

# **Re-Entry and Juvenile Justice Subcommittee**

**Agenda – May 16, 2019**

This subcommittee will address issues preventing total re-entry by those who have committed or been impacted by crime. Including education, employment, housing, access to capital; social services.

This committee will also focus on matters of juvenile justice. Inventory of existing programs.

**Call to Order**

**Introductions for the record**

**Task force Preliminary Status Report from Chair Mark Griffin to CP Bowman**

**Draft subcommittee report**

**Next research steps**

**Other business**

**Public comments**

**Next meeting – May 30?**

**Adjourn**

# Subcommittee on Re-Entry and Juvenile Justice

## Vision

Adults and juveniles in the justice system will reenter their community with the best opportunities for building successful lives.

## Mission

Building on previous studies, the Re-Entry and Juvenile Justice Subcommittee will evaluate their implementation, examine the issues around, barriers to and opportunities for successful re-entry and make appropriate recommendations.

## Re-Entry

### What is known about incarceration and recidivism -- Linda Joseph

#### **BASELINE STUDIES and RESOURCES:**

**Linda's 2017 report: Reduction of Recidivism X Cost to Incarcerate = Return on Investment**

**Linda's Release Management Information**

<https://prospect.org/article/after-incarceration-what-next>

<https://www.usatoday.com/story/opinion/policing/reentry/column/2017/12/29/reentry-incarceration-corruption-prison-barriers-recidivism-policing-usa/979903001/>

<https://www.prisonpolicy.org/reports/housing.html>

## **TIME IN PRISON**

How do you prisoners spend their time?

The prison schedule is structured, punctuated by meal times, counts, and specific times to open and close the compound, but in many respects an institution functions like a small city. Most inmates have either a job or program assignment they are required to attend daily. Schedules vary somewhat based on the job, for example the morning shift in the kitchen would start very early to be prepared to feed breakfast, and weekend posts would have to be accounted for. Broad job assignment categories

include food service, office orderlies, inside and outside yard crews, house-keeping in the dorms, laundry, prison industries, maintenance and others. Within each group inmates may be assigned based on facility need and/or the inmate's skills. For example, some food service workers cook, while others may do clean-up. When an inmate is not working or in school they would have free time for exercise, to visit the library, or to pursue other interests. Most visitation takes place during the weekend.

## HOW PRISONERS ARE RELEASED

What happens when a prisoner is released? Do they have to wear their original clothes? Do they get a bus ticket? Do they get any money?

At time of release, all inmates are provided copies of release paperwork to include, but not limited to the following:

- Supervision orders and reporting instructions, if applicable
- Information and signed copies of registration requirements
- Information on restoration of civil rights
- Personal identification cards
- A personalized transition plan and referral packet
- A resume which verifies job assignments and overall institutional adjustment
- A discharge certification reflecting the date of release.
- 30 day supply of medication, if needed.
- Release clothing provided either by family or many facilities have clothing donated.
- A bus ticket to the nearest location in the county of release, unless they have personal transportation.
- Release gratuity in the amount of \$50, if eligible.

<https://www.flrules.org/gateway/RuleNo.asp?ID=33-601.502>

<https://www.flrules.org/gateway/RuleNo.asp?ID=33-601.503>

Some prisoners may be given a "discharge gratuity" of \$40, or in hardship cases" twice that, at the discretion of the warden.

Some prisoners also may be given travel vouchers to the county where their release has been approved or where they have a job or legal residence or to another state.

*92, 4-28-99, Formerly 33-7.006, Amended 8-28-01, 2-10-04, 9-21-05, 8-14-06, 8-15-17.*

<b>RELEASE MANAGEMENT INFORMATION</b>
---------------------------------------

RELEASED FROM	SERVICES PROVIDED
Duval County Jail	<p>On the day of release inmates are left downtown with no money and attempting to get a ride from a family member. There is no plan or preparations made prior to release.</p> <p>Exception: Inmates that are part of the Matrix Substance Abuse treatment program are connected with a Transitional House for after-care services.</p>
Florida Department of Corrections Prison (excluding Baker Re-entry Center)	<p>Six months prior to release, inmates need to 'declare' the county to which they are returning.</p> <p>One week prior to release:</p> <ul style="list-style-type: none"> <li>• A meeting is held with either a classification officer or release officer. At this point arrangements are made to receive a one-way bus pass back to the county that was declared.</li> <li>• The inmate is asked for an address, contact name and phone number for where they will be staying.</li> <li>• Some classification officers allow the inmate to make a phone call to the entity on the receiving side.</li> <li>• Depending on the officer and prison there might be a list provided of resources (transitional homes, substance abuse, job services) in the county to which they are returning.</li> </ul> <p>Bottom line: Inmates need to take ownership for their own release plan.</p>
Baker Re-entry Center	<p>Background: In Sanderson, Florida there is a Baker Re-Entry Center where inmates are moved to within 9 months of release if they declare that they are returning to Northeast Florida. The concept of the Baker Re-Entry facility was put into place to have a direct hand-off with JREC and to allow providers in Northeast Florida direct access to inmates prior to release.</p> <ul style="list-style-type: none"> <li>• 6 months prior to release inmates are meeting with their release officer and creating a plan.</li> <li>• As a part of the release process, Baker REC brings DMV on-site to help with driver's license renewal prior to release.</li> <li>• If the inmate doesn't have a release plan, the release officer will push them to create a plan.</li> <li>• On the day of release, JREC has a van that picks the inmates up at Baker and brings them directly to JREC downtown Jax.</li> </ul>
Federal	<p>Federal Prisoners are (almost always) released to a Federal Halfway house prior to release into the community. (These Halfway House are not the same as a Transitional House.)</p> <ul style="list-style-type: none"> <li>• The inmate is still considered an inmate and under the jurisdiction of the Bureau of Prisons (BOP) while at the Halfway House.</li> </ul>

	<ul style="list-style-type: none"> <li>• Halfway Houses are outsourced to vendors of the BOP.</li> <li>• Inmates can be at a Halfway House for anywhere from 6 months to 2 years prior to release in the community.</li> <li>• The Halfway House for Northeast Florida is run by Keeton Corrections and is located just west of downtown.</li> <li>• Inmates are required to obtain employment within 21 days of arriving at Keeton.</li> </ul>
--	---

**WHAT MAKES FOR SUCCESSFUL RE-ENTRY AND AVOIDANCE OF RE-ARREST?**

The following are the typical barriers that a returning citizen must overcome to have a success re-entry into the community.

Housing	This includes immediate housing while looking for employment, but also access to safe and affordable housing post-employment. Many landlords will not allow tenants with a record.
Money	Returning citizens are many times required to pay fine, fees, restitution and probation costs. Child support payments that have been compounding while incarcerated a due.
Vital Documents	In order to obtain employment, a Social Security Card is needed which might require a birth certificate for proof of identity and citizenship.
Driver's License	If the driver's license only needs to be reinstated that can be done with (a.) money and (b.) proof of identity. However, if the DL was suspended due to non-payment of tickets or fine, those have been compounding while incarcerated and most likely the account is now in collections.
Living wage employment	In order to gain living wage employment, returning citizen may need a GED and/or Vocational Skills. Employers are less likely to hire someone with a felony conviction.
Health	Access to medical treatment and prescriptions for chronic medical issues is a necessity in order to work.
Mental readiness	Soft skills training to re-program thinking patterns post a life of criminal activities and incarceration is usually necessary.
Substance abuse treatment and support	The number report is >80% of formerly incarcerated individuals are substance-abuse involved. Left untreated this can lead to re-arrest.
Family reunification	This includes reunifying with parents and siblings as well as children and co-parents of children. Having a solid base of family support reduces stress.

# RECIDIVISM

## Topic 1 - BACKGROUND

When examining this calculation, there are three actions that can be counted as recidivism:

Re-arrest

Reconviction

Return to prison

When examining this calculation, there are three vantage points:

Local Level	The local / county jails are concerned with citizens who are re-arrested and return to their local jail. There is not much data on-line about how the local jails measure recidivism or the time frames that they consider recidivism.
State Level	State correctional systems typically report on the number and % of prisoners related who return to state imprisonment. The other measures of reconviction and re-arrest are more difficult to measure as they require matching an inmate's identify to the state or national criminal history data systems.
National Level	Federal Prison recidivism + State Prison recidivism + local level (re-arrests) = the national calculation for recidivism. The US Department of Justice, Bureau of Justice Statistics (BJS) is able to report on the percentage of released inmates who have been arrested and/or convicted of a new crime because they are using data that is collected by the FBI. As an example: someone who was convicted in Florida and then reconvicted in CA would be included in this calculation.

To further complicate the issue of calculating recidivism: there are two competing philosophies about what recidivism should mean. On the one hand are those who argue that any new contact with the criminal justice system, no matter how minor, should be considered recidivism on the part of an ex-offender. On the other hand, are those who argue that recidivism should be more narrowly defined as the commission of a new crime, resulting in a new sentence, by an ex-offender. The reason for this logic is because the minor infractions (like probation violation) are an extension of the original offence.

## Topic 2 - HOW IS RECIDIVISM CALCUALTED WITHIN FLORIDA DEPARTMENT OF CORRECTIONS

State of Florida calculates the recidivism based on one year of cohorts and then their behavior over three years. Example: Of all the people released in 2006 how many returned to prison within 12 months, 13-25 months, or 25-36 months.

It is important to keep in mind that the State of Florida is viewing this from their vantage point. Their goal is to track citizens who were under their care and return to their care.

Official Definition: Recidivism is the return to Prison as the result of a new conviction or violation of post-prison supervision [return to prison for any reason] within 3 years. The three years is measured from prison release date to readmission to prison.

**Topic 3 - HOW IS RECIDIVISM CALCULATED WITHIN DUVAL COUNTY**

- For anyone that is re-arrested within 365 days of the original arrest it is considered recidivism by JSO. Regardless of whether the first or subsequent charge is not guilty, it is still considered a re-arrest and recidivism.
- The clear majority of JSO’s repeat offenders are 40-60-year-old white males. The re-arrests are due to nuisance issues like: public intoxication, public drinking, solicitation, begging, trespassing, etc.
- If a citizen’s first arrest is in Duval County and then re-arrested in Clay County. Neither Duval nor Clay County would not count this as recidivism.
- JSO reports data to the FBI through FDLE (Florida Department of Law Enforcement)

**Topic 4 - HOW IS RECIDIVISM CALCULATED NATIONALLY**

The two main agencies that have done national calculations (and are widely recognized as good measures) are: Bureau of Justice Statistics and ASCA / Pew. The chart in Topic 5 below defines the parameters for their calculations.

**Topic 5 – ACTUAL RECIDIVISM NUMBER FOR COMPARISON PURPOSES**

%	RECIDIVISM MEASUREMENT	AGENCY	COHORT	TIME	INCLUDED IN POPULATION	RE-ARREST?	REF
67.8%	National	BJS	2005	3 yrs	Does include return to prison in a different state than the original incarceration.	Yes	(2)
76.6%				5 yrs			
56.7%				1 yr			
36.8%				6 m			
25.7%	State of FL	FL DOC	2010	3 yrs	Return to FL prison only	No	(1)
19.0%				2 yrs			
9.0%				1 yr			
64%	State of FL	FL DOC FDLE	2008	3 yrs		Yes	(4)
68%	State of FL	FDC FSU OPPAG	2010	3 yrs		Yes	(3)
46.7%	State of FL	FL DOC	2012	3 yrs	Citizens who were incarcerated in a FL prison, released and then re-arrested in any FL county.	Yes	(1)
30.52%	Duval County	JSO	2015	1 yr	Return to jail only ***	Yes	(5)

- (1) FL Department of Corrections Recidivism Report, June 2015  
<http://www.dc.state.fl.us/pub/recidivism/2014/exec.html>
- (2) Recidivism of Prisoners Released in 30 states in 2005, produced April 2014 by US Department of Justice, Bureau of Justice Statistics  
<https://www.bjs.gov/content/pub/pdf/rprts05p0510.pdf>
- (3) FDC and FSU Partnership Project dated 10-27/2015

- (4) Florida Tax Watch, Center for Smart Justice document published in December 2011. Calculation used data from FDOC and FDLE arrest data.
- (5) Jacksonville Sheriff's Office Department of Corrections Historical Recidivism

## **Prison programs for rehabilitation – counseling, education, training -- Camille Burban**

### **BASELINE STUDIES and RESOURCES:**

**Material from Dept. of Corrections 2017-18 annual report**

**Project on Accountable Justice at FSU**

**Florida Smart Justice Alliance**

**Denton column 8/8/15: RAND study 2015 on recidivism**

**Interview with new DOC Secy. Mark S. Inch**

**German-style Program at a Maximum Security Prison Emphasizes Rehab for Inmates, 3/31/19 (on website)**

1. The reality of an inmate's opportunities for counseling, education, training while incarcerated.
2. Is it still true that little to none is available until an inmate is within three years of release?

**For questions #1 and #2, please refer to the Department's 2017-2018 Annual Report pages 33-45:**

[http://www.dc.state.fl.us/pub/annual/1718/FDC\\_AR2017-18.pdf](http://www.dc.state.fl.us/pub/annual/1718/FDC_AR2017-18.pdf)

### **Accomplishments:**

Career and Technical Education Expansion - FDC established partnerships with outside educational entities through contractual services in 2017 and 2018, resulting in 688 additional career technical educational seats per year. The partnering educational facilities include seven colleges and the Home Builders Institute.

See DOC's 2018-2022 Strategic Plan, which commits to: "Expand program opportunities and associated completions through statewide standardization of the academic curriculum and access to postsecondary education provided by state colleges."

Also: "Continue research and development of individualized case management plans for inmates and offenders"

"Utilize a data-driven assessment process to analyze interventions/programs and adequately address inmate and offender criminogenic needs"

<http://www.dc.state.fl.us/pub/sp/sp-2018.pdf>

5. Is there any pending legislation or pending DOC actions that would be changing the process or reforming inmate rehabilitation?

**There are several bills currently going through the legislative process that could impact inmate rehabilitation:**



**SB 334 Professional Regulation**  
**SB 506 High School Equivalency Program**  
**SB 642 Criminal Justice**  
**SB 900 Substance Abuse Services**  
**HB 185 High School Equivalency Program**  
**HB 369 Substance Abuse Services**  
**HB 397 Professional Regulation**  
**HB 875 Statewide Taskforce on Opioid Drug Abuse**  
**HB 953 Inmate Reentry**  
**HB7125 Public Safety**

**60 Minutes program March 31, 2019, with Bill Whitaker: (on website)**

Taking cues from the prison system in Germany, where the main objective is rehabilitation, a program based on therapy for 18-to-25-year-old offenders is taking shape at a prison nicknamed "The Rock."

## **Re-entry programs -- Ceil Pillsbury-Schellenberg**

### **BASELINE STUDIES and RESOURCES:**

**Services for Ex-Offenders: A Report to the Citizens of Jacksonville, JCCI, Spring 2001**

**Services for Ex-Offenders: Final Implementation Report, 2003-4**

**Ceil's interview with Lenny Wright of JREC SEND**

**ICARE statement on JREC – whose? SEND**

**Transition from Jail to Community (TJC) Initiative, 2016**

**Reducing Murder: A Community Response, JCCI, 2006**

**Inmate Reentry in Florida: The Impact of Reentry Programs on Recidivism, Florida**

**TaxWatch and Center for Smart Justice, 2013**

**Barriers to Work: People with Criminal Records, 7/17/2018 (on website)**

**Case Management Strategies for Successful Jail Reentry, 2012 (on website)**

**Impact Analysis of the Prison Entrepreneurship Program, July 2018 (on website)**

**Individualizing Pathways to Success for Citizens Return from Prison (on website)**

**Integrated Reentry and Employment Strategies, September 2013 (on website)**

**Lessons in Reentry from Successful Programs and Participants (on website)**

**Locked Up Then Locked Out, July 2016 (on website)**

**Offender Reentry Annotated Bibliography (on website)**

**Returns on Investments in Recidivism Reducing Programs, May 2018 (on website)**

**The Role of Screening and Assessment in Jail Reentry, April 2012 (on website)**

The 2001 JCCI report Services for Ex-Offenders emphasized that, given the costs of crime, “the community has a strong interest in assisting ex-offenders to become successful members of the community, free of crime, living stable and productive lifestyles”

The study said ex-offenders have unique needs if they are reenter successfully and avoid recidivism, but “Services to meet these needs are fragmented and not comprehensively available. Information is not easily available about what services are available and how to access them,”

The JCCI committee recommended “a one-stop case-management center” for ex-offenders and a tracking system to ensure continuity of services from the time of incarceration through release and resettlement in the community.

As a result, the Jacksonville Re-Entry Center, known as JREC, opened in 2004 but, as the Final Implementation Report said, did not offer team-oriented case management services, for lack of funding.

JCCI also recommended creation of a Pretrial Services Unit to expand and coordinate services available to offenders before sentencing, that unit opened in 2001.

**Insert Ceil’s interview with Lenny Wright**

## **Juvenile Justice**

**What we know about juvenile crime and offenders -- Rob Mason and Vicki Waytowich**

### **BASELINE STUDIES and RESOURCES:**

**Rob’s delinquency and Juvenile Justice summaries SEND**

**Vicki’s material on brain development, ACEs and toxic stress SEND**

**Jacksonville Journey**

**Florida Boys & Girls Clubs: An Analysis of Educational, Juvenile Justice and Economic Outcomes, 2013 (on website)**

**Promoting a New Direction for Youth Justice, March 2019 (on website)**

**Juvenile Justice Report – Duval County, 2018 (on website)**

**Race for Results: Building a Path to Opportunity for All Children, 2014 (on website)**

**Transforming Juvenile Justice Systems, Center for Juvenile Justice Reform and Justice Center, Council of State Governments, May 2018**

**The Prevalence of Adverse Childhood Experiences (ACE) in the Lives of Juvenile Offenders (on website)**

CNN special report on the Richmond, Calif., program of hiring teen “mentors” that has greatly lowered juvenile offenses, including gun violence:

<https://www.cnn.com/2016/05/19/health/cash-for-criminals-richmond-california/index.html>

More on that program from City Lab:

<https://www.citylab.com/equity/2015/06/paying-people-not-to-be-violent/394661/>

"A program like one in Richmond, California, that identifies residents with the most violent histories of criminal behavior and pays them to stay out of trouble. Under Richmond's Office of Neighborhood Safety Initiative, participants receive monthly stipends up to \$1,000 for refraining from violence and following a "life map" regimen of GED classes, job training, anger-management counseling and other forms of criminal-conversion therapy."

## **Civil citations and diversion programs -- Camille Burban**

### **BASELINE STUDIES and RESOURCES:**

**JJAC report**

### **Silos -- Clifton Anderson**

**JJAC study**

**Interviews with key people at action points: JSO, SAO, PD, DCPS, juvenile judges, JREC?, DCF?. Other?**

Services for Ex-Offenders, the Jacksonville Community Council Inc. (JCCI) Spring 2001 report. I am waiting to compare the conclusions in the Report that would hopefully be released in May 2019. As Ceil stated in the last committee meeting about her interviews a lot of the same short coming are prevalent today in the conclusions of the JCCI Report 18 years ago. We should use the Data to conduct and make a sound decision and hold agencies, courts and service providers responsible for keeping people and the communities safe by improving the outcome of offenders.

## **Re-entry for juveniles -- Donna Webb**

### **BASELINE STUDIES and RESOURCES:**

**Donna's report on the Community Re-Entry Team (CRT) SEND**

**Jacksonville Journey**

**Rule 63T-1: Transition Services for Residentially Committed Youth, Florida  
Administrative Code**

## **Children's Services Councils -- Frank Denton**

### **BASELINE STUDIES and RESOURCES:**

**Jacksonville Journey**

**1990 Save Our Children referendum**

**Colleen Hampsey's state law and referendum data\**

**Miami/Dade experience w/David Lawrence**

**Kids Hope Alliance**

## Juvenile Justice (Duval County) Delinquency Summary (Amended)

### Only a small percentage of children have been arrested

The youth population is defined by children between the ages of 10 and 17. Per the latest (2017-18) Department of Juvenile Justice Delinquency Profile,<sup>1</sup> the youth population for Duval county is 91,628. From the same data point, only 1,235 children were arrested in 2017-18. However, nearly two thirds of the children arrested (66.4%) were arrested for felonies.

Despite public perception about today's children being out of control and existing mass chaos, only 1.3% of the youth population were arrested. Compare that to 2013-14 when 2,092 youth were arrested; the 1,235 arrested youths for 2017-18 is a 41% decrease. However, much of the decrease has been because of the increase in civil citations (see below.) In 2013-14, 2,401 youth were arrested or issued civil citations. That number drops to 1,730 for 2017-18, a 28% decrease.

The four most common offenses for arrest are

- Burglary
- Felony Assault/Battery
- Non-law technical Violations of Probation
- Misdemeanor Assault/Battery

### Arrests Breakdown

77% of the 1,235 arrested children were male. As to race, 75% were black, 19% white, and 5% Hispanic. Nearly a third (31.3%) of the arrested children were from three zip codes; 32209 (138), 32210 (135), and 32208 (114).

### Civil Citation usage continues to increase

Florida statute 985.12 allows law enforcement to issue civil citations in lieu of arrest for children alleged to have committed non-serious misdemeanors. For years Duval County failed to utilize this program. However, per the DJJ Civil Citation Dashboard<sup>2</sup> nearly 500 civil citations were issued in 2017-18. Civil

<sup>1</sup> (<http://www.djj.state.fl.us/research/reports/reports-and-data/interactive-data-reports/delinquency-profile>)

<sup>2</sup> <http://www.djj.state.fl.us/research/reports/reports-and-data/interactive-data-reports/civil-citation-and-other-alternatives-to-arrest>

Citations protect a child's record (no arrest record is created) and the Florida Department of Juvenile Justice data shows that civil citations have lower recidivism rates than traditional arrests and diversion. Statewide, there has been a 40% increase in civil citations for the last five years; Duval has an even higher increase of 60%.

### School arrests have declined

Through the years, school misconduct has been elevated to criminal or delinquent charges., i.e., Fighting, Battery, Disturbing a School Function, etc. After the failure of zero tolerance, schools now take more accountability for misconduct punishment. As a result, school arrests over the last five years have decreased 69% in Duval County, substantially more than the statewide decrease of 28%. 102 children were arrested at school for 2017-18. This data is available via the DJJ Delinquency Profile in footnote #1.

### The most serious offenders

The most serious offenders in the delinquency system have been charged with the most serious offenses or have chronically re-offended. These children either have their cases transferred to adult court or are sent to DJJ residential commitment facilities. The DJJ latest data shows that 196 children were committed to residential facilities and 35 children were transferred to adult court. The total (231) has decreased 37% over a five year period. Additionally, it's important to note the small percentage of this population when compared to the Duval youth population; these children comprise just .0025% of the youth population, i.e., one quarter of 1%

### Serious offender breakdown

90% of children committed to residential juvenile facilities are male. 83% of the children committed are black, and 11% are white. More than a third (36%) of the children are from zip codes 32209, 32210, or 32208.

The five most common offenses for residential commitment are

- Burglary
- Felony Assault/Battery
- Armed Robbery
- Auto Theft
- Weapon/Firearm charges

97% of the children transferred to adult court are male. 80% of the adult transfers are black, and 14% are white. 40% of these children are from zip codes 32210 or 32209.

**Black youth are significantly over represented at each delinquency level**

Black youth make up 39% of the Duval youth population, but they are significantly over represented in the juvenile justice system and comprise

- 75% of the arrests
- 76% of probation
- 83% of residential commitments
- 80% of the transfers to adult court

*Rob Mason/May, 2019*