Date: August 12, 2017
To: Maine Department of Corrections and Criminal Justice & Public Safety Committee
From: Jeffrey LaGasse
Subject: A Proposal to Sanction a Feasibility Study to Determine the Utility of Reentry Programming for the Maine Department of Corrections

Purpose

The purpose of this proposal is to evaluate various sources of reentry data to determine its efficacy in reducing recidivism, improving public safety, and saving taxpayer dollars by preparing offenders to be productive members of society. Reentry data gathered from these sources may also help the Maine Department of Corrections (MDOC) justify a feasibility study to determine whether reentry investments in Maine would yield comparable benefits to other states.

Summary

According to the National Reentry Resource Center (NRRC) and the Council of State Governments Justice Center, since 2009 the Department of Justice (DOJ) Second Chance Act has awarded nearly 800 grants in 49 states to assist Departments of Corrections and community organizations to establish or provide support for reentry programs. These grants represent $540 million in taxpayer dollars, reflecting the serious commitment of the DOJ to improve public safety through reduced recidivism (“Making People’s Transition,” 2017). The inspiration of George W. Bush’s administration, The Second Chance Act is generating desired results, not only improving public safety, but also substantially reducing taxpayer burdens by transforming offenders into contributing law-abiding citizens.

The National Reentry Resource Center makes clear that efforts to reduce recidivism must be grounded in the ability to accurately and consistently collect and analyze corrections data (“Reducing Recidivism,” 2017). States are better positioned to respond quickly and effectively to recidivism trends when able to rely upon accurate information. According to staff at Maine’s Muskie School of Public Service, the Maine Statistical Analysis Center (MSAC) has never done comprehensive research on recidivism in the DOC’s adult offender population.
MSAC’s Senior Research Associate George Shaler states, “Future research is contingent on DOC’s interest and funding ability” (Shaler, 2017). As a feasibility study would likely conclude, to accept the challenge of reducing recidivism Maine’s DOC will, first and foremost, have to establish a baseline by accurately tracking current rates.

**Introduction**

The vast majority of offenders sentenced in Maine will eventually undergo the process of reentry into society. The central issue is whether or not they will be prepared to do so successfully. Many citizens believe that incarceration is a vital tool to support public safety. Ironically, when incarceration is used mostly to warehouse offenders, public safety is deleteriously affected. When offenders leave prison angry, resentful, ill-prepared and impoverished, criminal behavior often results. Maine’s estimated 70 percent recidivism rate is proof of this reality.

As evidence continues to build showing that reentry programs are the most effective tool to reduce recidivism and improve public safety, more and more corrections departments across the country are implementing the concept. Nationally, reentry programs are achieving favorable results in providing preparation for successful reintegration to the benefit of offenders and their communities. Well-structured reentry programs are proving to be highly effective in reducing recidivism, improving public safety, reducing victimization while freeing up taxpayer dollars that would be better spent elsewhere. Bryan Collier, Director of the Texas Department of Corrections Justice, recently said, “Rather than build new prisons, our state chose to invest in treatment and diversion alternatives. These investments have helped to reduce technical revocations from parole and probation and have provided additional treatment capacity, resulting in a reduction of our prison population by 10,000 people. These approaches – along with others – continue to pay dividends: we have closed four prisons since 2011 and plan to close four more this summer” (“Reducing Recidivism,” 2017). It is entirely conceivable that a feasibility study would show that the resources of the Department of Corrections would be well spent in emulating effective reentry programs, by adopting the comprehensive services that they provide.
State legislators have difficult decisions to make when considering whether to support reentry programs, challenged as they are to balance the fiscal and public safety concerns of their constituents with those of victims of crime. This proposal seeks to assist DOC administrators and lawmakers in deciding whether currently available data supports sanctioning a reentry feasibility study for the Maine DOC.

**The History of Reentry in Maine**

In January of 2010, the Maine Coastal Regional Reentry Center (MCRRC) opened its doors in Belfast to accept prisoners for reentry programming. According to the Restorative Justice Project of the Mid-coast Maine, potential candidates and participants are all deemed “high risk” for recidivism (Restorative Justice Project, Community Reentry Program, 2015). Being the only adult male reentry program in Maine with over seven years in operation, MCRRC is ideal for determining the utility of expanding reentry services throughout the MDOC.

In February of 2015, Scott Story and Cheryl Gallant of the Waldo County Sheriff’s Office published a five-year study to determine MCRRC’s program effectiveness. Entitled “Breaking the Cycle: Reducing Recidivism through Risk Reduction,” the results of the study prove interesting (Story and Gallant, 2015). In a 2014 *Bangor Daily News* article by Abigail Curtis, MCRRC Program Manager Jerome Weiner stated that 70 percent of released prisoners from Maine’s prisons return to prison within three years (Curtis, 2014). In a February 2017 letter, DOC Associate Commissioner Ryan Thornell states that the MDOC releases approximately 1200 prisoners per year (Thornell, 2017). At Maine State Prison alone, several hundred prisoners are released annually, directly from medium or close custody units, with little or no reentry preparation. As revealed in the testimonials in addendums 1 through 3, the results tend predictably towards recidivism, undermining public safety. Within three years, about 840 of individuals released from prison across the state will likely re-offend, creating victims, burdening the court system and costing Maine taxpayers an average of $45,000 per year for every year of incarceration (Curtis, 2014). Does MCRRC provide hope for a better future?

First, it must be noted that the MCRRC sample is relatively small. Only 32 slots for residents are available for this program and over the range of the five-year study, just 126
participants contributed data to the recidivism analysis. The study concluded that the overall recidivism rate for residents who successfully completed the program is 31 percent, a 39 percent decrease over prisoners being released by the DOC. Simply put, if the Maine DOC could successfully implement reentry programming to reduce recidivism risk in its prison population at the same level as MCRRC, only 372 offenders released annually might reoffend over a three-year period, as compared to the current 840. At $45,000 per person per year, the potential savings are staggering, initially saving taxpayers $21 million dollars. Most importantly, for every prisoner that the DOC successfully reintegrates into society through effective reentry programming, at least one less victim is spared the trauma of crime.

One interesting conclusion drawn from the MCRRC study is that the majority of recidivists (66.7%) fail within their first year of release (Story and Gallant, 2015). Generally, offenders who spend more time participating in reentry programs have lower recidivism rates. Also, MCRRC is limited to providing just 90 days of post-release support, perhaps increasing the odds of failure in maximum risk participants. The Maine DOC is in the enviable position of having the resources and experience to provide reentry services for an individual’s entire period of incarceration, and potentially offering support services for years post-release, through its Probation and Parole Department. As concluded by the MCRRC study, “Supported by research, the current view is that the beneficial impact of providing treatments, services, and interventions within a correctional setting actually extends beyond the correctional environment and into the communities that are served, contributing to increased public safety and reduced recidivism, which outweighs the associated costs” (Story and Gallant, 2015). This conclusion supports the utility of reentry and the need for a feasibility study to ascertain whether expanding reentry state-wide is warranted.

**The Financial Considerations of Reentry**

As revealed by the 2015 study conducted at the Maine Coastal Regional Reentry Center (MCRRC) in Belfast, comprehensive reentry programs have the potential to reduce recidivism in adult male prisoners by 55 percent, (Story and Gallant, 2015). The DOC’s current estimated rate of recidivism is 70% according to MCRRC staff (Curtis, 2014). Dropping that recidivism rate by
more than half would free up millions of dollars to implement a reentry program, which would continue to compound savings. Thinking long term, it is entirely conceivable that reentry programs could reverse the 25 percent increase in prison population that Maine experienced in the past 25 years. We may actually follow in Texas' footsteps by eventually closing prisons instead of building them.

In April of 2008, the federal Second Chance Act (P.L. 100-199) was passed into law. This act provides grants in several areas that qualify as reentry programming, funding both DOC and community based programs within three-phase reentry as defined by the Congressional Research Service (James, 2015). The act requires corrections applicants to create a comprehensive reentry plan with the goal of reducing recidivism by 50 percent over a five year period, a challenge that our DOC is capable of meeting.

In a 2015 document printed from the US Department of Justice website, the DOJ announced 78 new Second Chance Act grantees. Among the new awards were five $3 million Statewide Recidivism grants awarded to Georgia, Illinois, Iowa, Minnesota and Vermont (Dept. of Justice, 2015). As of 2017, 20 states are recipients of the grant program in which state corrections agencies develop strategic plans to reduce statewide recidivism rates. The states with the strongest plans are chosen to receive funding to execute those plans. Maine is just as capable of competing for Second Chance Act funding to establish a strictly structured reentry program designed to improve public safety.

The Second Chance Act is not the only source of grant money available for reentry programs. The National Adult and Juvenile Offenders Reentry Resource Center provides grants to organizations that educate, train, and provide technical assistance to states to disseminate information and best practices in offender reentry (James, 2015). The Congressional Research Service lists numerous federal grant sources to assist reentry providers with substance abuse and mental health treatment, job training, education, mentoring programs, housing services and reentry research (James, 2015). An abundance of grant money is available to fund reentry programs. A feasibility study would likely reveal that the combination of available grants and substantial savings through reduced recidivism is sufficient to fund a reentry program in Maine that would be the envy of other states. Most importantly, such a program would not only save
taxpayer dollars, it would reduce the number of Maine citizens subjected to criminal victimization. That itself is priceless.

**Reentry Defined**

The United States Congressional Research Service (CRS), a division of the Library of Congress, provides research services for the U.S. Senate and the House Representatives. In a 2015 abstract prepared for members of Congress, the CRS defines reentry as, “all activities and programming conducted to prepare offenders to return safely to the community and to live as law abiding citizens” (James, 2015). The Congressional Research Service further defines reentry as three-phase programming that ideally begins as soon as an offender is sentenced to a Department of Corrections (James, 2015). The first phase occurs in the prison setting and to be most effective, should include elements that lay a foundation upon which community reentry programs can build. The second phase begins when participants transition to the community and the third phase provides support services and aftercare once the program is completed, reducing the likelihood of failure.

**Suggested Program Participation Guidelines**

If reentry programming were implemented state-wide, at the beginning of every sentence, the Department of Corrections caseworkers would evaluate individuals to identify the behaviors that brought them to prison. Assessment tools such as the Level of Service Inventory-Revised (LSI-R), or comparable tools, can identify the risk levels for recidivism in new arrivals to the DOC. Programs can then be specifically tailored to reduce those risks. Once the triggers to criminality have been identified, individuals will be required to participate in evidence-based programs to help them understand why the criminal behaviors exist and how to prevent them. Enrollment will be required in relevant classes that address substance abuse problems, sexual deviancy, domestic violence, and parenting issues.

Restorative Justice and Impact of Crime programs will also be available to create a dialogue between the victims and offenders to form a peaceful resolutions, helping offenders recognize how their actions have affected communities and victims. On a case by case basis, individuals will be encouraged to work with victims’ rights organizations to make amends to
victims. It is important that lawbreakers come to realize the harm caused by their criminal behavior and work diligently to correct that behavior.

Individuals will also be expected to participate in education by completing the Hi-Set program to earn a high school equivalency diploma, and continuing their education through college programs or vocational training when available. In order to participate in reentry programs, individuals must maintain excellent institutional work and behavior records.

Once an individual has met the program criteria to be a participant in reentry programming, the reintegration process will start. Participants would transition to minimum security status after meeting the eligibility requirements as well as establishing a well-developed community reentry plan. Reentry plans will require participants to provide a place of employment, housing, and other community resources based on need. Prior to reentry into the community, program participants will be assigned a case manager through Probation and Parole and will meet with all other relevant human resources, including family, potential employers and landlords. After a participant’s reentry plan has been firmly established and all required support resources have been confirmed, he or she will be eligible for reentry into the community. Participants will be expected to attend support programs in the community in order to develop successful life skills and avoid criminal behavior. Participants will also be expected to perform a minimum of five hours of community service per week depending on age and medical factors, and maintain excellent work and behavior evaluations throughout the duration of program participation. Evaluation and supervision of participants will be conducted by the Department of Corrections Probation and Parole until completion of sentence.

Phase One Reentry Programs:

Impact of Crime Program

These classes are important to laying a foundation to reentry because they educate offenders to understand the impact of crime on victims, communities and family members. These classes also provide a forum for victims to express their feelings directly to the offenders who caused them harm.
Restorative Justice

Restorative Justice works together with communities and offenders to bring to bear restorative practices to help resolve conflict. Restorative practices include conversations, conflict mediation and community building efforts to increase peace and reduce disconnection in a community. These practices take the shape of one on one or facilitated conversations and sometimes they take place in group meetings where each person has equal talking time and where open listening is encouraged. As stated aptly in Howard Zehra’s, *The Little Book of Restorative Justice*, the principal goal of restorative justice is to utilize dialogue to resolve conflict (Restorative Justice Institute, 2015). Properly facilitated dialogue asks and answers the following questions: Who has been harmed? How have they been harmed? What needs did that create? How can things be set right again? When Restorative Justice and Impact of Crime programs combine, a solid foundation is laid for offenders to build upon to identify the causes and impact of criminality, while providing the means to divest themselves of criminal thinking.

Cognitive Behavioral Therapy (CBT)

Cognitive Behavioral Therapy programs should be available in all phases of reentry. Unprepared offenders are the ones who routinely recidivate, and are typically victims of their own thinking. CBT can lead offenders out of the trap of self-defeating criminal thinking, to change the way they perceive themselves and others, but only if corrections provides them the opportunity to do so. Jack Bush, a co-developer of the CBT program, *Thinking for a Change*, describes visiting the Red Onion Supermax in Virginia, a place reserved for the most difficult offenders. Exhausted by the poor results yielded by a culture of control and punishment, Red Onion administrators turned to CBT. Staff was retrained to treat offenders respectfully, while providing an array of cognitive treatment programs. Over a five-year period, the Red Onion prison saw a 78 percent reduction in incidence reports, a 91 percent reduction in offender grievances and a 68 percent reduction in the use of solitary confinement (Bush, 2016). The Red Onion experiment proves that even a supermax can successfully lead offenders to reentry and a law-abiding life in the community.
Victor Frankl, the author of *Man’s Search for Meaning*, wrote: “Everything can be taken from a man but one thing: the last of the human freedoms—to choose one’s attitude in any given set of circumstances, to choose one’s way” (Bush, 2016). The DOC can either help offenders free themselves from negative thinking or worsen their attitudes with policies and practices that limit opportunities to change and improve. Currently the Maine DOC uses incarceration principally to confine and punish, causing offenders to often react with resentment and defiance. The flawed thinking that led offenders to crime is not nullified by punishment but rather, it is reinforced. It will take a significant culture change for the DOC to deviate from a punitive paradigm, but the results will be worth it for improved public safety.

Maine State Prison currently provides *Thinking for a Change* classes. These CBT classes are taught by caseworkers, for offenders. The courses are about 30 hours long, hardly enough to change a lifetime of flawed thinking. The DOC would benefit by turning an entire prison into a CBT intervention, like at the Red Onion Prison in Virginia. At the Cumberland County Jail, offenders with co-occurring mental and substance abuse disorders were exposed to 300 hours of CBT (Project Reentry, 2014). Since offenders at Maine State Prison are usually sentenced to more time than county jail prisoners, longer exposure to CBT programs could yield even better results.

Recently, Canadian researchers established that cognitive behavioral therapy programs, when administered professionally at high standards, reduce recidivism by 25 to 35 percent (Bush, 2016). The money saved through reduced recidivism would more than justify the cost to establish professionally delivered CBT programs. A feasibility study would likely show that CBT alone has the potential to prepare an army of offenders to become law-abiding taxpayers and in the process, reduce the number of citizens victimized by crime. All the DOC needs to achieve stellar reentry results is the will to help offenders find their way to law-abiding attitudes.

**Mental Health Issues and Remediation**

The National Reentry Resource Center (NRRC) reports that 17 percent of people admitted to jails and prisons in the United States are diagnosed as mentally ill. The NRRC adds that the incidence of serious mental illness is two to four times higher among prisoners than it
is in the free world. Over 70 percent of offenders with serious mental illness have a substance abuse disorder, increasing the likelihood of reentry failures (NRRC, 2016).

Research tabulated in 2010 by the National Center on Addiction and Substance Abuse at Columbia University (CASA Columbia) found that nearly one-third of U.S. offenders have a mental health disorder. A quarter of offenders with mental health problems have had three or more prior incarcerations, a substantially higher recidivism rate than that of offenders without mental health issues (Behind Bars II, p.26). Co-occurrence of mental health and substance abuse disorders suggests that DOC resources should be concentrated in this area to resolve this prevalent problem. Just how prevalent this problem is in Maine could be determined by a well-researched feasibility study.

In 2014, The Cumberland County Sheriff’s Department, after having received funding through the Second Chance Act, launched a reentry program to assist adult offenders with co-occurring substance abuse and mental health disorders (Project Reentry, 2014). Called “Project Reentry,” the goal of the program was to reduce recidivism rates in offenders with co-occurring disorders by offering integrated and need-matched treatment. The two-year project provided phase one programming at the jail, enrolling participants in evidence-based programs, such as peer support and mentoring services. Project Reentry’s unique design provided case management targeted to individual offenders. It also included a multi-provider, in-jail treatment program to create a continuity in services to ease reentry shock. Cognitive Behavioral Therapy (CBT) began at the jail and continued on to phase 2 and 3, when offenders were released. Participants experienced up to 300 hours of CBT and were supported by a wealth of community services, including substance abuse and mental health treatment, domestic violence support, NA and AA, vocational services and pharmacological medication services. The Sheriff’s Department collaborated with no less than seven community organizations in effectively providing necessary services (Project Reentry, 2014). A feasibility study would most likely reveal that offenders with co-occurring mental health and substance abuse issues, who are in the custody of the Maine DOC, would benefit from the type of services provided by Cumberland County’s Project Reentry.
**Substance Abuse Issues and Remediation**

In 2010, after analyzing data from 11 federal sources and after having reviewed nearly 650 articles and publications regarding substance abuse in America’s prison population, CASA Columbia published the results. Over 80 percent of crimes committed by offenders involved either alcohol or illicit drugs, or both (Behind Bars II, 2010). Also, the same source, supported by similar studies, claims that over a five-year period just over 80 percent of offenders recidivate. This correlation between substance abuse and recidivism is not coincidental. A feasibility study would show that to achieve reentry success with this high risk group will require a serious investment in substance abuse counseling and recovery.

CASA Columbia reports that America spends around $74 billion per year on corrections, but less than one percent of that money finds its way to substance abuse prevention and treatment (Behind Bars II, 2010). The report adds that only 11 percent of offenders receive any substance abuse treatment during their incarceration. The CASA Columbia report concluded that if all eligible offenders received comprehensive substance abuse treatment and aftercare, the investment would break even in a year if just over ten percent of treated offenders, when released, remained substance free, crime free and employed (Behind Bars II, 2010). Clearly, this is an area where a return on investment can be quickly realized with the greatest benefit accruing to public safety.

The State of Maine has been hit particularly hard by the nation’s opioid epidemic. Anecdotal evidence suggests that residential treatment centers simply cannot cope with the increase in demand for substance abuse treatment. Bed space is at a premium and waiting lists are long. Fortunately, Maine’s prisons do not have that problem. There is a bunk for every addict—what we lack is the treatment.

At Maine State Prison, two offenders graduated from our college program with certification in substance abuse treatment. They now serve as recovery coaches, to good effect. Men who have experienced addiction are often best suited to help other addicts meet the challenges raised by substance abuse. Recognizing that therapeutic communities provide the best results for recovering addicts, our recovery coaches proposed to the DOC that Maine State Prison be reestablished as a recovery community. Recent meetings between the recovery
coaches and prison staff are paving the way to creating our first recovery living area. A feasibility study would likely show that a recovery pod, if properly funded and supported, has the potential to provide much needed comprehensive treatment services over an extended period of time. Addicts who are tired of being slaves to substances will be able to support each other on the journey to sobriety, reducing recidivism and improving public safety in the process.

**Vocational Training**

According to a National Reentry Resource Center fact sheet, a large three-state recidivism study found that less than half of released offenders secure a job upon release (NRRC, 2016). This rather alarming fact should provide motivation to the DOC to do more to educate and train offenders for employment, which would reduce the need for ex-offenders to break laws to feed and house themselves. By using existing prison infrastructure in the evenings, offenders can provide, assist in providing or participate in vocational training in such fields as electrical, culinary arts, plumbing, woodworking (carpentry), upholstery, welding, computer programming (coding), greenhousing, landscaping, farming, recycling, masonry, and more. Also, the DOC could partner with vocational technical institutes to provide top-notch training. The goal would be to release every offender with certification in at least one field of endeavor, in order to improve their employment opportunities.

In Washington State, the DOC established an Offender Workforce Development (OWD) program, dedicated solely to preparing offenders for post-release employment (Banning, 2016). The OWD program’s strategic plan invites the business community to play a pivotal role in successfully transitioning offenders to the community workforce. By partnering with the private sector, the WDOC can prepare offenders to meet the specific needs of employers, helping offenders and their communities. While in prison, offenders work toward earning Certificates of Proficiency, which document skill acquisition, helping career centers place certificate holders in appropriate jobs upon release. The Maine DOC would serve well both offenders and their communities by adopting a similar program, helping employers meet employment needs, while giving ex-offenders an opportunity to earn a living.
In California, a similar law to Washington State’s was passed, sanctioning the state’s vocational institutes to partner with DOC administrators to provide training to offenders. Lawmakers in California recognize that offenders who are trained for meaningful and gainful employment rarely return to a life of crime.

In May of 2015, Governor Rick Snyder of Michigan sent a Criminal Justice message to citizens and legislators. The objective of the letter was to validate the utility of reentry programs as a way to reduce incarceration costs while improving public safety. Governor Snyder specifically called for better vocational training in prisons to target the needs of Michigan employers (“A Special Message,” 2015). Again, the Governor of Michigan recognizes that quality vocational training is a vital element in preparing offenders for successful reentry. A feasibility study would likely support this conclusion.

**Gainful Employment While Incarcerated**

Another underutilized phase one reentry element is gainful employment while incarcerated. From the time the new Maine State Prison in Warren opened in February of 2002, it has maintained an unemployment rate of around 75 percent. Under current management, gainful employment is slowly increasing but still falls short. When offenders can collect regular checks, they can assist their families financially, pay for the phone calls to help maintain strong family contacts and most importantly, they can save sufficient funds to purchase or secure what they need upon release. It should be a DOC goal to provide enough employment so that every released offender has the funds for a reliable vehicle, an apartment and the resources and support to obtain a job. A feasibility study would likely reveal that these elements increase the chances for successful reentry. Also, The National Reentry Resource Center in collaboration with the Urban Institute developed the “What Works in Reentry Clearinghouse.” The Clearinghouse collates research from many sources and claims that, “a majority of the research found that offenders who participated in prison industries have lower rates of recidivism.” (James, 2016). It is reasonable to assume that a feasibility study would come to the same conclusion, encouraging the DOC to expand employment opportunities.
Hi-Set or High School Diploma Program

These programs provide the degree needed for transitioning to higher education, including vocational training. According to the National Reentry Resource Center, two in five offenders lack a high school diploma or its equivalent. To allow offenders to leave prison as unprepared and uneducated as they arrived can best be described as a tragic failing. Thankfully, Maine State Prison is making strides in educating offenders who lack high school diplomas. In the three years since the Hi-Set program’s inception, 71 students have achieved certification, a relative improvement from prior years, but still representing a fraction of the men needing certification. What is certain is that leaving prison without a high school diploma or its equivalent increases the chances of recidivating. A well-researched feasibility study could quantify the benefits provided by a high school diploma or its equivalent.

College Program

Currently at Maine State Prison, about 3.5 percent of the prison population is enrolled in a college program administered by the University of Maine at Augusta. A 2013 RAND Corporation Study showed that participation in higher education (including vocational training) results in a reduction in recidivism of over 40 percent. The same study claims that for every dollar invested in higher education, taxpayers can expect a return on investment of between $4 and $5 dollars (Chen, 2015). Since the inception of the college program about ten years ago, the majority of higher education costs were borne by the Sunshine Lady Foundation. As of 2016, Second Chance Pell Grants from federal sources have begun flowing into various prison pilot programs, including MSP’s. In a July 2016 Vera Institute of Justice News Release, Vera Center’s Director of Sentencing and Corrections, Fred Patrick, said, “Opening up educational doors for people who are incarcerated not only transforms their lives, but also improves public safety, renews communities and lifts up future generations” (New Report, 2016).

A June 2017 Prison Legal News article reprinted from The Wall Street Journal states that a study reveals that only two percent of New York State prisoners who earned college degrees prior to release return to prison with new felony charges. The results of the study were so impressive that in June of 2016, the Manhattan District Attorney’s Office agreed to allocate
$7.5 million in bank forfeiture funds to college programs in state prisons (New York, 2017). Drawing from an abundance of educational research, a feasibility study would reasonably conclude that the MDOC would serve both offenders and the communities they will reenter by increasing higher education opportunities for a much greater number of candidates.

**Phase Two Reentry Programs:**

**Certificates of Employability**

Over one-third of states across the country have instituted Certificates of Employability (COA) to assist offenders in securing employment upon release. In most instances, the certificates are provided to offenders 30 days prior to release. The purpose of a certificate of employability is to provide the offender the documentation needed to show employers that he or she successfully participated in rehabilitation programs. Also, as stated in the New Jersey COA legislative bill, “Notwithstanding laws to the contrary, a certificate may be issued in accordance with provisions of the act that suspends certain disabilities, forfeitures or bars to employment of professional licensure or certificates that apply to persons convicted of criminal offenses” (P.L. 2007, chapter 327).

In some states, the Superior Court issues COAs after evaluating an applicant’s rehabilitative efforts and in other states, the DOC issues the certificates. In Michigan, the DOC is authorized by Act 359 of 2014 to issue the certificate to offenders if all the following apply:

A. The prisoner successfully completed a career and technical education course.

B. The prisoner received no major write-ups for misconduct in the two years prior to release or no more than three minor write-ups in the same time period.

C. The offender scored well in a national network readiness certification program or an alternative job skills assessment.

In discussing certificates of employability and reentry programs in general, Gov. Rick Snyder said, “Let’s reform our criminal justice system to produce more success stories and bring individuals back into the river of opportunity” (A Special Message, 2015). Gov. Snyder concluded by saying that such reforms make Michigan stronger and a safer place to live. A
feasibility study could reasonably conclude that for the sake of public safety alone, the Maine DOC would benefit by following Gov. Snyder’s lead, in reducing recidivism through reentry.

Housing

Housing is a fundamental necessity for ex-offenders reentering society. Unfortunately, the stigma of a criminal record often interferes with an ex-offender’s ability to secure a place to live. Where applicants to public housing are protected from discrimination, ex-offenders are not, limiting their housing options.

In a 2007 survey of over 600 rental property owners in Akron, Ohio, two-thirds said they would not rent to a person with a criminal record (Clark, L.M., 2007). These typical obstacles for ex-offenders reveal the necessity for a substantial pool of community transitional housing. The Maine DOC, working with state housing agencies and communities, can assist ex-offenders in securing housing, reducing their inclination to turn to criminality to find shelter.

The DOC can help ex-offenders find housing in several ways. Assuring that offenders leave prison with sufficient assets to secure housing is a fundamental start. Setting up round table discussions with an offender’s family, potential employers and landlords prior to reentry to the community can go a long way in addressing basic needs. Finally, Certificates of Employability can be adapted to reduce housing barriers for ex-offenders. A feasibility study would likely conclude that if the DOC is willing to work with offenders to secure housing and other basic needs, the impact on public safety through reduced criminality would be immediate and dramatic.

Mentoring Programs

Mentoring Programs are crucial in assisting ex-offenders with reentry challenges. Experienced citizens can help individuals lacking job experience shape their attitudes and workplace behaviors to increase their chances in getting a job and keeping it. They can also help ex-offenders with job applications and interviews, while providing tips on how to dress and communicate in the work environment. Well established community members can also be a link to a broad array of support services, including child care referrals, legal assistance, housing
placement, substance abuse treatment, medical and mental health services, domestic violence
counseling, parenting skills and other services. Mentors can be particularly useful in helping ex-
offenders adjust to the many technological challenges that pervade modern society. A caring
citizen can assist an ex-offender to successfully reintegrate into society or simply be available to
listen with a sympathetic ear. Most importantly, mentor support can have a positive impact on
reentry, by providing an ex-offender someone to turn to for help, instead of possibly turning to
crime.

**Family Support Programs**

In November 2013, the New York Housing Authority launched the Family Pilot Reentry
Program with the goal of reunifying formerly incarcerated individuals with their families. The
Vera Institute of Justice worked with the Housing Authority to analyze results. Vera found that
reuniting ex-offenders with family provided stability in securing housing and employment,
yielding lower recidivism rates than in cohorts who did not participate in family reunification
programs ("Coming Home," 2016).

Family reunification programs increase in importance when considering the children of
incarcerated parents. In the 2008 Bureau of Justice Statistics, it is reported that 2.3 percent of
American children under 18 have at least one parent in prison (NRRC Facts, 2016). A feasibility
study could show that a professionally administered family reunification program can help
reduce recidivism in parents who successfully reenter their children's lives, and it may also
break the generational chain of incarceration. By providing the resources needed so ex-
offenders can support their families, not only is public safety improved through reduced
recidivism, dependence on welfare is also reduced.

**Life Skills Program**

Although this program begins during phase one, it prepares offenders to tap into
community resources in phase two and three, enhancing the likelihood of reentry success.
Program components include setting and achieving reasonable goals, identifying social
boundaries, nurturing family relationships, and communicating effectively.
Life skills programs teach offenders how to fill out job applications, how to create resumes, cover letters, and thank you notes. In addition, this program teaches job interview skills, appropriate work dress and behavior and how to achieve good employment results despite having a felony record.

Life skills programs also teach participants how to avail themselves of community resources. This includes mastering banking services, establishing credit, dealing with probation, shopping, taxes, transportation and even volunteerism. Life skills provides basic knowledge to offenders in an effort to reduce recidivism by helping with successful reentry.

Phase Three Reentry Programs:

Phase three programs provide support and aftercare designed to assist ex-offenders to permanently reintegrate into their communities. Phase three can introduce new programs and provide continuity of services from phase one and two programs, to assure the best possible reentry outcomes. Examples of aftercare include ongoing relationships with mentors, to help offenders maintain an open dialogue between employers and career centers, assuring the best possible outcomes on the job. Mentors can also be helpful in finding and securing permanent housing for ex-offenders, while helping them connect with other existing community resources to increase the chances of successful reentry.

To avoid or reduce the chances of relapse, phase three programming includes attendance at Alcoholics or Narcotics Anonymous meetings, or even out-patient CBT therapy, if deemed necessary for successful reentry. Other ongoing mental health counseling services should also be part of phase three, with an emphasis on providing pharmacological services, when necessary. Helping ex-offenders get medical insurance, either through employers or Medicaid, can dramatically help in addressing healthcare issues compounded by the prison experience. In addition, to help ex-offenders become valued and integral members of their communities, opportunities for continued volunteerism should be provided and encouraged.
Recommendations for Improving Public Safety

1. Both the Criminal Justice and Public Safety Committee of the Maine Legislature and the Department of Corrections should consider sanctioning a feasibility study by experts outside of the Department of Corrections to ascertain the merits and benefits of implementing a comprehensive state-wide reentry program.

2. Regardless of the results of the feasibility study, the Criminal Justice Committee should commission criminology experts at the Muskie School of Public Service’s Maine Statistical Analysis Center to work with the DOC to track recidivism rates in order to establish an accurate benchmark. A well-researched feasibility study would likely conclude that we can only improve recidivism rates if we first know what they are.

3. Based on the positive results of the feasibility study, the committee should create an independent Reentry Council with the purpose of harnessing federal, state and community resources to provide relevant research and support to assist the DOC in implementing reentry to make Maine communities safer. Improved safety can be achieved by reducing recidivism and victimization. The Reentry Council could also assist the DOC in realizing its obligation to Maine taxpayers by helping the department transform offenders into law-abiding, productive citizens.

4. The Reentry Council could also assist the DOC in developing a correctional workforce that understands, embraces, and applies the latest reentry research to improve public safety through reduced recidivism. The council could be instrumental in assisting prison administrators in overhauling an archaic and unproductive punitive culture, helping managers embrace and promote progressive changes that are yielding positive results across the country. Direct oversight by the Reentry Council would assist the DOC in initiating needed changes in institutional culture, to achieve the best possible reentry outcomes.

Conclusion

Reentry success stories abound—what will it take to include Maine in these narratives?

For reentry to become a central component to Maine DOC strategies, a substantial culture change will need to occur. In a Correction’s Today article in the November 2014 issue, the title
poses the question: “Can Corrections Heal?” The article is clear on an important point: “Transforming an agency to better focus on recidivism reduction outcomes and reforming the behavior of offenders is best achieved by transforming the staff’s cultural paradigm” (Richeson, 2014). An integrated model for reentry aims to prepare offenders for reentry at sentencing—and not just before an offender is released, as is frequently the case in Maine.

The Council of State Governments Justice Center states, “Today, there is widespread agreement that government has a responsibility to ensure that when people are released to the community from jail or prison, they are less likely to reoffend than they were at the start of their sentence” (“Making People’s Transition,” 2017).

Rick Raemisch, the Executive Director of the Colorado DOC, has been instrumental in driving down reincarceration for new crimes by 23 percent. He states, “Public safety is a fundamental responsibility of government.... In Colorado, we recognize that reducing recidivism is an essential part of our broader efforts to keep communities safe” (Reducing Recidivism, 2017).

In Georgia, the violent crime rate has declined by 21 percent in the past 12 years. Georgia’s Supreme Court Justice Michael Boggs says, “Georgia’s approach to running its criminal justice system is becoming more driven by where the data and research points us. We’re focused on tracking and driving down our recidivism rate.... The results have been a safer state, fewer people in prison, and reduced costs to taxpayers” (Reducing Recidivism, 2017).

Michigan now enjoys a 20 percent decline in its three year recidivism rate. Heidi Washington, the Director of Corrections, says, “Thanks to our focus on offender success, we improved and expanded job training and education programs for people in prison while giving them the support services they need in the community to ensure a safe transition and long-term self-sufficiency” (Reducing Recidivism, 2017).

In Virginia, thousands of corrections professionals have been trained to support positive and compassionate change for those in their care. The Virginia DOC believes that it is only through successful reentry that true public safety is realized. Currently, the Virginia DOC enjoys the second lowest recidivism rate in the nation among 38 states that measure recidivism similarly (Richeson, 2014). States that have implemented reentry programs have all succeeded
to various degrees in improving public safety through reduced recidivism. The utility of these programs is indisputable, not only improving public safety, but also assisting Departments of Corrections in meeting fiscal obligations to taxpayers. The Maine Department of Corrections possesses the resources to join the positive reentry trend that is sweeping the nation—all that is required is the will to do so.

Given the reentry successes across the nation, a study to determine the feasibility of establishing a comprehensive, state-wide program in Maine would most likely confirm reentry's utility in improving public safety through reduced recidivism.
References

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Shaler, George (March 20, 2017). Correspondence from the Muskie school of Public Service Of the University of Southern Maine (See Addendum #4).


Thornell, Ryan (Feb. 21, 2017). Correspondence from DOC Associate Commissioner Ryan Thornell (See Addendum # 5).
Testimonial

Robert Payzant
(March 1, 2017)

My name is Robert Payzant, and I am a prisoner at Maine State Prison in Warren. This is not my first time in prison, and because of this fact, I was asked to share my experiences of getting out of prison, only to return.

In November 1988, I was arrested for two armed robberies of taxi drivers. I was 21 years of age at the time. I was eventually sentenced to 20 years in prison. I did my time like many others, hustling to get by, getting high when I could, and doing almost anything to distract me from my sentence.

In January 2005, I was released after serving 16 plus years. I thought I was done with crime, done with doing time but 10 months later, I was back in custody where I was sentenced to another 18 years for robbery.

Why did I fail? Different people would suggest different reasons but there are three factors that no doubt contributed to my rapid downfall: 1) I left prison with no money 2) No plan 3) No place to live. My best option was to stay with my sister at her home, a well-known crack house.

I struggled to find work and can’t state clearly how alone I felt after so much time locked up. With no opportunity, no mentors, and no support, I guess it was a matter of time for me to return to this world of incarceration.

I know that many people think that prisoners should do hard time to pay some price to society, as if the mere fact of being separated from family and friends, as well as from society is not payment enough. But I do feel if something were done to give me a real chance to succeed, it could have changed everything. When I left prison in 2005, I did not want to fail. I just was not equipped with any tools to succeed. And as a result, I created more victims. I am sure my story is the same story of many who leave prison. I would like to think that society would invest in the at-risk persons, such as prisoners, if for no other reason than to lower the risk to their communities. Why is that so hard to swallow?
Addendum # 2:

Testimonial

Calvin Wiggins

(Feb. 14, 2017 Letter)

My name is Calvin E. Wiggins, and I am writing in hopes of receiving assistance on a current problem that I am experiencing.

In 2012, I was released from the Maine D.O.C., after having served 14yrs. 7mos of a 15yr. sentence. I was released without the money that I had saved from working and gifts, and had planned to use that money to rent a room...for a week; until I could get some sense of direction. The amount was about $300.00, and though not a lot, it was more than the $50.00 "Gate Money" that I ultimately left with.

I was not given the money in my savings account I was told, because it had to come to me from another prison that I was at prior to being returned to Maine to be released. The stated reason, was that the money had to go through a 14 day waiting period before being cleared. Therefore, I was kicked to the streets after serving almost 15 years with only a bus ticket and $50.00.

My first day out of prison, I was very nervous, and fearful as to where I was going to lay my head to rest that night, as I received absolutely no Re-entry; no step-down programming, no assistance receiving housing, no assistance getting a job, no encouragement, nothing! Oh, did I mention that the state was good enough to give me $50.00 "gate money"?

With the money that I was given, I used [it] to rent a storage unit at U-Haul on Marginal way in Portland. The storage container was $39.99 and the cost of a lock it was $10.00. After said transaction, I was left with one dollar, as I’d had some change left over from the money given to me for the bus ticket.

After securing my property, which consisted of 3 ½ manuscripts I had written while incarcerated, a couple pairs of state blue jeans, a t-shirt, a couple pairs of personal shoes, a 13inch T.V., and personal photos and letters... I then went to the Portland library to get on their computer, so that I could reach out to my children, whom I had not seen the entire time that I was locked up. Please note, that my sister sent me clothes to be released in...and a military
duffel bag to store my property, but I was not allowed to have these items, so I left prison without my street clothes. My first night out of prison, I slept in Deering Oaks Park, as I was too nervous to go back to the shelter, after they had yelled at me earlier that day when I knocked on the door to inquire about keeping my “three bags of property there.” I felt that they had been very disrespectful for no reason, and especially after I had told them that I had just gotten out of prison. From that day on, my mind was in survival mode, and after only approx. two months out, I was back in the county jail on burglary charges.

I am not blaming anyone for my actions but myself. However, I sincerely believe that had I received any type or Re-entry assistance, minimum security, so that I could have gotten a job, and had a transition period...that I would not be here today. My hope upon getting out, was to get a job, a roof over my head, get settled, and then be a father to my children; to finally meet my grandson. And lastly, to get my books published, or to self-publish them myself.

The Department Of Federal Prisons states that the number one reason that they send all of their prisoners to half-way houses, is first and foremost, “public safety.” They do not want ex-prisoners feeling the way that I felt, and committing crimes to be able to put clothes on their backs, and food in their stomachs.

Again, I am not condoning my actions, nor am I making excuses. I am simply stating the facts. Had I been given a chance to go to minimum security, given a chance to take a vocation, given a chance to get work-release, save money...then I can assure you that I would not be here today.

I am currently up for minimum security now, I now, as I did then, am doing all that I can to get said custody level, so that I can get into the electricians program at the farm(Bolduc), and get work-release in order to save much needed money. Can you please show this letter to the proper authorities, so that I can shine some light on my situation, and not repeat the same actions that took place on my last bid?

I have sincerely changed my ways, and am asking for at least a fighting chance to prove myself.

Thank you in advance for any and all assistance you can lend to this matter.
Addendum # 3:

Testimonial

Jeffrey A. LaGasse

(July 4, 2017)

As author of this proposal and as a three-time recidivist who has spent most of his adult life incarcerated, I can attest to the personal and institutional failings that contributed to my recidivism. My criminal career began when I was twenty years old and convicted of property crimes in 1998. The anger, resentment and substance abuse bred by the prison experience resulted in the evolution of typical self-defeating thinking, propelling me towards increasingly serious crime. Every time I was released, self-centered, rage-filled, drug seeking and completely unprepared for reentry, twisted thoughts convinced me that society owed me for the loss of freedom I had suffered. My criminal behavior had alienated my family, eroding trust and making it difficult to have their support when I needed it. I can hardly fault them for that, especially since my criminal behavior was ongoing. I was bound and determined to quickly acquire what I might have had if only incarceration had not intervened. This happened at the expense of innocent victims who had nothing to do with my prior incarcerations. I am convinced that had I benefitted from cognitive behavioral therapy, Family reunification programming and mentoring, chances of reoffending would have decreased dramatically.

In 2014, I discovered the concept of reentry and since then, not only has reentry become a consuming passion, I am determined to see it used to help the DOC keep people like me from reoffending. I have made my mistakes and can never undo what I have done. However, I have no doubt that had I been a beneficiary of the strictly structured reentry elements itemized in this proposal, I would have become a community asset, and a productive taxpayer instead of a burden to society. It is my sincere hope that sharing facts about reentry will help others avoid similar or the same mistakes I made. In this manner, I can at least attempt to express my regret and sorrow meaningfully.
March 20, 2017

Maine State Prison
807 Cushing Rd.
Warren, ME 04864-4600

Addendum # 4

I received your letter regarding the Maine Statistical Analysis Center’s Maine Adult Recidivism Report authored by former colleague Mark Rubin. I am glad you found the report useful. This report was commissioned and paid for by the Maine Department of Corrections (DOC), Adult and Community Corrections.

In your letter you ask about whether Maine Statistical Analysis Center (SAC) had ever done more comprehensive research on adult recidivism rates. You raise some interesting possible future research questions. Unfortunately, the Maine SAC has not done any more recent research on this topic. Future research is contingent on DOC’s interest and funding availability.

The Maine SAC has done some more juvenile recidivism research. I am attaching a copy of 2016 Juvenile Recidivism Report that we released late last year. I hope you find this report interesting.

Sincerely yours,

George Shaler, MPH
Senior Research Associate & Maine Statistical Analysis Center Director Children, Youth & Families - Justice Policy Program
Muskie School of Public Service University of Southern Maine
P.O. Box 9300
34 Bedford Street
Portland, ME 04104
228-8344
February 21, 2017

Jeffrey Lagasse #4145
Maine State Prison
807 Cushing Road
Warren, ME 04864

Addendum # 5

RE: Reentry Programming

Mr. Lagasse,

Your letter to the Governor’s Office regarding your ideas for improving reentry services for prisoners has been forwarded to Commissioner Fitzpatrick for response. I am responding on his behalf.

The Maine Department of Corrections releases approximately 1,200 prisoners each year. A high percentage of these prisoners release directly from a treatment program or pre-release setting to the community. In order to adequately address the populations’ reentry needs, the Department provides a variety of reentry-related services to the prisoner population. I will briefly outline those services below:

- Enrollment in the Work Ready vocational education program (all facilities),
- Enrollment in the Planning Your Release (or similar) release planning program (facility-specific),
- Individualized release planning with case management staff, beginning nine (9) months before release,
- Referral to DHHS Intensive Case Management Services (if appropriate),
- Transition to pre-release facilities for work release (if appropriate),
- Partnerships with DHHS, Social Security, Bureau of Motor Vehicles, and Career Centers for direct referrals and provisions of services,
- Placement onto the Supervised Community Confinement Program (if appropriate and approved);

The Department continues to expand its focus on the reentry needs of the prisoner population, and continues to expand the provision of services provided to this population. It is the Department’s goal to offer the appropriate and necessary services to the prisoner population in order to properly prepare them for successful reentry into society, reducing the likelihood for future criminal behaviors.

Sincerely,

Ryan Thornell, Ph.D.
Associate Commissioner

CC: Commissioner Dr. Joseph Fitzpatrick