

State Reentry Council Collaborative Draft Workgroup Recommendations

This document is the result of 5-7 months of meetings and research by the 10 State Reentry Council Collaborative (SRCC) workgroups. The proposed preliminary recommendations in this document will be reviewed by the principal members of the SRCC. The SRCC workgroups will use feedback from SRCC members and others to further develop and improve the preliminary recommendations. Once the final recommendations are approved by the SRCC, they will be submitted to the NC General Assembly and the Office of Governor Roy Cooper.

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SRCC Legal Workgroup

SRCC Legal Workgroup Recommendation #1

RECOMMENDATION SUMMARY

Improve ability of persons who are incarcerated to re-enter with no pending cases or outstanding failures to comply with prior judgments, including failures to comply for failure to pay a fine, fee or court cost.

BACKGROUND

At times, individuals who are incarcerated for a conviction in one county complete their sentence with criminal matters still pending in other counties, including outstanding orders for arrest for failure to comply with disposed judgments. These are often driving offenses or other minor misdemeanors. This may include unpaid fines on disposed traffic matters that may or may not have an accompanying order for arrest.

These cases are not cases that, absent an Order for Arrest (OFA), would result in confinement, or if so, often result in short sentences. In the case of a failure to comply, failure to pay monies can result in the suspension of a driver's license and additional steps to restore driving privileges post-release. If the resolution of any of these outstanding matters results in an active sentence (or revocation of a previously ordered sentence in the case of a failure to comply), and that occurs while the person is serving a prison sentence, concurrent time is common. However, if the person completes an active sentence, and returns to his or her community without resolving these matters, he or she will inevitably be re-arrested for that minor offense or failure to comply that did not get handled while the person was in prison, and the cycle of incarceration continues.

Another related area of concern is that the North Carolina Department of Public Safety (NCDPS) will learn of pending minor charges for a person who is incarcerated, bring the matter to the attention of the county officials in which the charge is pending, but despite their early notification, nothing will happen (the warrant is either outstanding and unserved or the person is not brought to court in the county) until the very end of the person's sentence. In this situation, not only may that person face an additional or extended period of incarceration when they would have otherwise been released, but the transition planning and work of NCDPS may be interrupted and wasted on a now unreliable release date.

RECOMMENDATION

1. Improve IT and communications such that outstanding criminal matters and failures to comply, including for monies, are identified when a person initially comes in to NCDPS custody and create periodic checks throughout the incarceration or an alert system to notify NCDPS of any newly entered orders for arrest or failures to comply with orders for arrest.
2. Create statutory standards for a global, tiered approach to disposition of minor matters for persons incarcerated. For example, a person serving a sentence of at least 6 months active require the District Attorney (DA) to dismiss any pending Class 2 or 3 misdemeanor (exception: a victim for an offense involving personal injury, e.g. assault, is

opposed with the limitation that any such case may be dismissed after a good faith effort to contact the victim). Class 1 and A1 misdemeanors may be handled by plea, remotely, for concurrent sentences, with counsel appointed in the county of disposition. Failures to pay fines on disposed traffic matters are to be submitted to the court for remission of said fine if a person is serving a sentence of 30 days or more, for example.

The SRCC Legal workgroup recommends that the legislature allocate funds to Administrative Office of the Courts (AOC) and NCDPS to develop an IT solution to permit seamless and automatic communication between databases so that, upon entry into NCDPS custody, all outstanding criminal and traffic matters are identified, including failures to comply and outstanding traffic fines without orders for arrest.

The SRCC Legal workgroup recommends that the legislature amend N.C. Gen. Stat. §15A-301.1 (o) to include all outstanding failures to comply (including minor traffic offenses which are disposed but include an unpaid fine without orders for arrest) and that the legislature amend N.C. Gen. Stat. §148-10.5 to add all outstanding failures to comply here as well.

The SRCC Legal workgroup further recommends that the legislature, in conjunction with the Conference of DAs, Public Defenders, and NCDPS create a global, tiered approach to disposition of cases.

STAKEHOLDERS

NCDPS, District Attorneys, Public Defenders, judges, NC Department of Justice, US Probation

BUDGET Still under development

TYPE OF ACTION

Legislative

TIMELINE

Long-term

SRCC Legal Workgroup Recommendation #2

RECOMMENDATION SUMMARY

Increase employment and housing opportunities for persons reentering our communities after a period of incarceration by supporting innovative local court programs that will expand opportunities for criminal record expunction, access to certificates of relief (COR), and restoration of suspended driver's licenses. In so doing, establish a system (either pre- or post-release) for regular communication and referrals between North Carolina Department of Public Safety (NCDPS) reentry coordinators or mobile DMV units working within the prison and the local court program to enable relief in the months preceding release from prison or immediately thereafter.

BACKGROUND

One local municipality is currently developing an innovative court program that will identify persons eligible for expunction, certificates of relief (COR) and driver's license restoration as they dispose of their cases in the criminal justice system (or by direct referral from other agencies and community groups) and refer them to a network of providers within the community to assist them with obtaining the relief needed. This is the City of Durham. The program will be administered as a partnership between the City of Durham, Durham Courts and several community partners who will provide legal assistance, including area law schools and non-profit organizations. The program will also have attorneys and staff co-located in the courthouse, in part, to receive those referred to the program from the courtroom and other court and community agencies.

In Durham alone, tens of thousands of Durham residents currently have records eligible for expungement or suspended driver's licenses due to reasons other than a history of DWI (Driving While Impaired). It is common that individuals return home from prison without a driver's license. Currently, the DMV is sending mobile units into prisons to help individuals obtain state issued identification, renew or get a driver's license. However, this program is not designed to address license suspensions that may stem from old FTA's (failures to appear) or FTP's/FTC's (failures to pay/comply). Additionally, under a new law that will go into effect at the end of this year, an estimated 90 percent of charges will meet eligibility requirements for COR. Certificates of relief can greatly assist with housing for those reentering communities and can, for example, shelter a landlord from liability for deciding to lease to someone with a criminal record.

This type of legal work is crucial to increasing employment and opportunities in housing, education and other realms of life for justice-involved residents and their families, and if those serving sentences in prison could be provided with this legal assistance or a referral to receive assistance upon returning to their local community in NC, this could have a tremendous impact. A simple referral would mitigate the delay in services that can often have a domino effect on employment, then housing and so on.

RECOMMENDATION

1. Dedicates NCDPS resources to partnering with court programs like the one in Durham [to be called, “The DEAR (Durham Expunction and Restoration) Program”] and/or DMV mobile units to develop a model for future partnerships with any similar programs in other cities across NC.
2. Establish either a pre- or post-release referral system to connect individuals with eligible criminal records for expunction and individuals with suspensions for FTAs and/or FTPs to the DEAR (or similar) program for assistance with driver’s license restoration.
 - a. Pre-release referral option: Develop an internal NCDPS process for reviewing the criminal (and traffic) records of any incarcerated individual to determine eligibility for expunction, COR or driver’s license restoration who first elects to participate in said reviewal with the anticipation of receiving a referral to a program like Durham’s to provide legal relief either prior to release or shortly thereafter. Should record reviewal not be possible within the Division of Adult Correction by NCDPS staff or through the DMV mobile units, then instead develop a referral mechanism to refer parties to programs in the city they will be reentering (like, The DEAR program) to provide the applicable relief either prior to or immediately after release. Develop a plan of identifying all DEAR-like programs across North Carolina able to receive referrals.
 - b. Post-release referral option: The DEAR (or similar) program could work with NCDPS during post-release supervision to review criminal and driving records for returning residents and identify those who may be eligible for restoration assistance
3. Create an additional civil penalty for third party data providers that continue to disseminate information on expunged offenses in violation of N.C. Gen. Stat. §15A-152.
4. Develop an educational campaign for employers, landlords and educational programs on the legal effect of certificates of relief (COR) relieving them of liability for employing, leasing or accepting someone into an educational program with a criminal record who receives a COR consistent with N.C. Gen. Stat. §15A-173.5.
5. Amend expunction statutes (N.C. Gen. Stat. § 15A-145.5) to allow for expunctions of non-violent felonies or misdemeanors where a person possesses a prior conviction for not more than three minor misdemeanors like, simple worthless check, second degree trespass, disorderly conduct, etc.
6. Add a legislative amendment to 15A-173.2(b)(1) to remove the 12-month waiting period etc. for COR eligibility if an inmate can show a period of good behavior while incarcerated and/or successful completion of a certain prison program (e.g. educational, substance misuse, mental health, etc).

Legislative Action:

The SRCC Legal workgroup recommends that the legislature allocate funds to the Administrative Office of the Courts (AOC) and NCDPS to develop a mechanism to search criminal (and traffic) records for those serving sentences in prison in order to refer them for expunction, COR or driver’s license restoration should they elect to participate.

The SRCC Legal workgroup recommends that the legislature amend N.C. Gen. Stat. § 15A-145.5 to allow for expunctions of non-violent felonies or misdemeanors where a person possesses a prior conviction for not more than three minor misdemeanors like, simple worthless check, second degree trespass, disorderly conduct, etc.

The SRCC Legal workgroup recommends that the legislature amend N.C. Gen. Stat. §15A-146 to allow for automatic expunction of charges with a dismissed or not guilty disposition.

The SRCC Legal workgroup recommends that the legislature enact a statute creating an additional civil penalty for third party data providers that continue to disseminate information on expunged offenses in violation of N.C. Gen. Stat. §15A-152.

STAKEHOLDERS

AOC, DPS, Local court expunction programs, Clerks of Court, District Attorneys (DAs), Public Defenders, Judges, NC Department of Justice (DOJ), US Probation

BUDGET

Still under development

TYPE OF ACTION

Legislative, Programmatic/Policy

TIMELINE

Long-term

SRCC Legal Workgroup Recommendation #3

RECOMMENDATION SUMMARY

Improve ability of persons who are incarcerated to re-enter with no orders for arrests involving child support cases.

BACKGROUND

Noncustodial parents may face incarceration for failure to pay child support through civil contempt proceedings. At times, individuals who are incarcerated for a criminal conviction in one county may have orders for arrests arising out of child support matters. A defendant can have an order arrest issued in two scenarios. In Durham County, the defendant has missed a court date. Oftentimes, the defendant signed his order (the judge signs as well and that becomes the order of the court) that continues his/her case to the next date. In this order, it indicates that if the defendant misses his/her court date an order for arrest will be issued. If the defendant misses this court date and is served with an order of arrest, then there is a cash bond set for the defendant that he/she must pay to be released from incarceration.

The second scenario involves when a defendant has entered in a consent agreement to pay purge payments. For example, this is a typical judgment that a judge orders in child support cases after the defendant consents to being in willful violation of not pay his child support: 90-day sentence in jail is stayed provided the defendant pays a total purge amount of \$750 which is to be paid the following manner: \$250 on or by October 24th, \$250 on or by November 29th and \$250 on or by December 28th. If the defendant misses one of these purge payments, then an order for arrest will be issued against him and the total amount of what he hasn't paid pursuant his/her agreement becomes due. So, if the defendant misses one payment of \$250, then it all becomes due.

N.C.G.S 50-13.10 states that no child support payments become arrears if a defendant is incarcerated and is not on work release and has no resources to make the child support payment. Oftentimes, when an individual is incarcerated and he/she is under a current order to pay child support any missed payments will accrue becomes past due; these pay due amounts are termed arrearages. However, provided that the "supporting party" or the incarcerated person who owes child support payment and who is not on work release typically cannot pay because they are incarcerated. However, oftentimes once a defendant is released from incarceration, he or she might be rearrested because they missed a court date due to being in custody. Moreover, the arrears have accrued in during a period where they clearly cannot work.

There are many times where an individual must come back to court several times so that their child support case can be audited by NC Child Support Services to determine the period that they were incarcerated to adjust their arrears balance.

If the local child support offices can be alert electronically that these individuals were incarcerated at the time of the issuance of an OFA, then the Child Support Enforcement agency will be proactive in submitting requests to Judges to not have individuals arrested when they missed court dates due to incarceration.

RECOMMENDATION

1. Improve IT and communications such that outstanding child support OFAs are identified when a person initially comes in to North Carolina Department of Public Safety (NCDPS) custody. Also, to present a certified letter indicating the period of incarceration upon the release from NCDPS to give to their local child support office to expedite the adjustment of arrears.
2. Create a database notification from NCDPS to all local child support offices alerting them about the release and periods of incarceration so that the adjustment can be made prior to the request of motion for a modification having to be requested.
3. Many states recognize that no support can be paid when a noncustodial parent is incarcerated; and have established programs to encourage full compliance with child support orders, both before and as a part of the civil contempt process. These programs include examining child support orders to reflect realistic amounts given the individual's circumstances and diversion programs to reduce incarceration rates and increase child support payments.

The SRCC Legal workgroup recommends that the legislature allocate funds to the Administrative Office of the Courts (AOC) and NCDPS and Child Support Enforcement Offices to develop an IT solution to permit seamless and automatic communication between databases so that, upon entry into NCDPS custody, all outstanding OFAs for outstanding child support cases are identified and/or to assist and expedite the adjustment any arrears.

STAKEHOLDERS

NCDPS, Child Support Enforcement Offices, Judges, NC Department of Justice (DOJ), US Probation

BUDGET

Still under development

TYPE OF ACTION

Legislative

TIMELINE

Long-term

SRCC Education & Vocational Training Workgroup

SRCC Education & Vocational Training Workgroup

Recommendation #1 - Alumni Network

RECOMMENDATION SUMMARY

In support of the recommendation to implement the U.S. Department of Education Office of Career, Technical, and Adult Education (OCTAE) Reentry Education Framework, the SRCC Education and Vocational Training Workgroup recommends the creation of a network of people who have completed vocational or academic programs while incarcerated. Further, North Carolina Department of Public Safety should develop supports for the implementation of a Justice Involved Alumni Network to be operated by the Local Reentry Councils of North Carolina.

BACKGROUND

Justice-involved people have forms of expertise and credibility far superior to others. They understand the unique challenges the justice-involved face, and solutions to these challenges any one person develops will be useful for many other people, solutions that may not be universally known. Accessing those resources will empower justice-involved people to conceptualize and realize their post-release objectives, and a dedicated alumni network will maximize that access.

INNOVATIVE SOLUTION

A number of alumni groups are quickly developing across the country, though few beyond—at this point—an email listserv and a Facebook page. We recommend giving all of those who complete vocational and academic programs in the North Carolina Department of Public Safety (NCDPS) contact information for the manager of the alumni network, who can add them to both an email listserv and/or Facebook pages, one public and one private. The listserv and Facebook pages will serve as forums for questions asked and suggestions by any one alumnus. Leaders of the alumni network will post on a weekly or monthly basis in order to cultivate robust network activity. Topics will be wide-ranging, including education, housing, employment, transportation, and others.

STAKEHOLDERS

Justice-involved students who complete vocational and educational programs. A staff person at UNC-Chapel Hill will create, expand, and maintain the alumni network, email listserv, and Facebook pages.

BUDGET

This will not be a cost-intensive initiative. The responsibility for creating and maintaining the network to be become part of a job description of a UNC-CH Correctional Education position.

TYPE OF ACTION

UNC-CH's Correctional Education Program will map out the logistics and create and maintain the network.

TIMELINE

Short-term: establish an email listserv and create Facebook pages for alumni. Distribute contact information for network manager.

Medium- and long-term: hire a justice-involved person to take over the management of the network. Create content, facilitate discussions.

Recommendation #2 – Reentry Education Navigator

RECOMMENDATION SUMMARY

The North Carolina Governor’s Association (NCGA) should allocate \$140,000 for a pilot program creating two full-time Reentry Education Navigator positions entirely dedicated to the needs of justice-involved students. The individuals in these roles will assist individuals transitioning from incarceration to release in their local community by assisting them in identifying personal and professional goals, opportunities, enrollment in educational or vocational programs, and employment leading to a livable wage. This two-year pilot will provide competitive funding as outlined below for a NC Community College to employ and house one of the Reentry Education Navigators on their campus to assist with the reentry needs of their service area.

BACKGROUND

Just like Veterans and other populations, Justice-involved students disproportionately need social, economic, and legal support, and they also have unique needs. Just as there is support for veterans, justice-involved students will benefit from support dedicated to them.

These staff person will be familiar with issues confronting justice-involved students and have expertise in helping justice-involved students effectively navigate educational institutions. Further, the staff person will be familiar with community services and employers in the community college’s area.

A dedicated full-time staff person will begin by developing partnership with a wide range of stakeholders, such as with social service, transportation, and housing providers. Furthermore, this staff member will develop relations with NCDPS parole and probation staff to facilitate handing off formerly incarcerated people to community colleges and four-year schools as well as educating NCDPS staff about college opportunities for probationers and parolees.

In addition, a staff person will provide a safe space for justice-involved students to talk and share their experiences and difficulties. The existence of this space will facilitate a culture change on campus of acceptance, support, and sensitivity towards people who are justice-involved. This type of support works, as programs in California have high graduation rates (97% versus the average of 59%) and higher grade point averages.

INNOVATIVE SOLUTION

California leads the way, although community colleges there are just forming programs. All California programs have identified a dedicated staff person as the key need for supporting justice-involved students.

Additionally, the Washington State Board of Community and Technical Colleges supports a Reentry Navigator position at each of the state's prison facilities to ensure a smooth transition back to society and to reduce the prohibitive cost of recidivism in the state.

STAKEHOLDERS

The leadership at two community colleges.

BUDGET

\$140,000 for 100% funding for compensation. This budget is based on the funding requirements for two full-time positions during the pilot and funds the positions with the same level of compensation as the NC Community College Career Coaches.

TYPE OF ACTION

NCDPS will manage the awarding of these funds based on the criteria outlined below. The awarded College will hire the staff person.

The criteria that must be addressed by a College applying to serve as a pilot are outlined below.

- College must have a reentry missioned facility as defined by NCDPS in its service area.
- College must have or be able to demonstrate the ongoing development of a local reentry council in its service area
- College must demonstrate its capacity to support such a position on its campus and to support the partnerships required to be successful.
- Preference is given to Colleges serving at least one Food and Nutrition Service Employment and Training county.

TIMELINE

Short-term:

- Seek NCGA Funding for the program during the 2019 Long Session
- Research best practices for staff person and create a job description.

Medium term:

- Hire staff person. Staff person develops relationships with community partners and NCDPS and law enforcement.

Long-term:

- Evaluation of the effectiveness of this program for possible expansion to all reentry missioned facilities.

Recommendation #3 – Professional Development for Faculty and Staff

RECOMMENDATION SUMMARY

The North Carolina Governor’s Association (NCGA) should allocate \$25,000 for the development of online professional development modules for faculty and staff across the state who serve the current and previously justice involved. These professional development modules would be made available to all agencies and educational institutions who serve this population including community colleges, local reentry councils, universities, and workforce development agencies with the goal of better preparing front line individuals to serve this population and ensure a successful transition back into society. The development of these modules and the hosting and delivery would be managed by the NC Virtual Learning Community a joint project of the NC Community College System Office, Fayetteville Technical Community College, Surry Community College, and Wake Technical Community College.

BACKGROUND

Justice-involved students face a variety of issues regarding financial aid, registering for classes, engaging course material, evaluating transcripts, and course of study. Difficulty with any one of these issues may be fatal to academic success. Currently, North Carolina Community Colleges and UNC-system do not train advisors, registrars and other key points of contact about re-entry-specific issues. Many educational staff are unaware of these unique issues, preventing effective support and leading to reduced retention of these students.

Further, many formerly incarcerated students have experienced trauma, and trauma-informed support will be useful. Familiarizing staff with these issues will help frame relationships and develop teaching techniques responsive to justice-involved students again increasing student retention and success.

Altogether, producing and utilizing a webinar addressing these issues will empower education professionals to support justice-involved students.

INNOVATIVE SOLUTION

California is the only state to produced similar training modules targeting this important student population. These trainings are in their infancy and continue to be developed. One California community college has contracted with Innovative Educators, a company who is producing a webinar addressing best practices in serving justice-involved students. NC is well positioned study this implementation in a peer state and consider the procurement of this best practices content in addition to the development of content specific to North Carolina students. The NC Community College System Office Virtual Learning Community is also positioned to facilitate the development and delivery of these professional development modules.

STAKEHOLDERS

Faculty, advisors, registrars, financial aid, and any other staff at NCCC and four-year colleges and universities who work with justice-involved students as well as the NC Community College System Virtual Learning Community Office.

BUDGET

\$25,000 would facilitate the researching, development, hosting and delivery of two professional development modules by the NC Community College System Virtual Learning Community. A researcher team of those faculty and staff currently serving the population in addition to student stakeholders would be assembled to collect and synthesize information about re-entry specific issues at community and four-year colleges inclusive of existing best practices.

TYPE OF ACTION

The community college system will take the lead in managing this project. The four-year system will review the training module and incorporate information relevant to its context.

At a minimum, these modules will address the following topics:

- Trauma-Informed Care
- Terminology
- Barriers to Success

TIMELINE

Short-term:

- Seek NCGA Funding for the program during the 2019 Long Session
- Education & Vocation Committee continues research of best practices and resources around the country

Intermediate:

- Upon funding develop contract with NC Community College System Virtual Learning Community for the management of the research, development, hosting and delivery of two modules.
- December 2019 training program will be completed and made available.
- Spring Semester 2020 faculty and staff will have completed the training.

Long-term:

- Ongoing review of the implementation and incorporation of new innovative practices in the field.

SRCC Employment Workgroup

Recommendation #1

RECOMMENDATION SUMMARY

North Carolina started the first Work Release Program in the country in 1957. This program has proven success in reducing recidivist incarceration from 47% to 34% and recidivist arrests from 30% to 18%. Because this program is proven to be one of the most successful correctional programs, the Employment Workgroup makes a recommendation to increase the utilization of the Work Release Program.

After carefully researching the challenges faced by the North Carolina Department of Public Safety in filling all current work release slots, it is recommended that the department prioritize expansion of this program. Research should include evaluation of other state's Work Release Programs, evaluation of current program and North Carolina Department of Public Safety (NCDPS) challenges, and additional recommendations provided to guide the expansion project.

BACKGROUND

According to the Department of Public Safety website (<https://www.ncdps.gov/adult-corrections/prisons/transition-services/work-release>), "the Work Release Program provides selected inmates the opportunity for employment in the community during imprisonment. It addresses the transitional needs of soon-to-be-released inmates, and the program provides an opportunity for inmates to support their families and to reduce the economic costs of their imprisonment."

Criteria for Participation "Work Release participation is based on factors such as the sentence received, the statute under which sentenced and the inmates record of behavior. Participating inmates must be in the final stage of imprisonment and are carefully screened for participation by prison managers."

Program Operation "The Work Release Program is available at the majority of minimum security prisons. Inmates are allowed to leave the prison each day to work and are required to return to the prison when their work is finished. Inmates must earn at least minimum wage. The job plan and job site must be reviewed and approved by prison managers.

Inmates must work in a supervised setting and cannot work for family members or operate their own businesses. The work release employer must receive an orientation from Section of Prison staff and agree to the rules of the program. The employer must have Worker's Compensation insurance. Earnings from work release wages are used to pay restitution and fines, to pay family support, to pay prison housing and work release transportation costs and to set aside money for the inmate upon release. Prospective employers interested in employing work release inmates should contact the minimum-security prison nearest their location."

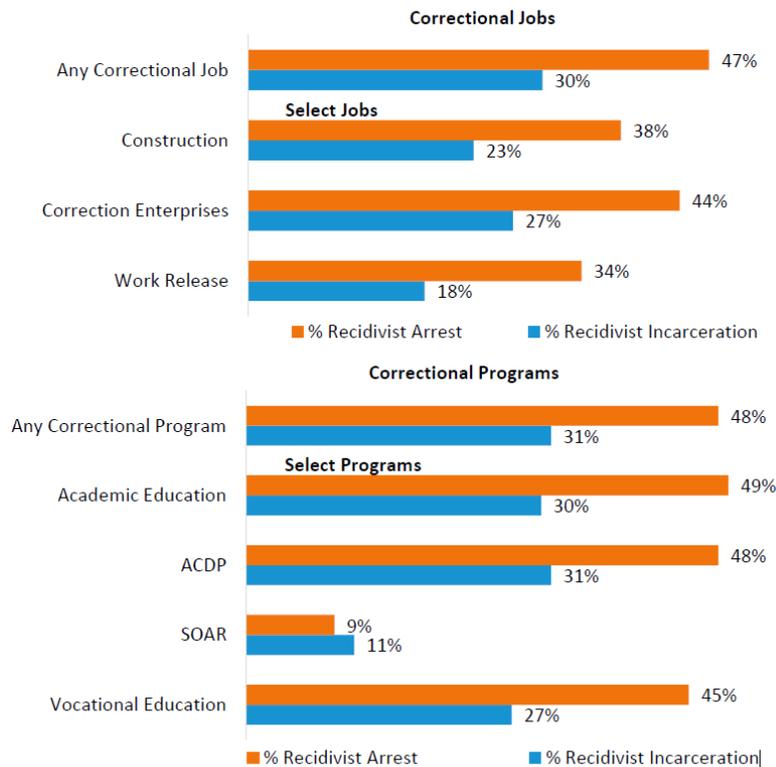
North Carolina was a pioneer in creating the first work release program in the country in 1957. However, since that time, NC has fallen behind other states in their capacity to support this

valuable program. According to the NCDPS, Fiscal Year 2016-2017, Annual Statistical Report, 18,319 inmates had work assignments, but only 1,182 of those were assigned to work release. Over 37,000 inmates were incarcerated during this period. Compare that to a report submitted by the Florida Department of Corrections (FLDC), which states that “in 2001, 29 state correctional agencies reported that 39,705 inmates were placed in work release programs in the United States, with Florida having the second highest number with **4,885** placements.” It should be noted that Florida has a much larger inmate population with about 97,000 inmates. However, consider that NCDPS’s work release program consists of about 3% of their inmate population compared to FLDC whose work release program consists of about 5% of their inmate population. If NCDPS were to increase their capacity to 5%, and additional 668 inmates would benefit.

The financial benefits to the state in having inmates in the Work Release Program is tremendous. NCDPS reported, “Inmates on work release receive prevailing market wages from their employers, but must pay a room-and-board fee to the prison unit. For FY 2016-2017, inmates paid the Division of Adult Correction and Juvenile Justice \$5,487,078 in per diem and \$1,936,064 for transportation and job-related expenses. They also paid child support and restitution totaling \$1,650,824. During this period, inmates paid an additional \$2,435,626 for personal expenses, spousal support and other family expenses.” A total paid out of **\$11,509,592**. This is in addition to the taxes which were deducted from their paychecks.

The Work Release Program has proven to be one of the most success prison programs at reducing recidivism. “Figure 4.9, below, provides recidivism rates for prison releases assigned to select correctional jobs and programs. Recidivism rates for prisoners in Academic Education, ACDP, and Vocational Education were fairly similar or slightly lower than those found for the overall prison population.” However, “prisoners in Correction Enterprises, SOAR, and **Work Release** generally had lower recidivism rates than the overall prison population.” According to this report, participation in the Work Release Program reduced recidivist incarceration from 47% (the rate for any correctional job) to 34% (work release only) and recidivist arrest from 30% (the rate for any correctional job) to 18% (work release only). (Correctional Program Evaluation, NC Sentencing and Policy Advisory Commission)

Figure 4.9
Criminal Justice Outcomes for Prison Releases Assigned to Select Correctional Jobs/Programs



RECOMMENDATION

More information is required to determine what action(s) need to be taken to support the expansion of the Work Release Program in NC. First, expansive research and evaluation of the current NCDPS Work Release Program should be completed. There are several questions which need to be answered:

1. **Who/what determines the number of available work release slots?**
2. How do we increase the number of available work release slots available to inmates?
3. Are the slots currently available completely full?
4. If not, why? What are the challenges in filling those available slots?

Second, extensive evaluation of other states Work Release Programs should also be completed. There may be innovative solutions used by other states which NCDPS could learn from. Funding and staffing issues should be examined.

Third, after evaluations are completed, additional recommendations should be made to expand the Work Release Program capacity. The relationship between the NCDPS and the NC Department of Commerce Reentry Initiative could be utilized to help prepare inmates for work assignments and assist in applying for opportunities. The promotion of work release to employers could be increased by utilizing this and other relationships. Other programs which

engage employers, such as Step Up Ministries, Jobs for Life, Goodwill Industries, Community Success Initiative, Vocational Rehabilitation, Etc. should also be utilized.

STAKEHOLDERS

NC Department of Public Safety, NC Department of Commerce, Division of Workforce Solutions, Step Up Ministries, Jobs for Life, Goodwill Industries, Community Success Initiative, Vocational Rehabilitation, Chambers of Commerce, NC Businesses, other community agencies who are willing to promote the Work Release Program with employers.

BUDGET

The budget for this project will be determined after the research phase is completed.

TYPE OF ACTION

Possible Legislative changes, Possible NCDPS Policy changes.

TIMELINE

Short-Term Research phase, Long-term implementing expansion.

References:

Fiscal Year 2016-2017 Annual Statistical Report. NC Department of Public Safety. Retrieved 7/26/2018 from: <https://randp.DACJJ.state.nc.us/pubDACJJs/0007081.PDF>

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NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data. Retrieved 7/27/2018 from: https://www.nccourts.gov/assets/DACJuments/publications/recidivism_2018.pdf?4VQBsstuyzU5dH1Ap7SJQiMe0zTKYU1G

SRCC Employment Workgroup Recommendation #2

Carolina Entrepreneurship Community (CEC) Project

RECOMMENDATION SUMMARY

Allocate \$1.75m (\$.75m for year 1, \$.5m for each of two subsequent years) to pilot the CEC Project described below.

BACKGROUND

Entrepreneurship is the engine of economic innovation. Supporting the development of new businesses that fill important needs is exactly what allows an economy to grow and thrive. Support of entrepreneurship generally in the state would be a worthwhile investment. We think that the entrepreneurship support needed for the general population and the support needed for the justice involved is coextensive and that the additional help the justice-involved require can be provided at low additional cost given the efficiencies we envision. The project described below would work for both those who have been justice involved and the general population.

Those who have been justice involved are very often excluded from a vast array of kinds of employment that lead to personal and income growth. Helping those justice involved individuals who are motivated and have innovative ideas to become entrepreneurs is one way to allow those who have been in prison find a way forward that helps themselves and the economy in general.

RECOMMENDATION

We recommend, therefore, that the North Carolina Department of Public Safety and the Commerce Department work together in a partnership with organizations like Self-Help, Inmates-to-Entrepreneurs, WeWork (or similar organization), Habitat for Humanity and Triangle Residential Options for Substance Abusers (TROSA) as well as local educational institutions, and businesses to implement the CEC project described below. With modest allocation using existing programs, this project will support entrepreneurial activity around the state and, at the same time, encourage and support entrepreneurial activity for people who have been justice involved.

While the project has several parts, the major focus of the project would be to establish co-working spaces with bare-bones residential capacity for justice involved members who need it. In addition, the project would create links to microloans, educational opportunities and treatment (should that be needed) and the tools to prototype both physical and electronic innovations. Co-working spaces create innovative energy, physical and psychological support, and an efficient way to deliver needed education and training for all populations. The addition of a modest residential capacity for those justice-involved individuals who need it would enhance the capacity for innovation for all members.

For those who have been justice involved, the program would begin in prison to teach those interested in entrepreneurship the business and entrepreneurial skills they will need [Inmates to Entrepreneurs provide this kind of training]. Some of these individuals will already have a marketable idea and family or other support while they began their business, so they would best be served only by having an additional workshop in place to help them apply for a microloan (through Self-Help or the SBA or other organization).

Other individuals who have the basics of an innovative idea in place would require time and a supportive setting to prototype their idea. Those individuals would be best served through the co-working option. The cost of a space in a co-working facility that would support up to 50 co-workers (assuming 20 have been justice involved and 15 are residents) would be about \$150,000 per year.¹ Additional microloans could be available to help fund materials not routinely provided by the center. There could be limits on the number of years a justice-involved co-worker could be permitted to stay in the space, but that might be linked to the progress of their entrepreneurial effort (about 5 years with decreasing state support would be reasonable). After the first site has been piloted, we would envision opening sites in strategic locations throughout the state.

1. Program Goals

A. For those who are justice involved and are interested in becoming entrepreneurs should this project should give them:

1. A good understanding of the basics of running a business of any kind, including the ability to see and communicate the need and viability of their proposed business.
2. A sponsor (not merely a mentor) to help them. The sponsor would work with them to help them think through the many obstacles anyone faces when they try to start a business.
3. Knowledge of the workings of several low-capital businesses since those in prison are unlikely to have access to the capital needed to start anything that requires significant outlay.
4. Access to a place to stay, possibly also an undemanding job that gives them time to develop their business and an "office" with a community where they can work to prepare the materials they will need to launch the business.
5. Access to the life skills assistance they might well need.
6. Access to competitive microloans to defray some of the material cost of a startup for all of those who are regular members of the co-working site.

B. For those not justice involved the project would:

1. Give them special access to educational programs and technical support they would not get easily elsewhere.
2. Give them access to wonderful work-space with special support.
3. Access to competitive microloans to defray some of the material cost of a startup for all of those who are regular members of the co-working site

¹ That assumes the price WeWork charges for a co-worker (\$350/month) for all 20 justice involved co-workers and an additional \$350/month for the 15 who will reside in a loft-like residential area within the building chosen for the site. The up-front cost of converting the space could be done with help from Habitat. Partnering with Self-Help to teach how to develop viable microloan applications would also be necessary.

C. For the State:

1. Provide real time and affordable support for entrepreneurial activity in the general population.
2. Decrease “technical” recidivism (recidivism caused by a lack of a place to live and employment) while decreasing the real recidivism rate among those in the program.
3. Develop a pool of sponsors by requiring justice-involved entrepreneurs to “pay-it-forward.”

2. Project Requirements

A. Partnerships

Required: NCDPS-Commerce, Self-Help, WeWork (or similar organization), TROSA as consultants, Habitat for Humanity, Educational Institutions, Businesses

Desirable: Health and Treatment organizations

B. Budget (Costs need to be refined)

Estimated Ongoing Annual Fixed Costs:

Staff: \$150,000 (1.5 FTE) --- Develop, Coordinate and manage the project

Data collection and analysis: \$10,000

Estimated Ongoing Annual Variable Per Site Costs:

Estimated cost per site per desk: \$150,000

Costs for special materials: \$20,000

Educational Initiatives \$12,000

STAKEHOLDERS

People employed who would like to become entrepreneurs either within their companies or by starting their own companies. Those who have been justice-involved who have developed viable ideas that could be developed into businesses with basic support. Project Partners (Self-Help, WeWork (or similar company), Habitat for Humanity, TROSA, educational institutions and healthcare providers.

TYPE OF ACTION

Legislative, Executive

TIMELINE

Short and Long-term

SRCC Employment Workgroup Recommendation #3

RECOMMENDATION SUMMARY

Recommend strategies to do targeted outreach to employers about the benefits of Certificates of Relief as well as the legislation's most recent expansion of applicant eligibility.

BACKGROUND

In North Carolina, criminal records present a significant barrier to employment and housing. In 2011, the North Carolina General Assembly passed the Certificate of Relief Act (S.L. 2011-265). In 2018, this was amended to SL 2018-79. This bill provides judges the discretion to reduce civil barriers to employment, housing, and other essential resources by issuing certificates of relief to significantly more individuals that are currently in need. Specifically, this expansion makes individuals with multiple convictions for misdemeanor and up to three convictions for Class H and I felony offenses (multiple convictions disposed in the same session of court count as 1 conviction for purposes of certificate of relief eligibility) eligible for Certificate of Relief. Unlike an expunction, a certificate of relief does not obscure or change the criminal record itself. Instead, a certificate addresses a broad range of civil disabilities imposed by the state of North Carolina and shields employers, landlords, and other decision makers from the risk of certain types of negligence liability, making it more likely these decisions makers will hire, rent to, or otherwise grant an opportunity to a certificate holder.

A Certificate of Relief restores opportunities for individuals to be productive, law-abiding citizens in several ways:

1. Transforms certain automatic civil disqualifications into discretionary civil disqualifications (ex. occupational licensing)
2. Provides employers, landlords, and other decision-makers evidence of "due care" that shields them for negligence liability (a 2014 Society for Human Resource Management survey of employers found that more than half cited the fear of negligent hiring liability as a primary reason they do not hire qualified applicants with criminal records)
3. Provides employers, landlords, and other decision-makers with additional information and context in determining an applicant's suitability for a specific position or resource

RECOMMENDATION

In order for the expansion of Certificates of Relief to be truly effective, the SRCC recommends targeted outreach to educate employers about the benefits. The workgroup's recommendation is that community partners focus on educating employers about the benefits of Certificates of Relief. Many state and local agencies (both government and nonprofit) are currently engaged in employer recruitment. The objective is to strengthen these efforts by including information about the expanded eligibility of Certificates of Relief. This will also include targeted public information to ensure that the community, and ultimately those with criminal records, are aware of these changes.

STAKEHOLDERS

While this project will require judicial action, to grant Certificates of Relief, it also requires collaboration between state, county, city, nonprofits, advocacy and constituency groups. This will include NC Commerce Reentry Initiative, NC Correction Enterprises, County Chambers of Commerce and Local Reentry Councils. Partnership between these stakeholders is necessary to successfully educate employers in North Carolina, thus leading to increased economic/vocational opportunities for returning citizens.

BUDGET

This will not require significant financial burden to the state, as it only requires more targeted education on the part of agencies already recruiting employers.

This project could be completed with a small budget for public information campaign to include public service announcements and laminated informational sheets to be displayed in county jails, state prison libraries)

TIMELINE

Immediate to short term

SRCC Employment Recommendation #4

RECOMMENDATION SUMMARY

Enact a statute that requires all licensing boards to remove non-specific terms, like “good moral character” and “moral turpitude”, as a licensing or certification requirement.

BACKGROUND

Approximately 77 million Americans, or 1 in 3 adults, have a criminal record. Having a criminal record can make it difficult, or even impossible, for an individual to work in a given field, especially one that requires an occupational license. Considering that 1 in 3 adults has a criminal record and 1 in 4 occupations requires a license, such barriers can pose significant challenges for states that want to encourage rehabilitation of people with criminal records. In 2014, employment barriers faced by people with felony convictions—including occupational licensing and other challenges—were associated with a reduction in the overall employment rate, amounting to a loss of at least 1.7 million workers from the workforce and a cost of at least \$78 billion to the economy.

In North Carolina, hundreds of occupations require some form of licensure. These occupations constitute approximately 30 percent of all jobs. As a result, over one million North Carolinians—from pawnbrokers to accountants—must satisfy statutory and administrative requirements in order to work in their chosen fields. Oftentimes, occupational licensing statutes and regulations contain ambiguous “good moral character” and/or “moral turpitude” clauses, which give decision makers unbridled discretion when making licensing decisions for people with criminal records.

Consequently, people with criminal records are routinely denied occupational licenses because their criminal records are presumed to be evidence of “moral turpitude” or a lack of “good moral character”.

RECOMMENDATION

Indiana Governor Eric Holcomb (R) signed a bill that reduces licensing barrier for persons with criminal histories. The bill, requires all licensing boards to revise any licensing requirements that look at an applicant’s criminal history. By this November, every board must: (1) Explicitly list all disqualifying crimes; (2) **Eliminate any vague terms that allow the board unfettered discretion in licensing decisions, such as “moral turpitude” or “good character”** and; (3) Exclude, from consideration, any arrest records not resulting in a conviction. Moreover, an applicant who has a prior conviction for a disqualifying crime will be allowed an opportunity to show evidence of rehabilitation and mitigating factors.

The SRCC Employment workgroup recommends that the North Carolina General Assembly enact a statute requiring all licensing boards to remove non-specific terms, like “good moral character” and “moral turpitude”, as a licensing or certification requirement.

STAKEHOLDERS

North Carolina General Assembly, North Carolina Department of Justice, North Carolina Second Chance Alliance

BUDGET

Still under development

TYPE OF ACTION

Legislative

TIMELINE

Long-term

SRCC Housing Workgroup

SRCC Housing Workgroup Recommendation #1

RECOMMENDATION SUMMARY

Create Reentry Housing Assistance fund that include three components: a pilot landlord risk mitigation project to engage landlords, short-term rental assistance to help stabilize people quickly in permanent housing, and long-term rental assistance to help people with disabilities maintain stable independent housing in the community.

● **Responsibilities**

- Risk mitigation pilot program
 - Reimbursement of Unpaid Damages by the Tenant: If the tenant causes damage to the unit, the landlord can be reimbursed for a capped amount to cover the costs.
 - Reimbursement of Unpaid Tenant Portion of Rent and Late Fees: If the tenant abandons the unit, a reimbursement claim may be filed for any uncollected tenant portion of rent and late fees.
 - Reimbursement of Loss of Rent Due to Tenant Abandonment: If a tenant abandons a unit, landlords may be reimbursed for capped amount to cover the loss of rent while the unit is empty.
 - Housing Stability Bonus: Landlords receive \$500 per tenant after one year and the renewal of lease.
 - Short-term rental assistance:
 - Short-term rental assistance should be provided for up to 6 months, if eligible.
 - Tenants would be expected to pay 30% AGI of their income toward rent.
 - Short-term rental assistance should be paired with housing search services and tenancy supports, as described by the Housing Workgroup's proposal for housing support services.
 - Tenants should also be connected to other community services, especially employment services, to help increase their income and address other barriers to maintaining stable housing once assistance ends.
 - Long-term rental assistance:
 - Long-term rental assistance should use existing partnerships and systems that currently operate the Key Rental Assistance and Transitions to Community Living Vouchers (TCLVs) to assist people with disabilities exiting prison.
 - Regional housing coordinators, Local Management Entity-Managed Care Organization (LME/MCOs), and other reentry service providers should coordinate to provide long-term housing tenancy support, health care, mental health supports, and other services to help tenants maintain stable housing and improve their health and quality of life.
-
- **Budget:** 10 Million
 - **Type of Action:** Executive and Legislative (appropriation)
 - **Timeline:** Short to Mid-term

SRCC Housing Workgroup Recommendation #2

RECOMMENDATION SUMMARY

Allocate dollars from existing sources, and new appropriations to add (50) new supportive services staff (Reentry Navigators/Peer Support Specialist) at the local level, following the homeless services model, to provide justice-involved people the opportunity to access and maintain permanent housing opportunities. Services are designed to support clients who move into housing units for up to one year after their initial residency.

- **Responsibilities**

- Expand Rapid Rehousing model to focus on Returning Citizens
- Redefine the chronically homeless and homeless definition to include people returning from prison
- Provide permanent supportive housing specifically for Returning Citizens, with a focus on landlord and neighbor mediation, mental health support, substance misuse treatment, budgeting/financial class, housing maintenance class, and mentoring.
- Reallocate funds, and appropriate new funding, to hire at least (50) new reentry housing supportive services workers, including peer support specialists.

- **Budget:** The budget for this project is [\$2.5] million for [50] new supportive services staff across the state. If implemented with matching funds or in-kind resources from local stakeholders, additional positions could be leveraged.

- **Type of Action:** Executive and Legislative (reallocation/appropriation)

- **Timeline:** Short to Mid-term

SRCC Housing Workgroup Recommendation #3

RECOMMENDATION SUMMARY

Expand transitional housing units for short term reentry residents. Focus will be returning citizens, individuals that are required to register in the sex registry in North Carolina. Review certifying transitional housing standards. Recruit and educate new housing partners on the public safety benefits or transitional housing. Change local zoning ordinances that will consider returning citizens. Empower local reentry councils to coordinate residential placement.

● **Responsibilities**

- Expand residential and commercial transitional housing units for short term reentry residents. Focus will be given to returning citizens, individuals that are required to register in the sex registry in North Carolina.
- Establish NCDPS oversight committee/department to create housing certifications and inspections.
- The NCDPS, along with the local reentry councils, will market and educate the community to expand housing partners, and to work with local government regarding zoning ordinances.
- The local reentry councils will be used to help coordinate resident placement and concurrent care.
- Sell/lease properties for \$1 (owned by: City/County Municipalities or The State of NC) to credible non-profits with reentry experience in development to create transitional housing.

● **Budget:** The budget for this project is \$3-5 million for expansion of current and new housing programs. A portion is to fund NCDPS oversight for certification and inspection of housing. State funding would be in part and portion with community and non-profit partnerships.

● **Type of Action:** Local, Legislative, and Executive.

● **Timeline:** Short to Mid-term

BACKGROUND

In North Carolina, individuals transitioning back into society after serving time for a criminal offense face a blockade and there is virtually no reasonable pathway for reentry. Individuals that have served their time and have determined to make a life change, need a positive and supportive pathway to become part of their communities again.

Risk mitigation programs help to recruit landlords to work with groups they may normally screen out by covering potential property damage and loss of rent due to unit vacancy. Local reentry councils and other agencies serving people returning from prison could use this tool to increase the housing options available to people returning from prison. Most people exiting prisons will be able to maintain stable housing on their own with only the help of short-term assistance and some services, but some people with disabilities, especially those with mental illness, may need longer-term housing assistance and supports. Without appropriate longer-term support, this group may fall into chronic homelessness or become institutionalized in adult care homes or other health care institutions. Supportive housing, which pairs long-term rental assistance with appropriate services and supports, is extremely effective at helping people with disabilities maintain stable, independent housing.

A robust supportive services component is an essential element of any program to recruit private landlords and public/non-profit housing providers in serving vulnerable populations like people in reentry. Housing supportive services models have proven effective with other vulnerable populations and should be expanded to serve more people in reentry. This could be done through local reentry councils, existing homeless service providers, or other agencies in local communities who are dedicated to serving people in reentry. It also offers an opportunity for training peer support counselors to provide jobs for justice involved people with lived experience helping others currently in the process of reentry.

STAKEHOLDERS

- This recommendation provides an opportunity for collaboration between housing, criminal justice, and health care stakeholders.
- Vocational Rehabilitation
- Justice Involved Individuals
- Community Colleges
- Local Universities
- Developers
- Apartment Complexes
- Hotels/Motels
- NC Housing Finance Agency
- Federal Home Loan Bank of Atlanta
- Department of Health and Human Services
- Department of Public safety
- Local Reentry Councils
- Local Non-profit Agencies
- Probation/Parole
- Real Estate Companies
- Board of Realtors
- Landlords
- Urban Planners
- Homeless Continuums of Care (CoCs)
- NC Coalition to End Homelessness
- Private Foundations
- County Government
- City Municipalities
- Sheriff/Police Department
- Public Housing Agencies
- Faith Communities
- Legislators

SRCC Transportation Workgroup

SRCC Transportation Workgroup Recommendation #1

Expand DMV Mobile Unit services to all minimum custody facilities and pilot program to train, credential, and otherwise facilitate a North Carolina Department of Public Safety (NCDPS) corrections officer at each reentry facility providing DMV services.

SRCC Transportation Workgroup Recommendation #2

To facilitate imprisoned people restoring driver's licenses prior to release and maintaining licensure during post-release supervision, the SRCC Transportation workgroup recommends the NC General Assembly (i) provide funding to nonprofit legal services providers to resolve indefinite driver's license suspensions under G.S. § 20-24.1 and (ii) amend several provisions of Chapter 20 of the North Carolina General Statutes, including:

- a. G.S. § 20-24.1(a)(2) to require a pre-deprivation hearing to determine a defendant is able to pay in order to suspended the defendant's license for failure to pay;
- b. G.S. § 20-24.1(b) to provide for automatic restoration of a driver's license after a 12-month suspension period;
- c. GS § 20-26(b) to provide free certified driving records to nonprofit legal services providers;
- d. various provisions to allow hearings on permanent suspensions to occur in the county of residence;
- e. G.S. § 20-28(a) to make retroactive the amendments of Session Law 2015-186 eliminating permanent suspensions for 3 or more convictions of driving while license revoked-not impaired revocation.

SRCC Transportation Workgroup Recommendation #3

To increase access to public and private transportation services for people on post-release supervisions, the SRCC transportation workgroup recommends that NCDPS establish a pilot voucher system to fund transportation expenses of people on post-release supervision based on need and at the discretion of post-release supervision officers.

SRCC Transportation Workgroup Recommendation #4

The SRCC transportation workgroup recommends that the NCDMV establish a presumption of restoration for incarcerated individuals with permanent suspensions for 3 or more convictions of Driving While License Revoked and not require a hearing for permanent suspensions for 3 or more convictions of DWLR unless the underlying suspension was related to a Driving While Impaired offense.

Other recommendations:

- The North Carolina General Assembly amend G.S. § 148-10.5 to require North Carolina Department of Public Safety (NCDPS) to identify and attempt to resolve all outstanding traffic charges while an individual is in custody.
- District Attorneys use data from the NC Administrative Office of the Courts and a best practices toolkit created by the Driver's License Restoration Project to resolve all pending and otherwise unresolved traffic offenses causing driver's license suspensions for people currently incarcerated.
- The NCDMV establish a rule for G.S. § 20-7(i1) to provide for indigency waiver of restoration fees and service fees for all incarcerated individuals; ensure the completion of Drug Alcohol Recovery Treatment (DART) or DART-Cherry satisfies the assessment and treatment requirements for a Driving While Impaired (DWI) conviction and TASC satisfies the substance abuse assessment requirement; Produce a report on the number of suspended driver's licenses for people in NCDPS custody, including reasons for suspension, lengths of suspension, and demographic data; redraft the notice letter for suspensions pursuant to G.S. § 20-24.1 to inform recipients of potential relief under G.S. § 20-24.1(b).
- The Office of the Governor partner with the NC Department of Public Safety and nonprofits, including congregations, to pilot a volunteer transportation services program that provides software, liability insurance, training, and other support to facilitate volunteers providing free transportation to essential employment, goods, and services to people on post-release supervision. The Department of Public Safety should explore using surplus automobiles and prison labor to support this program in rural communities.

SRCC Mental Health, Substance Misuse, and Medical Workgroup

Recommendation #1

Recommendation Summary

Explore the feasibility of a data sharing agreement between the North Carolina Department of Public Safety (NCDPS) and the Department of Health and Human Services (DHHS) to:

- a. Identify persons who are incarcerated in NC who have active Medicaid coverage, and eliminate premium payments to Local Management Entity-Managed Care Organization (LME-MCOs) for those individuals.
- b. Facilitate the timely re-establishment of Medicaid for eligible individuals upon their release from prison.

Background

Successful implementation of this recommendation might save the state a significant amount of money, if there are cost savings due to eliminating premium payments to the LME-MCOs for inmates. South Carolina, for example, reported recovering \$1,400,000 in premium payments to their managed care contractors. The amount of recouped costs that North Carolina might recover has yet to be determined.

Timeline:

What can be done now?

- Establish a committee to consider the feasibility of a data sharing agreement between NCDPS and DHHS, including staff with the skills to determine the technological challenges involved in matching the DHHS / Medicaid and NCDPS databases.

In the short-term – within six months?

- Negotiate and execute the data sharing agreements between NCDPS and DHHS.

Recommendation #2

Recommendation Summary

Expand Medicaid in North Carolina

Recommendation #3

RECOMMENDATION SUMMARY

- Make a range of Medication-Assisted Treatment (MAT) options available to those who are incarcerated with a history of opioid dependence.
- Obtain and distribute Narcan overdose reversal kits to releasing individuals and provide them instruction on the use of these kits.

BACKGROUND

An estimated two-thirds of prison inmates have a substance use disorder (SUD), and of those, many are dependent upon opioids. Inmates who are dependent on opioids need best practice treatments to reduce their risk of overdose death, enhance their chances of recovery, and therefore lower their rates of recidivism. Studies have found the greatest success in treatment of opioid dependence when a range of medications for treatment of addiction is available. In particular, multiple studies have also shown that people who've received MAT in prison have lower recidivism rates than those with opioid dependence who have not received this treatment. MAT has also been found to have public health benefits, as it has been shown to be effective in helping preventing the spread of infectious diseases, like HIV.

In addition, when inmates with opioid dependency leave prison, their risk of death from an overdose within the first two weeks following release has been found to be more than 100 times greater than any other population. There is no population at higher risk of death, and no risk period greater, than for persons with opioid dependence who've just been released from prison.

Individuals with opioid addictions prior to incarceration usually detox on their own in prison, and often are not aware of their diminished tolerance to these drugs when released, making them vulnerable to an accidental overdose.

The increased availability of extremely potent opioids like Fentanyl makes the need for medications to reduce overdose deaths even more important. Also, as cocaine and other drugs are increasingly cut with opioids like Fentanyl, other drug users are also increasingly at risk of an overdose - not just inmates with opioid dependence.

Recommendation

To enhance their chances of successful re-entry, and reduce their risk of relapse and overdose death, Medication-Assisted Treatment (MAT) should be provided to those with opioid dependence while in prison.

In addition, all inmates should be informed about their risk of death from overdose upon release from prison, especially those who have used opioids and other drugs in the past. Those releasing

individuals with a history of opioid dependency should receive Narcan kits, and instructions on how to use these kits, for overdose reversal. By providing MAT and Narcan kits to releasing individuals, risk of overdose death among them upon release can be reduced by 60%.

Stakeholders:

NC Department of Public Safety
Local Re-Entry Councils
Harm Reduction Coalition
Drug Alcohol Recovery Treatment (DART) – Cherry
SUD providers in the community.

Timeline:

What can be done now?

- Begin planning for the development of an MAT program in our prison system. Establish a working group to determine the cost of piloting an MAT program, secure funding for an MAT program, determine the facility in which it would most appropriately be piloted, how inmates will be selected for participation in the MAT program, and develop protocols for implementation of the MAT program.
- Begin planning for the development of educational materials that warn those about to be released of their risk of death from an overdose, due to reduced tolerance following their abstinence from drug use while in prison. Communicate to all prison social workers and case managers the need to provide this warning to all those who are soon to be released.
- Establish a committee to develop a plan to distribute Narcan kits to releasing inmates.

In the short-term – within six months?

- Train staff on implementation of the MAT program protocols and procedures.
- Begin MAT for those inmates with opioid addiction in prison, and link them to MAT providers in the community upon their release.
- Develop a system for identifying inmates with a prior history of opioid dependence, and target them for information and education within a month prior to their release.
- Develop educational materials, flyers, and posters warning inmates of their risk of overdosing on opioids after release.

In the intermediate term – 6 to 18 months?

- Evaluate effectiveness of the prison MAT program. Refine the MAT model and protocols.
- Purchase and distribute Narcan Kits to releasing inmates with a known history of opioid addiction.

In the long-term – more than 18 months?

- Expansion of MAT to other NC prisons.

Type of Action Required:

Executive action will be needed. The North Carolina Department of Public Safety (NCDPS) will need to provide support, coordination, and assistance to establish linkages with prisons, local re-entry councils, and to help identify inmates who need MAT, and inmates who are at highest risk of overdose and should receive such instruction and/or Narcan kits. Legislative action may be required, if additional funding is sought.

Budgetary estimates / considerations:

Cost estimates would depend on the resources available to purchase medications for MAT and to train staff to administer the MAT program. Cost estimates would also depend on the resources available to purchase and distribute Narcan kits. Cost of one Narcan Kit containing two doses = \$75.

Potential barriers:

Cost of medications for MAT.

Cost of Narcan Kits.

Stigma of opioid addicts, and opposition to MAT by those who view it as enabling the opioid addict.

Recommendation #4

RECOMMENDATION SUMMARY

Explore innovative ways to reinstate or expand health insurance coverage to formerly incarcerated individuals, similar to efforts underway in South Carolina to help assure those who are eligible receive Medicaid as quickly as possible upon their release from prison.

1. Pilot the establishment of Medicaid eligibility workers at one or two re-entry facilities. These Medicaid eligibility workers could help releasing inmates apply for benefits, prioritizing those with the highest likelihood for obtaining Medicaid (i.e., those over 65 y/o, mothers, and those who previously received Medicaid). These workers may also train other correctional staff on how to assist in completing these applications.
2. Study the possibility of expanding the Medicaid Family Planning Waiver (FPW) program to cover health conditions other than those directly related to family planning. Expanding the FPW program to cover a wider range of health conditions would enable some recently released individuals to have health insurance that they'd not otherwise be able to obtain.

BACKGROUND

Most individuals released from prison to the community are not eligible to receive Medicaid. Like North Carolina, South Carolina (SC) has not expanded Medicaid. However, SC has requested permission from the Center for Medicare and Medicaid (CMS) to use their Medicaid FPW program to cover screenings for health conditions, like heart disease, that could impact a pregnancy. Both SC and Texas have requested permission from CMS to further expand the FPW program to pay for preconception health services, such as treatment of chronic diseases, including mental illness and substance use. If SC and Texas are granted permission by CMS to use the FPW program to pay for treatment of chronic health conditions, North Carolina should similarly explore using the FPW program to provide medical care to released inmates to treat those same medical conditions.

Stakeholders:

NC Department of Public Safety

NC Department of Human Services – Division of Medical Assistance (DMA) and Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS)

Center for Medicare and Medicaid Services (CMS)

Timeline:

What can be done now?

- Track the efforts of SC and Texas to obtain permission from CMS to use the FPW to pay for preconception health services and chronic health conditions.

In the short-term – within six months?

- Timeline to be determined.

In the intermediate term – 6 to 18 months?

- Timeline to be determined.

In the long-term – more than 18 months?

- Timeline to be determined.

Type of Action Required:

Executive action will be needed.

Legislative action may be required, if additional funding is sought.

Budgetary estimates / considerations:

Costs of hiring two Medicaid eligibility workers to pilot this program are estimated at \$100,000.

Potential barriers:

Implementation for expansion of the FPW program hinges upon permission provided by the federal government (i.e., CMS) to use the FPW for the purposes indicated.

Recommendation #5

RECOMMENDATION SUMMARY

Expand the North Carolina Formerly Incarcerated Transition (or FIT) Program to establish patient-centered primary care medical homes for returning inmates with chronic medical conditions, mental illness and/or substance use disorder (SUD).

There has been no system providing linkages to healthcare during the critical transition from incarceration to the community. The NC FIT Program builds on investments being made by the NC Department of Public Safety (NCDPS) to remission the state prison system to improve reentry. In coordination with NCDPS the FIT Program extends the work of local reentry councils and community-based organizations to link recently released prisoners with essential healthcare services. The North Carolina Community Health Center Association has been an important partner in establishing partnerships with Federally Qualified Health Centers that are uniquely positioned to care for these complex patients addressing physical and mental health as well as treatment for SUD. The NC FIT Program utilizes specially trained community health workers (CHWs) with a personal history of incarceration, to establish rapport and trust and act as peer navigators in all aspects of reentry. Currently there are FIT Programs in Orange and Durham Counties, and expanding into Wake and Mecklenburg in August 2018. The NC FIT Program is based on the Transitions Clinic Network model that is being successfully implemented in 25 clinics in eleven states and Puerto Rico.

The FIT Program emphasizes:

- Strong linkages with NCDPS to coordinate warm handoffs of care from incarceration to needed healthcare services in the community.
- A peer navigator model that works with local reentry councils and community-based organizations to create comprehensive reentry plans including healthcare.
- Culturally competent, patient-centered medical services capable of addressing the complex needs of people returning to their communities that suffer from multiple comorbidities.
- Close partnerships with key stakeholders in North Carolina that include NCDPS, County Jails, County and State Departments of Public Health, local reentry councils, community mental health, community SUD treatment and the North Carolina Community Health Center Association.

The FIT program is currently being operated in collaboration with the state's Department of Public Safety, the UNC Medical School's Department of Family Medicine, the NC Community Health Center Association, the Orange and Durham County Health Departments, Piedmont Health Services, Inc. and the Lincoln Community Health Center. New partners are the Charlotte Community Health Clinic and the Center for Community Transitions in Mecklenburg County, and Advance Community Health Center and UNC Wakebrook Primary Care in Wake County. We recommend expanding this model to 5 additional sites within North Carolina and piloting a medical discharge planning program for prisoners being released to more rural counties with fewer reentry resources.

BACKGROUND

In 2017 nearly 25,000 people were released from North Carolina Prisons. Best estimates tell us that 30-40% suffer from chronic disease including Diabetes, Hypertension, Kidney problems and Lung disease. Up to 20% have significant mental illness and 50% likely suffer from SUD. Only individuals

with HIV/AIDS are regularly linked to healthcare. An additional barrier is lack of health insurance for the majority of this population. We also know that recently released individuals are 74 times more likely than the general population to die of a heroin overdose in the first 2 weeks post-release.

Commonly, recently released individuals suffer from housing and food insecurity, barriers to transportation, unemployment, and are disconnected from essential healthcare services. Without assistance and treatment, re-arrest and reincarceration are almost certainties. The vast majority of this population only receive medical care through expensive emergency room visits and preventable hospitalizations, neither which result in linkages to ongoing primary care or treatment for mental illness and/or SUD. This pattern of continued emergency medical care ultimately dramatically raises costs of healthcare for this vulnerable population. People who are incarcerated have much higher rates of communicable diseases, like TB, hepatitis, and HIV/AIDS, and when they are released back to the community without adequate healthcare, not only is their health at risk, but so is the health of the community. Treatment for SUD reduces crime and recidivism. The FIT Program connects recently released prisoners with essential health services in a timely and cost-effective program that builds on efforts of NCDPS, existing reentry resources and the NC safety net health system. Additionally, it is a natural extension of the statewide efforts to combat the opioid overdose epidemic and protects the overall health of our communities.

Stakeholders:

NC Department of Public Safety
Local Re-Entry Councils and Community-Based reentry organizations
Federally Qualified Healthcare Centers and safety net clinics
County Health Departments
County Jails
NC Department of Public Health
Mental Health Services local and statewide
Substance Use Disorder Treatment Programs and Statewide Opioid Overdose reduction efforts
University of North Carolina
Transitions Clinic Network
Families and communities impacted by mass incarceration

Timeline:

What can be done now: Work directly with NCDPS to identify new locations for FIT Program expansion. Continue discussions with NCDPS about implementation of a medical discharge planning model at prisons releasing people to areas without a FIT Program. Continue discussions with NCDPS and county jails about screening prisoners to be released for opioid use disorder to start Medication Assisted Treatment.

In the short-term –6 months: Fortify the network of the 4 FIT pilot programs to ensure fidelity of implementation, and continue to work on solutions to the social determinants of health facing this population. Establish contact in identified expansion sites with reentry community, law enforcement and safety net clinics to prepare for FIT Program implementation in those new counties. Initiate screening program for opioid use disorder in all FIT Program clients and start referrals to Medication Assisted Treatment (MAT). Begin to pilot medical discharge planning for

prisoners with chronic disease, mental illness and/or substance use disorder that are not in NCDPS Transition Prison sites.

In the intermediate term 6-18 months: Hire CHWs for two new FIT Program sites and train partners in implementation of the FIT Program, develop MOUs with local reentry partners and health service providers. Begin in-reach into local prisons and jails to identify clients to enroll in FIT Programs. Hire regional Social Workers for pilot of Prison medical discharge planning program in coordination with NCDPS and NC Community Health Center Association. Continue implementation of treatment with MAT for recently released prisoners and plan for MAT pilot in the NC Prison system.

In the long-term – more than 18 months: Continue to expand the FIT Program in coordination with NCDPS across the state, expand Prison Medical Discharge planning program to all regions of the state with prisons that house prisoners with chronic disease, mental illness and/or SUD. Expand program initiating MAT prior to release for high risk prisoners for opioid overdose and increase community resources to continue MAT in the out-patient setting.

Type of Action Required:

Executive action will be needed. The NCDPS will need to provide support, coordination, and assistance to establish linkages with prisons, local re-entry councils.

Legislative action may be required, if additional funding is sought.

Budgetary estimates / considerations:

The existing FIT Program received initial funding from the NC Department of Health to start the pilot in Durham County. A grant from the Duke Endowment allowed us to continue the program in Durham and extend into Orange County for a 3-year period. A recent contract with NCDPS will support 3 new CHWs this year for Wake and Mecklenburg counties with an additional 2 the following year. Both Durham and Orange County Health Departments are contributing to salary support for their CHWs. Funding is requested to fortify the existing NC FIT Program in extending ability to offer Medication Assisted Treatment for Opioid addiction and cover transportation costs and medical visit/pharmacy copays for clients. Additionally, to expand the FIT Program to other NC communities.

Cost per FIT site:

CHW salary and benefits: \$55,000

Administration support from FIT Program local partner: \$10,000

Administrative support from NC FIT Program including program evaluation: \$57,000

Technical support from Transitions Clinic Network \$7,500

Copays for medical visits and pharmacy for 100 clients (\$250 per client per year): \$25,000

Copays for MAT treatment visits and medication for 20 clients: \$43,000

Transportation Vouchers for 100 clients (\$100 per client): \$10,000

Total cost per FIT site: \$207,500 per year

Estimated cost for Prison Medical Discharge pilot program:

Support is also requested to pilot the Prison medical discharge planning program for 2 regions to be determined by NCDPS.

Pilot for Discharge Planning Year 1: \$210,000

Potential barriers:

Inadequate access to MAT in the community
Limited reentry services in rural and more under-resourced counties
Lack of adequate community mental health and SUD treatment
Lack of health insurance for most people coming out of incarceration
Difficulty in obtaining medical records of formerly incarcerated people
Lack of information on health care utilization of uninsured people.

SRCC Advocacy Workgroup

Recommendation #1

RECOMMENDATION SUMMARY

In order to raise awareness and educate the general public about reentry efforts in the State of North Carolina, this workgroup recommends the implementation of a Reentry Awareness Campaign. This awareness campaign would include comprehensively engaging broadcast, digital and print media, community advocacy resources, faith-based communication channels and leverage partnerships with reentry involved agencies, organizations, and associations. By utilizing these various information and communication sources, the campaign will give external and internal audiences insight into the numerous challenges and barriers faced by citizens transitioning from incarceration back into their communities. Subsequently, the campaign will spark a healthy dialogue that will foster understanding, acceptance, support, and the creation of healthy, safe, and sustainable communities.

BACKGROUND

In North Carolina, the vast majority of people currently serving time in the state's prison facilities will eventually be released. The challenges faced by the formerly incarcerated often stem from the stigma associated with having been in prison. As the SRCC works to remove the barriers that tend to derail a successful reentry process for many individuals, it is important that critical work first be done to change the perceptions which fuel the prejudicial practices that cause roadblocks for individuals when they seek the basic necessities they require in order to start their lives over again; those include housing, transportation, employment, education, medical and mental health services, and family support.

In 2018, NC Reentry Week was launched by the Statewide Reentry Council Collaborative to raise awareness of the challenges individuals face as they work to rebuild lives and enter communities after incarceration. Governor Roy Cooper issued an official proclamation aimed at bringing attention to reentry issues and spotlighting the work of the SRCC and the successful outcomes resulting from the group which combines skill sets and resources of governmental agencies, community leaders, service providers, law enforcement, and faith and advocacy coalitions to create a sustainable action plan for the successful reentry of people leaving the state's prisons and jails. A keen focus on providing access to critical services and improving accommodations are believed to have positive, long-term implications on public safety by reducing the likelihood of recidivism, filling potential gaps in the workforce, fostering economic independence and lifting the social stigma commonly associated being incarcerated.

RECOMMENDATION

The SRCC Advocacy workgroup recommends that the legislature allocate funds for the execution for a comprehensive public awareness campaign. This initiative will utilize the skill sets and knowledge of existing communication and marketing personnel from the NC Department of Public Safety and members of the SRCC who are experts with experience in advocacy, outreach, and public relations. Funding would be used to develop printed and digital collateral, produce information videos for commercial broadcast, venue and talent acquisition

for community and public forums and town hall meetings, and participation in community and faith-based events across the state.

Proposed campaign components and deliverables:

- Printed brochures and information flyers
- Broadcast and print media coverage
- Social media campaigns – multi-channel
- Public community forums and town hall meeting
- Video productions: mini- Division of Adult Corrections and Juvenile Justice documentaries and public service announcements
- Exhibitions, trade shows and job fairs
- Speaker series (speaker bureaus)

Preferred language glossary: The glossary would feed into all external communications related to the SRCC, particularly during the campaign. It would discuss how language can further the stigma against individuals re-entering society after their time in incarceration. These stigmas often hinder people’s abilities to rebuild stable lives and access to factors like housing and employment. The language glossary would serve as a guide for communicating to and about people reentering society. It would identify words that have a problematic origin or define people by their time spent incarcerated, and instead provide alternative language intended to help people regain control of their individual narratives.

STAKEHOLDERS

This initiative, while targeting all North Carolina citizens, will require engagement from a cross representation of government and community stakeholders, as well as individuals who were formerly incarcerated or the families of those who have been incarcerated.

BUDGET

Still under development

TIMELINE

Still under development. Signage, etc., may run into the hundreds of thousands of dollars to implement statewide.

SRCC Advocacy Workgroup Recommendation #2

Communication Strategy

A core component of any communication strategy is the integration and leadership of impacted individuals, families, and communities. It will be necessary to educate the public, stakeholders, policymakers, and the press about the need for reform. A multi-strategy effort will need to be developed with the following key activities:

- o Support partner outreach and press efforts by collecting the stories of impacted individuals and deploying high-quality videos of these stories through social media;
- o Launch several social media campaigns that garner significant new engagement and messages about reentry issues and reform;
- o Train impacted individuals to serve as spokespeople at press events;
- o Engage partners to understand the reforms needed and to participate in press events and communicate with their networks and decision-makers;
- o Publish regularly through allied groups' communications, including widely read blogs;
- o Develop and maintain relationships with reporters and editorial boards to secure stories, opinion pieces, and editorials in all major media markets;
- o Hold press events with allies around the state;
- o Organize meetings to educate business leaders, community leaders, decision makers and other influential citizens.

We will need to develop—and adapt for this campaign— an array of communications tools and messaging focused on the reasonableness of a comprehensive and coordinated reentry system, the waste and economic cost of unnecessary barriers that exclude individuals working to re-integrate to their communities, and the successful, bipartisan and evidence based reforms making progress around the nation. Our messaging should focus on detailing the experiences and needs of impacted men and women, as described and explained by those individuals.

SRCC Advocacy Workgroup Recommendation #3

Recommendation Summary

The Advocacy Workgroup recommends that all SRCC Principal Members participate in a Phase 1 Racial Equity Institute training prior to the start of the implementation phase of the SRCC recommendations. We also recommend that at least 25% of the SRCC Principal Members are people who have been justice-involved.

Background

In the United States and in North Carolina, race has always been a primary determining factor in every area of well-being from educational attainment, life expectancy, income level, quality of health, and, finally, an individual's likelihood of being involved in the justice system. Numerous books, articles, and studies have revealed the racial disproportionality in justice system outcomes as a whole. For example, African Americans are incarcerated at more than 5 times the rate of whites, and even though African Americans and Hispanics make up approximately 32% of the US population, they comprised 56% of all incarcerated people in 2015.¹

In North Carolina in particular, extensive research has been done on racial disparities in the justice system on everything from traffic stops to being referred to juvenile court to contact with the adult correctional system. African Americans only make up 22% of the State's population, but they comprise 57% of North Carolina's prison population. Close to home, in Durham County, African Americans are nearly nine times more likely to be incarcerated for criminal conduct than whites.²

National surveys measuring the "racial typification of crime" - particularly the extent to which people explicitly associate crime with blacks and Latinos - reveal that this occurs most strongly among whites. In addition, implicit bias tests have shown that the general public holds negative associations of blacks and Latinos and frequently suspects them of criminality. These biases are believed to reach all corners of the criminal justice system.³ The ubiquity of these racial biases is an important factor in the difficulty of eliminating racially disparate criminal justice outcomes. These biases, of course, extend to reentry efforts, and people of color are disproportionately on the receiving end of reentry programming. This makes it that much more necessary that SRCC members, most of whom are white, have an awareness of the historical racial framework of our criminal justice system and can critically examine and question their own racial biases.

1 <https://www.naacp.org/criminal-justice-fact-sheet/>

2 https://www.unc.edu/~fbaum/papers/NCAJ_Exec_Summary.pdf

3 <https://www.sentencingproject.org/publications/race-and-punishment-racial-perceptions-of-crime-and-support-for-punitive->

Recommendation

The workgroup recommends that all SRCC Principal Members participate in a Phase 1 Racial Equity Institute training prior to the start of their meetings on the implementation of the 10 immediate 2019 recommendations. This would help ensure that all SRCC Principal Members have an adequate and accurate baseline understanding of the history of racial prejudice and racist policies throughout the history of the U.S., especially how this history has played a critical role in determining current racial disparities in the justice system. Undergoing this training would also serve as a start in making sure that all SRCC members are able to operate from an organizational definition of racism, as well as ensuring that they can both proactively address racism and ensure racially equitable outcomes in their organizations and communities. Like the rest of the criminal justice system, true reform in reentry cannot be accomplished without viewing the work through a racial lens. This training will create the necessary context for reentry reform and will prime stakeholders to be conscientious and aware of deep-seated biases that risk hindering the important work the council is poised to do. In addition, since the SRCC will consist of many fewer members during the implementation phase than it does now, it should be entirely possible to have all the SRCC members undergo this training, even if not all SRCC members go to the same training. Some of the more zealous SRCC principal workgroup members might even want to take their knowledge of racism further by participating in REI's Phase II training in order to practice reframing problems and determining solutions with a racial equity lens.

This workgroup also recommends that SRCC Principal Members make an explicit effort to get justice-involved people to the table during the SRCC implementation phase that will take place in 2019, such that at least 25% of the SRCC Principal Members are people who have been justice-involved. This will ensure that people with a diverse set of experiences with the justice system are at this table and will reduce the chances that the SRCC is viewed as (or actually is) a top-down bureaucratic group that does not always keep the interests of affected individuals top of mind. This percentage is necessary to ensure that SRCC Principal members who were justice involved are not "tokens" but are critical voices in the conversation. Additionally, from a public relations perspective, it is hypocritical not to give justice involved folks a seat at this table when we are trying to convince the public to give them a chance. We must model the inclusion we are asking for from the public.

Stakeholders

SRCC Principal members will benefit from their increased ability to ground their work in power and race-based analysis. Also, indirectly, the LRCs and corresponding local reentry stakeholders will hopefully also benefit from the SRCC Principal members' greater awareness of race-based power dynamics. The SRCC will also have a more successful implementation process as a result of having a more diverse set of experiences with the justice system at the table during the implementation phase.

Budget

Still under development

Type of Action

Immediate organizational change

SRCC Faith/Community Based Organizations Workgroup

Recommendation #1

Recommendation Summary

This workgroup recommends planning and hosting a statewide Reentry Conference in late February/early March 2019.

Recommendation

This workgroup is planning a statewide Reentry Summit, which will take place in late February/early March 2019 to convene reentry stakeholders, Local Reentry Councils, members of the faith community, and volunteers to share information about reentry, network, share best practices, and get involved in reentry at their local level.

We are hoping that this conference becomes an annual event. It is not intended to be an event specifically relating to the goals of this administration; we hope it continues in perpetuity and that it grows into a 2- or 3-day conference in future years.

This conference must be culturally sensitive and responsive to the needs of Hispanic/Latinx residents returning to their communities. To that end, reentry workshops should be available in both English and Spanish, and the needs of a racially diverse prison population should be addressed in the Diversity in Reentry afternoon session.

Planning for the conference includes designing and distributing flyers, developing the conference schedule, reaching out to speakers and guests, managing registration and billing, and planning conference logistics.

Stakeholders

NC Clergy
Conference Invitees
Governor's Office

Type of Action

Conference Planning

Recommendation #2

RECOMMENDATION SUMMARY

Volunteering in prisons has proven to be a successful tool to those who are incarcerated and seeking assistance in rehabilitation, reentry, employment, housing and establishing a successful transition home, especially for families seeking restoration and healing as a result of their loved one's incarceration. Volunteers often provide an alternative solution to behavioral patterns and can help the person develop a level of trust. Most people who are incarcerated often find their temperament change as a result of the love and support they receive from volunteers. In alignment with SRCC's premise that a stronger partnership between Division of Adult Correction and Juvenile Justice (DACJJ) personnel and volunteers who wish to serve the incarcerated, our recommendations include more transparency about the application and approval process for individuals must go through to serve inside prison facilities, as well as more information about the programs for which volunteer involvement is welcome.

BACKGROUND

"Each year, more than 700,000 people are released from state and federal prison, while another 9 million people cycle through local jails. Statistics indicate that more than two-thirds of state prisoners are rearrested within three years of their release and half are reincarcerated. High rates of recidivism mean more crime and pressure on an already overburdened criminal justice system" (Caporizzo, 2011). Currently, in NC there are 36,991 people incarcerated, 87,712 people on probation and 12,200 on post release or parole (NCDPS).

At present, the NCDPS website contains no guidance for people wishing to consider volunteering inside facilities. Research has identified promising practices from other states for onboarding volunteers that are interested in working in correctional facilities. Most states begin the process of volunteering in prisons on their websites by providing an application form or point of contact. Some states provide additional information about requirements, expectations, and a description of the process. **The best example found of online guidance was in Oklahoma, which is summarized with other states below.**

All applications to volunteer require a background check. This could usually be performed by state or national center/agency, and submitted to whomever collects volunteer materials in that state. All states required training, although the source of the training varied. Some had online modules, some had courses run by the state Division of Adult Corrections and Juvenile Justice, and others held trainings specific to the facility, or a mix of each of these requirements. Other kinds of vetting like age, commitment, ethics and residency requirements, as well as relationship limitations, were also handled on various levels. However, a model that vets applicants on the state departmental level for statewide standards such as age, general rules/ethic training, and background checks, seemed standard and functional in most states, vetting applicants before deferring them to facilities or local volunteer coordinators.

Some states can share vetting information between facilities by having a Volunteer Coordinator that collects this information. Oklahoma's system enables a volunteer to complete registration through an online account, which could be used multiple times to sign up for different facilities and programs.

This varied from state to state, some volunteers were directed to contact local coordinators or directly to facilities. However, most states at least provided a start to the application process on their state website. This was typically an application form and summary of requirements. From there, some states collected these materials through the DACJJ, to later be assigned to a facility, whereas others provided facility-specific contacts to whom they could send materials. In states such as Colorado, applications, vetting, and general training were done by the State DACJJ, and volunteers were sent to facilities afterward for orientation. More detail on this model can be found in the State-Specific Models section below.

INNOVATIVE SOLUTIONS

Arizona

To start the volunteer process, an applicant would submit a resume to an open position on the state jobs website. These volunteer positions are listed among other state employee positions, so the website recommends filtering the list with the keyword ADC. This submission is reviewed, and the applicant interviews with staff from the Arizona Department of Corrections (ADC), and then completes application materials. A “volunteer assignment” is determined at this point. Then they are vetted through a background check, drug test, and TB test. All potential volunteers then complete 3 online training modules from ADC.

In Arizona, much of the volunteer process, vetting and training goes directly through ADC, and not the local facilities.

<https://corrections.az.gov/volunteer-opportunities>

Colorado

Colorado DACJJ volunteering webpage made a specific request for group/organizations to apply to volunteer. Individuals from these groups, however, would undergo an application, vetting and training process with the state. First, an applicant would fill out the online application, undergo a criminal background check, and either be accepted or denied at that point. If accepted, the applicant would then schedule training conducted by DACJJ, which is conducted in-person at various locations. This “Basic Volunteer Training” includes an introduction to the department, professionalism and communication training, and training on working with people in prison, including sex offenders. Additional training is available for specific kinds of volunteers, such as mentors. After this, the trainee attends an orientation and tour of the facility, and then their information goes to the prison warden, who signs off on completion of the process and grants final approval.

<https://www.colorado.gov/pacific/cDACJJ/volunteer-opportunities-0>

Georgia

According to the Georgia Department of Corrections, anyone interested in volunteering starts the process by contacting the Facility Volunteer Coordinator at the location they intend to volunteer, who provides an application. The application, background check, and training is completed through the specific facility’s volunteer coordinator. This includes an on-site orientation and training. The background check is completed through the Georgia Crime Investigation Center or the National Crime Investigation Center. The state provides a volunteer I.D. and Locator Card.

<http://www.dcor.state.ga.us/Divisions/InmateServices/Reentry/Volunteers.getInvolved>

Maine

In Maine, volunteers are mostly recruited by the department heads of prisoner programs. However, anyone who is interested is directed to contact the Deputy Warden of Prisoner Services of the facility they would like to volunteer at. The Deputy Warden provides application materials.

<https://www.maine.gov/corrections/facilities/msp/MSPVolunteerMemo.htm>

Massachusetts

The state website for Massachusetts direct interested volunteers to contact the Volunteer Services Division with an application directly through mail or by phone. The website also provides an informational booklet:

<https://www.mass.gov/files/DACJuments/2017/10/02/Program%20Description%20Booklet%20October%202017.pdf>

Volunteering is also coordinated by two organizations: Our Prison Neighbors (OPN) and Concord Prison Outreach (CPO).

Concord Prison Outreach is a 501 (c)3 nonprofit that works cooperatively with Massachusetts Department of Corrections, serving a total of 9 facilities across the state. CPO recruits and trains volunteers to serve in programs aimed at educating and providing skills to people in prison so that they will be prepared to return to the community. They run programs for education, vocation, emotion, arts/humanities, and families. They assist people in prison to complete certifications and pass exams. According to their website, "The Department of Correction considers us to be one of their most valued partners, and other states are now looking to CPO to help replicate our model elsewhere." Their website also includes information on how to begin the volunteering process.

<https://www.concordprisonoutreach.org/volunteering/get-started-volunteering/>

Our Prison Neighbors was modeled after Concord Prison Outreach. OPN recruits and advocates for prison volunteers. The main differences between the two seems to be OPN's focus on non-violence, and differences in their programs. On their website, different programs and opportunities are listed, as well as contact information for their Director to get involved. According to their website, OPN is "no longer a 501(c)3 nonprofit" and has broadened their mission to include reform advocacy.

<http://ourprisonneighbors.org/>

Oklahoma

The website for volunteering for Oklahoma Prisons has an easy to use search tool that allows volunteers to find opportunities based on location, facility or activity. Once they choose a volunteer position, there is a "sign up" button that leads them to a page dedicated to that specific opportunity, with details and contact information. The volunteer would then view an online schedule where they could sign up for a shift. In order to sign up, they need to have an account registered on the site. To register for an account, the volunteer completes ten steps which include agreeing to a background check, entering personal information and qualifications, and proof of citizenship. This way, one user account holds all necessary application and vetting information, which can be used multiple times across different volunteer openings.

<https://ec.samaritan.com/custom/1481/>

Utah

In Utah, there is an online Volunteer Application form that is reviewed directly by the State Department of Corrections, for various volunteer programs they offer. Vetting, including background checks, state identification, and proof of age are all submitted after this form and reviewed by DACJJ. Religious groups and service projects are also encouraged on the state's DACJJ volunteering page to contact the state Volunteer Coordinator. There is a list of needed projects such as quilting and sheet music.

<http://www.cor.pa.gov/How%20Do%20I/Pages/Become-a-Volunteer.aspx>

Vermont

In Vermont, an interested applicant would send via mail their completed application to the Local Volunteer Coordinator to begin the process. Then, they would interview with the Community Resource Coordinator of Volunteer Services Coordinator. The same coordinator would then hold a training and orientation session. The volunteer would attend a site-specific training for a correctional facility.

<http://DACJ.vermont.gov/volunteer>

Washington

In Washington, the volunteer application is mailed directly to the facility the volunteer would like to attend. If they do not know which they want, it can be sent to a volunteer services email address.

<http://www.DACJ.wa.gov/corrections/programs/volunteer.htm>

STAKEHOLDERS

DACJJ

Local Reentry Councils

BUDGET

There is minimal cost associated with these recommendations. We believe the increased understanding of the roles of volunteers will result in higher numbers of volunteers at facilities across the state. After website changes to begin the application process online are implemented, vetting and approval can be scheduled in a systematic way to maintain open communication between NCDPS, local facilities and volunteers.

TYPE OF ACTION

Executive

TIMELINE

Immediate

Recommendation #3

In order for effective change to take place within the prison system, there needs to be consistency in the volunteer training program at the state and federal levels. Recommendations include:

- a. Volunteer training should occur four times a year.
- b. Program staff will provide blue *and* orange cards at the end of *each* training.
- c. Program staff will explain in detail the observation process, so community volunteers can accumulate their recommended 8 hours of training.
- d. The program supervisor will provide sufficient information around training and blue cards
- e. Program staff will make themselves available to answer any questions around training and scheduling (ex. arranging community volunteer passes, etc.)

STAKEHOLDERS

Division of Adult Correction and Juvenile Justice (DACJJ)
Local Reentry Councils (LRCs)

BUDGET

There is minimal cost associated with these recommendations. We believe the increased understanding of the roles of volunteers will result in higher numbers of volunteers at facilities across the state. After website changes to begin the application process online are implemented, vetting and approval can be scheduled in a systematic way to maintain open communication between NCDPS, local facilities and volunteers.

TYPE OF ACTION

Executive

TIMELINE

Immediate

Recommendation #4

Recommendation Summary This workgroup recommends that every facility/prison have a permanently funded Chaplain position, to include a permanently funded Chaplain for the Transitional Aftercare Network (TAN). We also recommend that all residents have access to religious services and religious study in their native language. If the Chaplain at their facility doesn't speak their native language, Chaplains who are Spanish-speaking need to be willing and able to move between facilities to serve all the Spanish-speaking residents by holding Spanish/bilingual services and bible studies.

Background Chaplains play an important spiritual and emotional role in the lives of residents. They work directly with the residents by providing religious services and accommodating their faith group needs within the scope of NCDPS policy. Their work enhances residents' personal and spiritual development, improves their commitment to ethical and moral growth and accountability, and improves individual preparation for reentry. Chaplains interface with residents, with volunteers both inside and outside the facility, and with those who lead reentry courses. Chaplains are present to plan and/or provide re-entry courses and training for residents and volunteers.

We know that reentry starts the first day of incarceration and that faith is a significant component in lowering recidivism. Therefore, it is also essential that correctional institutions allow religious services and bible studies to be given in the language of the incarcerated. We cannot recommend spiritual support for select residents; we must have such support for all residents.

Recommendation

This workgroup recommends that every facility/prison have a permanently funded Chaplain position, to include a permanently funded Chaplain for the Transitional Aftercare Network (TAN), and that all residents have access to religious services and religious study in their native language.

Budget

Still under development

Type of Action

Executive

Legislative

Timeline

FY 2020 and beyond

SRCC Family Reunification Workgroup

Recommendation #1

Recommendation

This workgroup recommends creating and distributing a brochure with info about all organizations in Wake County having to do with family reunification.

Background

Currently, when you visit the Department of Social Services (DSS) office, there are no handouts available that could lead the person to resources upon reentry.

Recommendation

This workgroup recommends creating a brochure that contains info about the goals, activities, and contact info for all organizations in Wake County having to do with family reunification. After creating this brochure with input from all organizational stakeholders in Wake County, we can use it as a template for what other counties can create as a handout once they have all of those types of resources in their particular county.

This brochure would serve as the preliminary information for post release. It would feature a number of resources related to housing, counseling services, food and other needed resources a family may need in order to effectively help a person transition back into the community. It would be a resource for case managers, offenders, family members and government officials. It would also be a resource for a family member of an offender who is just going into the prison system.

Stakeholders

State and local government, non-profits, faith community, employers, family members of people who are or have been incarcerated.

Budget

Minimal

Timeline

Immediate

Recommendation #2

Mobile App

The workgroup recommends adding a button to the North Carolina Department of Public Safety (NCDPS) page (for now calling it: The Family Reunification Resource Button/Link) to direct families to reunification and other resources of benefit to helping the person incarcerated have a productive and successful transition back into the community. This button would contain a digital version of the aforementioned brochure as well as any other reunification resources not in the brochure.

BACKGROUND

Currently, when you visit the offender search web page there is a host of information about the offender's crime history. There is nothing available on the website that could lead the person to resources upon reentry.

STAKEHOLDERS

State and local government, non-profits, faith community, employers, family members of people who are or have been incarcerated.

TYPE OF ACTION

Department of Public Safety

TIMELINE

Short-term: design/Discussion

Long-term: Production/implementation, January 2019

Recommendation #3

RECOMMENDATION SUMMARY

Conduct professional workshops with Local Re-entry Councils (LRCs) to raise their awareness of family/child reunification issues as part of re-entry services and support. The goal will be to encourage LRCs members to think about family/child issues and how they relate to all areas of re-entry: employment, housing, education, etc.

BACKGROUND

AS LRCs across North Carolina work to ensure appropriate housing, employment, health care, and other services for men and women who are returning home from jail and prison, there is concern that the issues around family/child reunification are not being addressed.

RECOMMENDATION

The SRCC Family and Support workgroup recommends that funds are allocated (by Legislature, Governor's Office, department, community org, etc.) to develop and implement professional workshops with LRCs to raise their awareness of: 1) family/child reunification issues as part of re-entry planning, 2) resources available within certain communities, and 3) tools that can be used. It is believed that during these workshops there will be discussion about unmet needs and lack of community resources. Such information can be incorporated into future workshops and service planning.

These workshops will take place annually with each LRC.

STAKEHOLDERS

NCDPS
Local Reentry Councils (LRC)
Local service providers
Presenters
Guardian ad Litem (GAL) Program

BUDGET

Still under development

TIMELINE

Short-term for initial training; ongoing for annual workshops

Recommendation #4

RECOMMENDATION SUMMARY

Work with Department of Health and Human Services (DHHS - state) and Division of Social Services (DSS - local/county) to develop (or modify if already in existence) resources, policies, and procedures that would allow for parent-child reunification.

BACKGROUND

Many men and women in and leaving prison are parents of minor children. A certain percentage of those families have DSS involvement. Reunification between children and parents would be enhanced if there were more opportunities for contact (general visitation, specialized visits, phone calls, and letter writing), if incarcerated parents were viewed as a resource for identifying potential, appropriate placements, and if parents had access to services that would allow them to focus on their DSS case plans.

RECOMMENDATION

The SRCC Family and Support workgroup recommends that a North Carolina Department of Public Safety (NCDPS)/DSS/community group be formed to review, revise (if necessary), and develop (if not in existence) policies, procedures, and training for both NCDPS program staff and DSS staff with the goals of creating more opportunities for contact between children and their parents, viewing incarcerated parents as a resource for identifying potential, appropriate placements, and ensuring appropriate services for incarcerated parents to access as they work on their DSS case plans.

STAKEHOLDERS

NCDPS
DHHS (state)
DSS (county/local)
Individual prison facilities
Guardian ad Litem (GAL) Program

BUDGET

Still under development

TYPE OF ACTION

NCDPS, DHHS (state), DSS (county/local)

TIMELINE

In the short term, a community group could be created with an initial goal of reviewing what's already in place, where the gaps exist, and what other states are doing in this area.

SRCC Women in Incarceration Workgroup

Recommendation #1

RECOMMENDATION SUMMARY

Change the language/change the culture –website and staff need to change the dehumanizing language used to refer to people who are incarcerated.

BACKGROUND

Currently on the North Carolina Department of Public Safety website homepage there is a box that states that the department is working on prison reform and reads “Ensuring the safety of Public Safety employees, visitors and **inmates** within prison facilities is the top priority of the Division of Adult Correction and Juvenile Justice. Learn here about the current and future actions planned to make prisons safer.” If someone wants to look up an incarcerated they are directed to the “**Offender** Search Page”.

Too often, language used to describe people in prison or jail is dehumanizing. The humanity of those under government control is undercut by using these derogatory phrases. The term “inmate” is perhaps the most pervasive of these words and is used widely by judges, prison and jail official, staff and the media. Word such as inmate, offender, convicted felon, and convict objectifies and disparages people who are imprisoned and returning home from a period of incarceration. Those words and others like it focus attention on a person’s incarcerated status instead of emphasizing that even in prison, the person is first and foremost a person.

The word “inmate” and others like it focus attention on a person’s incarcerated status instead of emphasizing that, even in prison, she is still first and foremost a person. Defining someone as “other,” in the media and other arenas, makes it more acceptable to treat people inhumanely—and for the rest of us to ignore these abuses. The negative connotations of criminal justice language have real-life consequences for people who experience incarceration. The label “inmate” is wholly dehumanizing and underscores the invisibility of the human being. It undermines the self-esteem and self-worth of people as individuals, parents, and family members. creating a public and subconscious persona that is far removed from a person’s true identity.

Use of this type of language makes it more acceptable to treat people inhumanely and for people in general to ignore these abuses. The word “inmate” facilitates a worldview through which prison administrators and employees objectify the people in their custody. When someone is considered inferior and undeserving, it is easier to treat them badly. It also feeds into the pervasive notion that they may be lying to manipulate staff or the system, making it easier to dismiss their needs.

We believe that language matters. The way we write and speak helps shape people’s perceptions about the world and the people in it.

INNOVATIVE SOLUTION: The workgroup encourages the North Carolina Department of Public safety (NCDPS) to jettison this term once and for all and instead to talk about “people in prison or jail”—phrasing that emphasizes the personhood and humanity of everyone before using words that locate individual in an institution of punishment.

The SRCC Women and Incarceration workgroup recommends that the language used on NCDPS's website to describe those incarcerated to evolve to language that addresses injustices without dehumanizing the people described.

STAKEHOLDERS

Still under development

BUDGET

Still under development

TYPE OF ACTION

Executive

TIMELINE

Immediate

Recommendation #2

RECOMMENDATION SUMMARY

Creating a Trauma-Informed Criminal Justice System for Women

BACKGROUND

Facts about Women who are Incarcerated

- Women use drugs at nearly double the rate of men
- 2/3 of women in prison are of color
- Number of women in jail has increased 14-fold from 8K to 110K
- Incarcerated women experience Post Traumatic Stress Disorder, abuse, HIV, addiction and mental illness (Vera Institute of Justice)
- Women are now becoming the fastest growing group

Research supports an overwhelming number of women in the judicial system suffer as the result of untreated trauma both, physically and mentally. Women may have either survived, rape, assault, or childhood sexual abuse or they may have been the silent victims, watching abuse being done to others. Trauma can result in physiological changes in the way our brains respond to danger, especially when the trauma is repeated. It has also been linked to depression, suicidal tendencies, chronic anxiety, hostility, impaired ability to relate to others socially, and many other serious consequences in personal life.

Incarceration: The difference between men and women

A woman's road to incarceration is starkly different from men. They are more likely to have experienced poverty, partner violence, sexual abuse and exploitation. Women of color are more likely than men to be impoverished. It has been noted that their engagement in the criminal justice system is often related to connections with others (ex. Exposure to dysfunctional/abusive relationships). Women reporting histories of victimization and trauma continue to be vulnerable and can re-experience revictimization. Lastly, more than 66,000 women who are incarcerated are mothers of minor children.

The experiences that trauma survivors have in the criminal justice system, far from leading them to positive changes in their lives, often add new trauma and deepen their wounds. "Many of these women will never be able to break out of the narrow trajectory that constricts their futures unless the justice system and their communities can help them to focus on the root problem: trauma, its lasting effects in human lives, and the need to begin the healing process" (Substance Abuse and Mental Health Services Administration - SAMHSA, 1).

Furthermore, according to SAMHSA:

1. According to most estimates, trauma is an almost universal experience among people who use public mental health, substance misuse and social services, as well as people who are justice-involved or homeless.
2. While individuals with trauma histories are the majority of those served in behavioral healthcare and criminal justice systems, trauma survivors are not likely to seek treatment specifically for trauma-related symptoms.

3. Justice-involved women are more likely to have experienced physical and sexual abuse than justice-involved males or women in the general population.

According to SAMSHA, the sequential model has been shown to benefit women, the criminal justice system, and other service systems by the following:

- Enabling women to recognize the impact of trauma in their lives, get support, and move ahead toward healing
- Helping women lead stable lives and restore relationships with children in the system
- Reducing recidivism and related costs, such as foster care
- Enabling women who are incarcerated to reduce conflict with other inmates, as well as with prisoners and guards (SAMSHA).

STAKEHOLDERS

Still under development

BUDGET

Still under development

TYPE OF ACTION

Legislative, Executive, Judicial

TIMELINE

Long-term

Recommendation #3

RECOMMENDATION SUMMARY

Pass and implement a law preventing the incarceration of caregivers that reflects similar laws passed in other jurisdictions.

BACKGROUND

In North Carolina, when someone is convicted of an offense, a sentencing grid is used to determine the sentencing range for felony convictions. It utilizes the class of felony, level of the person's prior convictions, and disposition ranges in setting the sentence. A person's prior record level must be determined before a sentence can be imposed. Each prior conviction is worth a certain number of points, and the points for all prior convictions are added up to determine the prior record level. The disposition range is the possible length of the sentence to be imposed. To determine it, the judge uses the person's prior record level and felony classification, and potential aggravating or mitigating factors to arrive at a range. While considering the **Mitigated range**, the judge can contemplate several mitigating factors, such as the person's financial support of his family, his taking of responsibility for his crime, or his belief that his actions were legal in imposing a sentence in the mitigated range.

Families go through immeasurable pain and face generations of trauma when parents are separated from their children due to incarceration. When parents are convicted, their children are punished too. Alternative sentences keep parents actively involved in their children's lives and helps to alleviate suffering. When a parent is incarcerated, families lose needed income and often struggle to meet their basic needs. Alternatives to incarceration allow parents to be home in their community so they continue loving, caring, and providing for their children.

Alternative sentences are cheaper and reduce recidivism. Money spent on incarceration can be reinvested towards more alternatives. Instead of jail and prison, parents could receive drug and alcohol treatment; vocational training and job placement; parenting classes; and affordable and safe housing assistance.

RECOMMENDATION

In Massachusetts in April 2018, the state legislature passed a Primary Caretaker Bill. It is an Act *providing community-based sentencing alternatives for primary caretakers of dependent children and have been convicted of non-violent crimes*. The goal of this bill is to alleviate harm to children and their parents or caretakers caused by separation during incarceration, and to strengthen families' connections to their communities. The law allows judges to pause and consider the impact of incarceration on the parent they are sentencing, and that parent's children and community. This humanizes people who are convicted of crimes. The judge then has the option of issuing an alternative sentence.

A primary caretaker is defined as someone who has assumed responsibility for a dependent child's housing, health, financial support, education, family ties, or safety; or a woman who has given birth to a child after or while awaiting her sentencing hearing and who expresses a willingness to assume responsibility for the housing, health, and safety of that child. A parent who, in the best interest of the child, has arranged for the temporary care of the child in the home of a relative or other

responsible adult shall not for that reason be excluded from the definition of "primary caretaker of a dependent child".

The SRCC Women and Incarceration workgroup recommends that the legislature introduces and passes a bill to develop a similar law that will allow judges the ability to sentence mothers who are primary caretakers of their children to alternative programs instead of incarceration within county jails and the North Carolina Department of Public Safety.

STAKEHOLDERS

Still under development

BUDGET

Still under development

TYPE OF ACTION

Legislative, Executive, Judicial

TIMELINE

Long-term

Citations

CAPORIZZO, C. (2011). *Prisoner Reentry Programs: Ensuring a Safe and Successful Return to the Community*. [online] whitehouse.gov. Available at: <https://obamawhitehouse.archives.gov/blog/2011/11/30/prisoner-reentry-programs-ensuring-safe-and-successful-return-community> [Accessed 7 Aug. 2018].

Traumainformedcareproject.org. (2018). Creating a Trauma-Informed Criminal Justice System for Women. [online] Available at: <http://www.traumainformedcareproject.org/resources/TIC%20criminal%20justice%20for%20women%20.pdf> [Accessed 8 Aug. 2018]