic Ed.	175	176	180	180
General Ed. Development	78	73	75	75
Vocational Education	56	43	54	62
<b>Riverfront State Prison:</b> Adult Basic Ed.	304	298	316	315
General Ed. Development	46	31	34	38
Vocational Education	518	472	481	485
<b>Edna Mahan Correctional Facility:</b> Adult Basic Ed.	413	518	520	520

General Ed. Development	65	57	59	59
Vocational Education	505	545	550	550
<b>Northern State:</b> Adult Basic Ed.	242	233	253	263
General Ed. Development	105	123	125	127
Vocational Education	142	111	141	148
<b>Avenel:</b> Adult Basic Ed.	138	165	167	167
General Ed. Development	46	74	75	75
Vocational Education	188	226	216	216
<b>Albert C. Wagner YCF:</b> Adult Basic Ed.	820	809	815	815
General Ed. Development	190	216	220	220
Vocational Education	299	322	325	325
<b>Garden State YCF:</b> Adult Basic Ed.	1,574	1,570	1,570	1,630
General Ed. Development	102	86	95	110
Vocational Education	1,646	1,634	1,640	1,640
<b>Mountainview YCF:</b> Adult Basic Ed.	1,027	1,005	1,025	1,030
General Ed. Development	280	269	285	285
Vocational Education	716	688	690	695
<b>Source: State FY07 Budget Book (p. D70 – D-72)</b>				

***Additional Analysis:***

While evaluation data is available that describes the number of participants involved in particular educational programming, the same is not true of funding. Unfortunately, the Department of Corrections budget allocations provide no information that allows us to understand the degree to which appropriations are used for educational programming. Given the high number of participants in Adult Basic Education and Vocational Education, it is possible to guess that much of the educational funding must be provided to these programs, but no detail is available. For example, it would be important to see whether academic instruction, which can increase the chance for attendance at a college upon release, or vocational education, which may make an ex-offender more marketable to potential employers, are given appropriate funding.

Although not providing this level of detail regarding relative funding for individual educational programs, the appropriation data in the FY04 budget book did provide the division of total funding for individual facilities. This level of detail is missing from FY07 state budget materials.

**Mutual Agreement Program**

***Program Purpose and Description:***

Mutual Agreement Program (MAP) facilities provide one stage of the substance use disorder continuum of treatment provided by DOC to eligible offenders. After being approved for community release to a minimum security program and completing a 60- or 90-day assignment in an Assessment and Treatment Center,<sup>42</sup> inmates may participate in intensive substance abuse treatment through MAP. The program utilizes state-licensed treatment facilities through a cooperative agreement between DOC, DHSS and the State Parole Board. Inmates receive intensive six-month drug and alcohol treatment and typically convert to parolee status during the course of the program.<sup>43</sup>

In 2003, DOC transferred a part of the Mutual Agreement Program (MAP) to the State Parole Board to provide substance abuse treatment services to parolees needing services. The program includes both inpatient and outpatient treatment services. In FY04, the Re-entry Substance Abuse Program (RESAP) was included in the expanded initiative, offering residential treatment. This program provides specialized residential treatment services for offenders who are eligible to re-enter the community on parole but have a chronic substance abuse history.<sup>44</sup>

***Budget and Performance Trends:***

<b>MAP Referral Evaluation Data</b>			
<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
518	540	540	540
<b>Source: State FY07 Budget Book (p. D-79)</b>			

Note: There is no evaluation data for parolees actually receiving substance abuse services from the MAP program as differentiated from number of referrals.

<b>Re-entry Substance Abuse Program (RESAP) Evaluation Data</b>			
<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
102	72	152	152
<b>Source: State FY07 Budget Book (p. D-79)</b>			

<sup>42</sup> For men; women come directly from the Edna Mahan Correctional Facility.

<sup>43</sup> [http://www.state.nj.us/corrections/annual\\_report/html/09\\_Division\\_of\\_Programs.html](http://www.state.nj.us/corrections/annual_report/html/09_Division_of_Programs.html).

<sup>44</sup> State FY04 Budget Book, p. D-67; State FY05 Budget Book, p. D-55.

<b>Mutual Agreement Program (MAP) Appropriations Data</b>						
	<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
Direct State Services	\$1,168,000	\$1,174,000	\$1,173,000	\$1,118,000	\$1,120,000	\$1,120,000
Direct State Services (Parole)	\$437,000	\$437,000	\$437,000	\$437,000	\$437,000	\$437,000
Grants-in-Aid	\$2,690,000	\$2,690,000	\$2,690,000	\$2,690,000	\$2,690,000	\$2,690,000
<b>Source: State FY06 Budget Book (p. D-76-D-80) &amp; State FY07 Appropriations Bill S2007 (p.B-46-48)</b>						

Note: Combined total funding for the MAP program, direct state aid and grants-in-aid, equals the governor's recommended appropriation of approximately \$3.1 million.

<b>Re-entry Substance Abuse Program (RESAP) (Distribution by fund and object) Appropriation Data</b>					
<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$3,714,000	\$2,914,000	\$2,496,000	\$3,997,000	\$3,997,000	\$3,997,000
<b>Source: State FY07 Budget Book (p. D-80) &amp; State FY07 Appropriations Bill S2007 (p. B-48)</b>					

***Additional Analysis:***

RESAP, as it is described by the State Parole Board's Community Programs Unit, is a vitally important program. Many of those incarcerated are imprisoned because of crimes related to their addiction. Treatment only during incarceration is not enough because, presumably, inmates do not have the opportunity to continue their habit while incarcerated. Once released, recovery is most important and difficult because the ex-offender has easier access to substances and may be confronted with the problems that contributed to the use of drugs in the first place. The program is expanding, but it still is not meeting the full need.

Since the SPB funding can be used for Community Services funding for those under parole supervision, it is not limited to restrictions of time such as 30, 60, 90 or 180 day programs. It can provide services as long as a person is serving his or sentence on parole. The SPB can use its flexibility to serve more people for longer periods of time, which may be necessary to ensure successful reentry.

**Serious and Violent Offender Reentry Initiative**

***Program Purpose and Description:***

The Serious and Violent Offender Reentry Initiative (SVORI) is operated in Essex and Camden counties by the Parole Board. The program takes in participants from both the Juvenile Justice Commission (for offenders ages 14-24 completing confinement) and the Department of Corrections (for offenders ages 18-35). For parolees returning to the two target counties, the reentry program includes services such as job training and placement, educational services, substance abuse treatment, mental health treatment, restitution, housing assistance, community support, mentoring, counseling, aftercare, crisis intervention, life skills training, supervision, and intensive case management.<sup>45</sup>

***Budget and Performance Trends:***

DOC staff reported that this initiative is still operating in Camden and Essex Counties until the grant term ends in June 2006. There are a total of 300 adult and young adult offenders receiving the benefit of enhanced services.<sup>46</sup> SVORI is a federal program, which may explain why it is not represented by a line item in the state budget materials. It is administered by JJC and DOC.

<b>Parole Direct State Services Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>FY06 Adjusted Appropriation</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$40,206,000	\$41,050,000	\$41,032,000	\$47,462,000	\$45,146,000	\$45,146,000
<b>Source: State FY07 Budget Book (p. D-80) &amp; State FY07 Appropriations Bill S2007 (p.47)</b>					

Note: This appropriation information is for all direct state services provided for parolees. The Serious and Violent Offender Re-entry Initiative is a small program representing only a small portion of this funding, but no line-item detail is available regarding funding designated for this program.

***Additional Analysis:***

SVORI is a national initiative financed by the federal government. Several different departments provide funding to SVORI, including the US Departments of Justice, Labor, Housing and Urban Development, and Health and Human Services. New Jersey is using this money to serve only the two communities listed above, although ex-offenders returning to other communities are also in need of more intensive services to facilitate reentry.

<sup>45</sup> <http://www.ojp.usdoj.gov/reentry/sar/nj.html>.

<sup>46</sup> According to e-mail correspondence with SVORI Project Director, received September 6<sup>th</sup>, 2005.

**Halfway-Back Program**

***Program Purpose and Description:***

This New Jersey parole program provides a highly supervised environment consisting of drug treatment and relapse prevention services for some offenders on parole. This program also addresses life skills development, anger and aggression management, unemployment and other issues impacting offenders who are having difficulty adhering to the conditions of parole. According to the DOC, the average length that an offender would participate in the program is 90 days, after which successful participants would continue on parole. Under the Halfway-Back program, the DOC contracts for approximately 500 beds and services to be provided to approximately 2,000 technical parole violators annually.<sup>47</sup>

***Budget and Performance Trends:***

<b>Halfway-Back Program Evaluation Data</b>				
	<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
Number of beds	675	706	650	700
<b>Source: State FY06 Budget Book (p. D-79)</b>				

<b>Halfway-Back Program Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY04</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$14,497,000	\$16,737,000	\$16,426,000	\$16,289,000	\$17,289,000	\$17,289,000
<b>Source: State FY07 Budget Book (p. D-80) &amp; State FY07 Appropriations Bill S2007 (p. 48)</b>					

***Additional Analysis:***

Some corrections officials have curtailed prison programs and services that could ameliorate factors that place inmates at higher risk of recidivism after release. Tougher sentencing laws have, in some cases, removed or limited inmates’ incentives to enter available treatment programs. Long, fixed prison terms for serious offenders can sometimes have the perverse effect of returning the most risky offenders to the community with the least control and supervision, due to the lack of access to supervised transitional programs. There is sometimes little continuity between institutional programs

<sup>47</sup> <http://www.njleg.state.nj.us/legislativepub/budget/correc01.pdf>

and activities, offenders' reentry plans, and the supervision and services they receive once released.<sup>48</sup>

Some factors, such as criminal history, are static and unchangeable. Others, such as substance abuse, antisocial attitudes, and antisocial associates, are dynamic and changeable. With proper assessment of these factors, researchers and practitioners can classify groups of offenders according to their relative likelihood of committing new offenses with as much as 80% accuracy. Application of the risk principle requires matching levels of intensity of treatment/supervision with the risk levels of offenders. High-risk offenders require intensive interventions to reduce recidivism.<sup>49</sup>

New Jersey has made a concerted effort to cut down on technical parole violations. To that end, programs such as Halfway-Back have received an increase in funding and in beds. It is, however, unclear why the Overview of the Corrections budget states that Halfway-Back will receive a 50 bed increase but the Evaluation Data shows a 50 bed decrease.

**Program for Returning Prisoners with Mental Illness Safely and Effectively (PROMISE)**

***Program Purpose and Description:***

To address the need for effective mental health treatment that continues after release from prison, the pilot program PROMISE provides treatment, transitional housing, rental subsidies, employment, support, education and relapse prevention training for parolees with mental illnesses. PROMISE is a joint collaboration of the Parole Board, Department of Corrections, Department of Human Services, Division of Mental Health Services, Department of Community Affairs, and the Housing and Mortgage Finance Agency.

***Budget and Performance Trends:***

<b>Re-Entry Case Management Services (Grants-In-Aid) Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY04</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
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<b>Source: State FY07 Budget Book (p. D-80) &amp; State FY07 Appropriations Handbook (p. B-43)</b>					

Note: Re-Entry Case Management Services is the term used to denote grant distributions for the PROMISE program<sup>50</sup>.

<sup>48</sup> <http://www.ojp.usdoj.gov/reentry/learn.html>.

<sup>49</sup> Gendreau and Andrews, 1990.

<sup>50</sup> Based on conversation with a staff member of the Parole Board on December 11, 2006.

**Anti--Gang Violence Initiative**

***Program Purpose and Description:***

In an attempt to address New Jersey’s growing gang problems, Governor Corzine and the Attorney General’s committed \$750,000 to Operation CeaseFire—a community-based response program that partners with criminal justice, government, social service, faith-based and community organizations to reduce gun violence. Funding is provided through the Department of Law and Public Safety. Operation CeaseFire currently operates in Newark and Irvington and will extend its reach to Trenton, Camden, and Jersey City.

***Budget and Performance Trends:***

<b>Operation CeaseFire (Grants-In-Aid) Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY04</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
---	---	---	---	\$750,000	\$750,000
<b>Source: State FY07 Budget Book (p. D-278) &amp; State FY07 Appropriations Handbook (p. B-127)</b>					

**Day Reporting Centers**

***Program Purpose and Description:***

The Parole Board funds Day Reporting Centers, which provide parolees with a supervised environment that includes services directed toward offenders’ highest needs. Services include anger and aggression management, job readiness skills, academic assistance and life skills development.<sup>51</sup> Last year, the program was increased by 100 slots.<sup>52</sup> This year, the SPB plans to add 50 more slots.<sup>53</sup>

***Budget and Performance Trends:***

<b>Day Reporting – Caseload Data Evaluation Data</b>			
<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
389	395	700	700
<b>Source: State FY07 Budget Book (p. D-79)</b>			

<b>Day Reporting Program Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$9,093,000	\$8,293,000	\$7,872,000	\$11,902,000	\$11,902,000	\$11,902,000
<b>Source: State FY07 Budget Book (p. D-80) &amp; State FY07 Appropriations Bill S2007 (p. 48)</b>					

***Additional Analysis:***

Day Reporting Centers have been funded in the past through a combination of state and federal funds, but incomplete reporting of funding details in state budget materials creates some confusion regarding the history of funding for the program. The only budget information in the State FY04 Budget Book indicates that the total funding for Day Reporting Centers in FY04 was \$6.1 million, of which \$552,000 was state funding, with the balance coming from federal grants.<sup>54</sup> Federal funding was allocated from the Violent Offender Incarcerated/Truth in Sentencing grant that was terminated in FY04.<sup>55</sup> In the face of this loss of federal funding, the state not only allocated state

<sup>51</sup> State FY06 Budget Book, p. D-54.

<sup>52</sup> Id.

<sup>53</sup> Id.

<sup>54</sup> State FY04 Budget Book, p. D-67.

<sup>55</sup> State FY05 Budget Book, p. D-55.

money to replace the lost federal funds, but also increased funding for 100 more treatment slots, demonstrating a significant prioritization of re-entry services for parolees in need of supervision and assistance. The increase in money for this program also illustrates the goal of the state to curtail the recidivism of technical parole violators.

## **Parolee Drug Treatment**

### ***Program Purpose and Description:***

Parolee Drug Treatment is a parole program that provides intensive, low caseload supervision for parolees with a history of drug-related problems. The program provides for the placement into specialized parole caseloads of inmates who have completed in-prison and community-based treatment programs. Parolees in the program receive enhanced levels of supervision and random drug testing, as well as support and counseling from specially trained parole officers.<sup>56</sup>

### ***Budget and Performance Trends:***

<b>Parolee Drug Treatment Evaluation Data</b>			
<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
310	525	525	525
<b>Source: State FY07 Budget Book (p. D-79)</b>			

<b>Parolee Drug Treatment (Direct State Services) Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$2,309,000	\$1,659,000	\$1,659,000	\$2,305,000	\$2,345,000	\$2,345,000
<b>Source: State FY06 Budget Book (p. D-68) &amp; State FY07 Appropriations Bill S2007 (p. 47)</b>					

<sup>56</sup> <http://www.njleg.state.nj.us/legislativepub/budget/correctn00.pdf>.

## **Adult Drug Court Programs**

### ***Program Purpose and Description:***

Drug Courts are intended to give non-violent drug offenders a chance to avoid prison time by demonstrating the effort to remove the influence of drugs from their lives and entering a strictly monitored program including treatment and intense supervision. The program functions according to a team concept within the existing Superior Court process, involving the public defender, prosecution, probation officers, treatment professionals, and the judge in the case. Applicants must be screened for eligibility through a rigorous, standardized assessment process and commit to an intensive supervision program, including frequent drug testing and court appearances. The program also involves a structured regimen of treatment and recovery services, as well as providing assistance with other needs, such as employment. Deviation from the program triggers graduated sanctions, which can include the judge reinstating the original sentence if the participant cannot comply with the program. The team of professionals is charged with balancing supportive services, therapeutic sanctions, and criminal proceedings.<sup>57</sup> The program's purpose is to break the cycle of drug-driven crime through treatment and close supervision of eligible offenders. The pilot drug courts in Camden, Essex, Mercer, Passaic and Union vicinages initially provided the framework for the statewide project. The Judiciary added five more drug courts in fiscal 2002: Bergen, Cumberland/Gloucester/Salem, Monmouth, Morris/Sussex and Ocean vicinages. In September 2005, drug courts were expanded to the remaining vicinages. Fifteen vicinages now serve all 21 counties.<sup>58</sup>

### ***Budget and Performance Trends:***

<b>Drug Courts Evaluation Data</b>				
	<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
Number of Active Cases	1,829	2,200	2,770	3,350
Number of Graduates	279	393	540	680

**Source: State FY07 Budget Book (p. D-474)**

<sup>57</sup> <http://www.state.nj.us/defender/drugcrt.shtml>.

<sup>58</sup> SFY06 Budget Book, p. D-459.

**Drug Courts  
Direct State Services - Judiciary  
Appropriation Data**

	<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/Recommended FY07</b>	<b>Actual Approp. FY07</b>
Drug Court Treatment/Aftercare	\$18,918,000	\$1,718,000	---	\$20,618,000*	\$20,618,000	\$20,618,000
Drug Court Operations	\$6,780,000	\$6,804,000	\$6,804,000	\$6,978,000	\$6,978,000	\$6,978,000
Drug Court Judgeships	\$1,498,000	\$1,515,000	\$1,515,000	\$1,498,000	\$1,498,000	\$1,498,000

**Source: State FY07 Budget Book (p. D-477) & State FY07 Appropriations Bill S2007 (p. 230)**

\* Note: "The appropriation of \$20,618,000 for Drug Court Treatment and Aftercare will be transferred to the Department of Human Services to provide services for the drug court program." (FY07 Budget Book p. D-478)

***Additional Analysis:***

In an effort to maximize services for people suffering with addictions, several programs, including Adult Drug Courts, have been transferred to the DHS, Division of Addiction Services. This part of DHS is also responsible for other reentry programs, such as the Mutual Agreement Program (MAP).

The Drug Courts are successfully operating in all of the state's fifteen vicinages, and the information technology infrastructure is successfully undergoing enhancements. Such funding decisions reflect a commitment on the part of the state to continue to invest in Drug Courts as an alternative to incarceration.

**Intensive Supervision Program**

***Program Purpose and Description:***

Individuals convicted of many offenses and sentenced to state prison terms may apply through the Administrative Office of the Courts to participate in the Intensive Supervision Program. (Individuals convicted of homicide, robbery, and sex offenses are not eligible to apply.) This program provides the opportunity to serve sentences outside the traditional prison setting through alternative, intermediate forms of community-based correctional supervision that are more intensive than traditional parole or probation. DOC officers maintain both telephone and personal contact with offenders, and in some instances participants may wear electronic monitoring devices. The program focuses on reducing the behaviors that contributed to past problems and includes curfews, 16 hours of community service a month, full-time employment, and drug/alcohol testing and counseling, as well as gambling counseling where appropriate. Violations can result in removal from the program and placement into a traditional prison setting. Applicants may obtain representation for hearings through the New Jersey Office of the Public Defender.<sup>59</sup>

***Budget and Performance Trends:***

<b>Intensive Supervision Program Evaluation Data*</b>				
	<b>Actual FY04</b>	<b>Actual FY05</b>	<b>Revised FY06</b>	<b>Estimated FY07</b>
Participants	1,266	1,262	1,267	1,267
Applications	3,584	3,580	3,580	3,580
Assessment Reports	2,567	2,481	2,485	2,485
Resentencing Panel Hearing	4,636	5,064	5,060	5,060
Revocations	469	485	486	486
<b>Source: State FY07 Budget Book (p. D-476)</b>				

\*Note: “For fiscal years 2004 and 2005, data has been revised to reflect more accurate information.” (FY06 Budget Book p. D- 476).

<sup>59</sup> [http://www.state.nj.us/defender/div\\_isu.shtml](http://www.state.nj.us/defender/div_isu.shtml) and <http://www.judiciary.state.nj.us/pressrel/pr031030.htm>.

**Intensive Supervision Program  
Appropriations Data**

<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$11,112,000	\$11,592,000	\$11,590,000	\$11,630,000	\$11,630,000	\$11,630,000

**Source: State FY07 Budget Book (p. D-477) & State FY07 Appropriations Bill S2007 (p. 230)**

**Sex Offender Management Unit**

***Program Purpose and Description:***

The Parole Board includes a specialized unit, the Sex Offenders Management Unit, which started in FY05. This unit has staff trained to address the challenges of managing sexual offenders and sexually violent predator caseloads.<sup>60</sup> Parole is also responsible for a Satellite-based Monitoring of Sex Offender Pilot Program, which started in FY06. This created a two-year pilot program that monitors up to 250 offenders by using ankle bracelets tracked by global positioning satellites.<sup>61</sup> There are currently bills pending in the legislature to make this program permanent.<sup>62</sup>

***Budget and Performance Trends:***

<b>Sex Offender Management Unit (Distribution by Fund and Object) Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
\$1,895,000	\$1,895,000	\$1,895,000	\$4,842,000	\$5,624,000	\$5,624,000
<b>Source: State FY07 Budget Book (p. D-80) &amp; State FY07 Appropriations Bill S2007 (p. 47)</b>					

<b>Satellite-based Monitoring of Sex Offenders Pilot Program (Distribution by Fund and Object) Appropriations Data</b>					
<b>Orig. &amp; --Supple. FY05</b>	<b>Total FY05 Available</b>	<b>Expended FY05</b>	<b>Adjusted Approp. FY06</b>	<b>Request/ Recommend FY07</b>	<b>Actual Approp. FY07</b>
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<b>Source: State FY07 Budget Book (p. D-80) &amp; State FY07 Appropriations Bill S2007 (p. 43)</b>					

<sup>60</sup> State FY05 Budget Book, p. D-56.

<sup>61</sup> S1889 Established this pilot program for satellite-based monitoring of certain sex offenders and authorized certain sex offenders to submit to annual polygraph. It was appropriated \$3 million and signed by the Governor on August 11<sup>th</sup>, 2005 with approval P.L.2005, c.189.

<sup>62</sup> Based on conversation with a staff member of the Parole Board on December 11, 2006.

## **Recommendations**

### **Alternatives to Incarceration**

- Consider ending mandatory minimum sentencing for drug offenses and consider reforming it for other crimes.

Although it is beyond the scope of this budget report, any discussion about prisoner re-entry must include a discussion of sentencing. Mandatory minimum sentencing has increased the number of inmates in an already overcrowded prison system. In fact, the DOC in its Preliminary Strategic Planning Document states that “the equitability or simple fairness of some mandatory minimum terms may justify law revisions.”<sup>63</sup>

Mandatory sentences take informed discretion out of the hands of trained judges and places power in the pages of a book that is not at a trial to hear the facts of the case, see evidence, and experience the human element of the courtroom.

- Provide additional funding for Drug Courts to enhance services and create Drug Courts in the counties that do not currently have Drug Courts.

The state’s increased commitment of funding for Drug Courts in FY05 is discussed earlier in this section, as is the continued need to reduce New Jersey’s incarceration of drug offenders. Drug courts offer New Jersey a compassionate and effective way to lessen the staggering costs of imprisoning drug offenders. Although each of New Jersey’s vicinages has a Drug Court, several vicinages cover multiple counties. These Drug Courts do not have the capacity to hear all of the cases that could potentially be resolved through this process, meaning that many of these cases are dealt with through the traditional court system, leading to increased incarceration. New Jersey should create drug courts in the eight remaining counties without drug courts<sup>64</sup> and provide more money for the already existing courts to continue the success of the program. New Jersey should consider expanding Drug Courts to the municipal level parallel to municipal courts. The state could determine whether such a model might be helpful by starting a demonstration research project creating Municipal Drug Courts in one or more major New Jersey cities.

Many additional issues of prisoner re-entry can be addressed by creating new programs or enhancing already existing programs that would keep people from entering prison in the first place. Several of those programs are addressed in other sections of this report.

### **Pre-Release Planning**

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<sup>63</sup> New Jersey Department of Corrections Preliminary Strategic Planning Document, p. 35 (2002).

<sup>64</sup> While all fifteen vicinages have Drug Courts, some vicinages include several counties, and a few counties include more than one vicinage, so there are eight counties in which there are not Drug Courts.

- Create a holistic program that ensures the success of people being released from prison.

A holistic program needs to be created so that a person transitioning from prison can receive all of the support necessary to live a successful life. The program should include assisting the ex-offender in finding an identifiable income source upon release. A person transitioning should be assured that shelter will be available upon re-entry. The program should also include continued education and job training if more skills are needed to make a person marketable. Any treatment program should have continuity for the ex-offender when released. A health care professional should be prepared to continue any medical treatment necessary. Several of these issues are discussed in greater detail below.

- The RESAP program has a Discharge Planning component that follows up with a recovery program. The Discharge Planning component of the program should also follow up with other challenges that may prevent a successful recovery and a successful reintegration into society.
- Create realistic, specific discharge plans.

The DOC has created the Office of Transitional Services (OTS) to address issues of community programs and social services. This is the ideal division in the agency to partner with the State Parole Board to create a discharge plan for parolees. While both agencies will remain independent of each other, they share the same client base. A partnership between these offices should be encouraged to bridge the gap between incarceration and reentry.

The OTS should also ensure that people who are statutorily released or “maxed-out” are given a realistic discharge plan. The people who have maxed-out have the least opportunities for services because they cannot participate in the State Parole Board Community Programs. If they are being released for a drug offense, they may be ineligible for certain government benefits also.

The OTS can and should provide *de facto* supervision for those who have maxed out by offering continued social work services and case management. The ex-offender may have developed a rapport with a social worker while incarcerated and may want to continue that relationship.

A former inmate who is not under parole supervision should not be turned away for help simply because he or she has served the entire sentence. If the OTS was truly created to reduce recidivism, its services must continue even after release.

Since the return of high-risk adult and juvenile offenders is imminent, corrections, law enforcement, and community service agencies should collaborate to monitor offenders while assisting them in the development and implementation of concrete,

specific reentry plans.<sup>65</sup> Serious and Violent Offender Reentry Initiative (SVORI) should not just be a pilot program for Camden and Essex Counties. Instead, it should be a statewide model for re-entry services provided by the State Parole Board and the Department of Corrections and should be expanded to include ex-offenders of all ages.

## **Health**

- Provide services for offenders with co-occurring mental illness and substance abuse problems.

New Jersey should be commended for providing several drug programs for people who will re-enter society. In the three programs provided by the Parole Board, however, none address the problems of offenders with co-occurring disorders.<sup>66</sup> It is one thing to treat a person with a problem of substance abuse; it is another matter to treat the substance abuse and underlying mental illness. If both issues are not addressed at the same time, the odds of the person returning to substance abusing behavior and prison will increase.

- Create a uniform and unified treatment program for people suffering with substance addictions.

While DOC should be commended for the available substance abuse programs, the programs do not serve enough people. The DOC places the number of inmates suffering with chemical addictions at eighty-percent (80%) of the prison population. Only about eight to twelve percent of those inmates receive treatment. If the majority of inmates are not treated for their substance abuse problem, the likelihood of recidivism increases. A unified program will aid in the process of effectively serving this population by making it easier to track a person from the beginning of their treatment through recovery after release.

- Provide a health maintenance program for those in prison with chronic diseases so they will be able to treat themselves when released.

In addition to problems with chemical addiction and mental illness, New Jersey inmates deal with other health issues. Several prisoners are living with HIV/AIDS. Currently, New Jersey does not have any programs to prepare those living with HIV/AIDS for life with the disease after prison. Although AIDS is not the death sentence that it once was, consistent treatment and care are imperative if a person is to live a successful life with the disease.

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<sup>65</sup> <http://www.ojp.usdoj.gov/reentry/learn.html>.

<sup>66</sup> Persons with co-occurring disorders are sometimes referred to as MICA (Mentally Ill/Chemically Addicted) persons, but this term is overly restrictive in definition. For more discussion, see the Substance Abuse section of this report.

Any program created to help people live with HIV/AIDS can be expanded to serve prisoners with other chronic diseases or illnesses such as asthma or diabetes. If the prisoners are taught to live with and treat the disease while incarcerated, they have a better chance of coping with the problem when released.

- Create a medical program that considers the health needs of people re-entering society so that they do not have any health issues that will keep them from being employable

## **Housing**

- Revise the Anti-Eviction Act so that people who have been convicted of or charged with crimes on the property can return to a home even if the crime took place on the grounds.

The Anti-Eviction Act currently has provisions to allow eviction if a person is convicted of or charged with a crime on the leased premises.<sup>67</sup> There are some provisions that allow a person to stay if a rehabilitation program has been completed. That provision, however, is inadequate.

If a person has served a prison sentence for a crime committed on the grounds rented by himself or herself or by a family member and has been paroled or has served the entire sentence, he or she cannot return to that home without facing eviction. This creates a situation where an ex-offender will face homelessness upon release or put their entire family in danger of eviction. Someone released from prison needs a wide variety of options to succeed. Instead, New Jersey's laws and policies limit those options, and such limitations lead to recidivism.

- Create transitional housing for people re-entering society.

There are specific housing issues that need to be addressed for the reentry community. The State Parole Board offers some transitional housing for people who are struggling with substance abuse. These are not long-term housing solutions and perhaps not long-term recovery solutions. The state should create affordable housing options near the State Parole Board's rehabilitation centers.

The State Parole Board and the state should consider extending the period of time that people can live in transitional housing. Often the period of time that a person is allowed to stay in a rehabilitation facility is limited to six months. It is difficult for low-income residents of New Jersey to find affordable housing in six months. Add to the difficulty of seeking affordable housing the issues of recovery and release from incarceration and it is apparent that more time may be necessary for successful reintegration.

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<sup>67</sup> N.J.S.A. 2A-61.1 e(2), n, o, p and q.

New Jersey should also create more transitional housing for people transitioning back into society. One way to create transitional or permanent housing is to build more Section 8 Based Shelter Plus Care Facilities. This is an opportunity for the state to contract with non-profit and for-profit developers not only to create housing, but to allow for case management to reduce recidivism.

- Allow people being released from prison to return to public housing.

There are many reasons, justified and unjustified, why people who have felony convictions are not permitted to receive Section 8 funding or allowed to live in public housing. There is no way, however, that New Jersey can justify limiting the number of places an ex-offender can live. Since shelter is a basic need, housing is clearly important to reduce recidivism. Without safe, affordable housing, an ex-offender will have difficulty in obtaining employment. It is difficult enough for people with criminal records to get jobs; they should not also have to face barriers to housing.

One simple way to remove a barrier is to allow people with convictions to return to public housing without threatening the eviction of the entire family. People returning to society need the widest variety of support they can receive. Often the social control mechanisms of the family structure can keep the ex-offender from repeating the behavior that created trouble in the first place. If an ex-offender believes that returning to the neighborhood where the criminal activity took place is unwise, this suggests another reason why New Jersey should comply with its Mt. Laurel obligation and create affordable housing throughout the state.

### **Parenting Issues**

- Provide services to facilitate communication between children and their incarcerated parents, including transportation for children who want to visit their imprisoned parents, telephone time for parents and telephone cards for children, and transitional housing for parents after release to aid in family reunification.

In the current budget, New Jersey does not address the need for incarcerated parents to establish or re-establish relationships with their children. Although most of states are without programs that encourage relationships between imprisoned parents and their children, New Jersey should not conform to this failure. New Jersey can be at the forefront of keeping families together by creating programs that make it easier for incarcerated parents to contact and see their children. Any program that would make child contact more available while parents are in prison will help to ensure that incarcerated parents can reintegrate themselves in the lives of their children upon release.

- Suspend child support obligations when a parent is incarcerated.

Another problem that incarcerated parents face while imprisoned is child support arrearage. While this issue is not directly reflected in the budget, the effect is felt in New Jersey's economy. When a person enters prison, his or her child support obligation accrues. When the person is released, he or she faces arrearages that cannot be paid. There is a chance that a person with already limited job opportunities will enter the underground economy to avoid the impossible financial responsibilities generated by this system. New Jersey's children and economy would be well-served if arrearages did not accrue during a person's prison term.

## **Employment**

One of the largest problems facing a person re-entering society is the lack of job opportunities. While the Department of Corrections tries to train inmates through vocational programs, there are issues that arise that make employment difficult even with training.

- Provide gender neutral vocational training.

New Jersey's prisons all provide some variety of educational and vocational services. While a number of the programs offer good learning opportunities, the programs at the one women's prison seem to be based on stereotypical gender roles. The Edna Mahan Correctional Facility for Women offers courses in beauty culture, upholstery training, clerical skills, horticulture, life skills, electronic assembly, paralegal training, home economics, forklift operation, and computer applications. While some of these programs are in traditionally gender-neutral fields, it is conspicuous that only the women's prison offers home economics. DOC should examine the courses at all of its institutions to ensure that adequate vocational opportunities are offered and to avoid gender biased options.

A gender neutral approach to vocational education would create more options for both men and women. The training programs based on stereotypes limit the options a person has once they reenter society. In order to give a person reentering the workforce the broadest range of job opportunities, the state should not encourage jobs that limit gender roles. The state should not use funding to encourage stereotypes.

- Remove barriers to employment for ex-offenders.

There are many jobs ex-offenders cannot obtain because of their convictions. Several of these jobs are government work, including employment with the New Jersey Turnpike Authority and certain jobs with the housing authority. While in prison, the state uses offenders to work for the state corporation; however, when released they are barred from employment with the state.

Ex-offenders are also barred from working in establishments that serve liquor. That prevents many people from obtaining a job that requires minimal training and has no

educational requirements but would allow them to be productive wage and tip earners.

- Provide licensing classes to make ex-offenders more employable upon release.
- Ensure that training received in prison is not moot when they are released due to licensing restrictions for ex-offenders.

### **Other Re-entry Issues**

- Ensure an identified income source and supportive services for people released from prison.

Work First New Jersey assistance and Food Stamps must be available to individuals who need them in order to make a transition from corrections to self-supporting employment. Since 1997, individuals with certain types of drug-related convictions have been barred from receiving assistance from these programs, leaving them particularly vulnerable to homelessness and, in some cases, recidivism. New Jersey must remove these restrictions on eligibility and make public assistance benefits available to individuals who comply with the WFNJ and Food Stamps program requirements. Once released, ex-offenders should have the same status as anyone else, including access to government benefits.

If New Jersey does not offer the same eligibility to people released from prison, it should create a transitional program. That program should provide benefits equivalent to WFNJ benefits and the Food Stamps program as well as other supports, such as transportation and medical care, to facilitate transitions into gainful employment.

- Allow people on parole or probation the right to vote.

New Jersey has a felony disenfranchisement policy which bars anyone in prison, on parole or on probation from voting.<sup>68</sup> A felony conviction should not restrict access to the political process. Ex-offenders should be allowed to participate in their government.

- Ensure that conditions in the prison are conducive to rehabilitation.

Rehabilitation does not just include recognition of wrongdoing and behavior modification. It also includes living a life that allows a person to be their “best self.” Often this includes spiritual or religious rituals. Of course, New Jersey’s prisons follow the constitution and allow inmates to exercise freedom of religion. There are, however, times when certain dietary needs or ceremonies, which may inconvenience state officials, are disallowed. The state should ensure the flexibility, and if necessary

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<sup>68</sup> N.J.S.A. 19:4-1.

the funding, to provide religious freedom to inmates with non-traditional forms of worship.

- Law libraries should have updated materials.

The State Budget should reflect how much money is being spent on providing a decent, useful law library. Law libraries are a way the state can assist in the education of inmates and are an important investment for the state.

- Low-income families' burden of collect phone calls should be lessened by the state.

Many low-income families lose the use of their telephones because they cannot afford to pay the bill after collect calls come in from their incarcerated family member. One clear way of assisting the families of inmates is to allow some of the money collected from State Use product sales to go towards phone calls.

In an environment where bills are introduced to compel inmates to pay for their own incarceration, a recommendation that would benefit the inmate may be unpopular. Nevertheless, the need to ensure that low-income families have telephones is important. As stated earlier, incarcerated parents should be encouraged to contact their children. It would be tragic if a child was only allowed to hear from his or her parent for one month because the next month phone service was cut off.

- Provide access to the court system.

In addition to their criminal issues, inmates have other legal matters that need to be addressed while they are incarcerated. There are family court matters such as termination of parental rights, divorce and child support hearing that inmates must address. They are not always allowed to attend these hearings. While the DOC does provide some transportation to court and some videoconferencing so that an inmate can present a case, this is not always true. There are other gatekeepers within the court system that can save the DOC the expense of transportation and security if the DOC does not think that the case is significant enough to warrant the costs.

Since the court system is about process, cases may be dismissed based on the lack of adherence with the process. Cases may also be dismissed for failure to state a claim upon which relief can be granted. Even if the documents are correct and a case is valid, it can be decided on the papers. If a court deems a case worthy of oral argument, the DOC should provide all inmates with the opportunity to be present at the hearing either via videoconferencing or in person.