



2020 *REPORT of the*
PENNSYLVANIA
REENTRY COUNCIL

Tom Wolf
Pennsylvania Governor

Josh Shapiro
Pennsylvania Attorney General

INTRODUCTION

After the judge handed down a 10-20 year prison sentence, Isaac spent the first three years of his incarceration being angry at the world. He got into fights, was often placed in solitary confinement for long periods due to misbehavior, and refused to conform to prison life. He blamed “the system” for his criminal lifestyle. While in prison, he was determined to sharpen his criminal skills so that when he did go home, he could continue his criminal behaviors in a smarter, more deliberate way so that he would not get caught again.

It took the time and attention of older incarcerated individuals and his prison counselors to get through to him about the opportunities in prison to get his GED, learn a marketable skill, and approach his negative behaviors head-on. Only then did he begin to understand he needed to try a new path if he was going to get through his remaining years behind bars, away from his family and friends. Eventually, he walked out of prison optimistic that he could do more than just survive, armed with new skills that could afford him a different lifestyle.

Despite his personal turnaround, Isaac had lost his support system while incarcerated. No one was there to welcome him home, give him a place to stay, help him find a job, help pay to get his driver’s license back, or otherwise to support him. Having completed his maximum sentence, he was ineligible for most reentry services. He found himself struggling just to stay alive. He contemplated turning back to crime as a means of survival, but he knew that path only led back to prison. The road in front of him suddenly turned bleak.

Most Pennsylvania returning citizens leave jails and prisons having paid their debt to society only to face similar realities. They leave with limited knowledge of (and little access to) services, and even fewer positive relationships to help them navigate a world that may have completely changed while they were incarcerated. Small wonder, then, that 67 percent of all returning citizens end up incarcerated again within three years’ time.

For too long, Pennsylvania has relied solely on incarceration to prevent crime and violence. When two of every three people emerging from jail commit another crime and return, it’s clear the system is broken.

Determined to address the recidivism crisis directly, Governor Tom Wolf and Attorney General Josh Shapiro created the Pennsylvania Reentry Council (PARC), an historic and unprecedented undertaking bringing together reentry stakeholders from around the Commonwealth to identify issues facing returning citizens and to develop and implement solutions. After all, it is in all of our interests that returning citizens are as successful as possible in their transition back home.

As the first collaborative forum for government officials, service providers, and returning citizens themselves, PARC is now the hub of reentry efforts in Pennsylvania. PARC has identified new strategies to expand opportunities to assist returning citizens as they reenter their communities, and has helped make our Commonwealth safer as a result.

This report provides an update on the progress PARC has made and makes specific recommendations to further assist returning citizens, thereby improving their lives and making our communities safer.

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STATUS OF PARC

The Pennsylvania Reentry Council (PARC) was founded in May of 2017. Since then, it has grown from a small but dedicated core into a statewide, multidisciplinary task force, breaking down silos and connecting communities to the solutions needed to help returning citizens in their communities.

Subcommittees

Given the vast array of issues facing returning citizens, PARC established a number of subcommittees focusing on specific subject areas to use members' expertise to develop the best solutions possible.

The subcommittees are:

- Data, Metrics, and Information Sharing
- Education
- Employment
- Family Services
- Health
- Housing
- Outreach and Professional Development
- Restorative Justice
- Special populations

Participants

PARC has been supported by scores of individuals and groups from across Pennsylvania, and we express our deepest gratitude to everyone who has played a part in promoting public safety by advancing the interests of returning citizens. Special thanks to the following groups and individuals for their extraordinary contributions:

- Each of the 30 county reentry coalitions, most importantly the reentry coordinators and members who have attended PARC meetings and served as chairpersons and members of PARC subcommittees
- Returning citizens across the Commonwealth, who not only attend PARC meetings but participate in the work of PARC's subcommittees and provided invaluable input
- Reentry service providers working in a wide range of fields, including behavioral health, drug and alcohol addiction treatment, workforce development, housing, education, mentoring, and human services
- Individual reentry advocates who volunteer their time to help returning citizens in need
- Restorative justice advocates
- Advocates and providers who specialize in serving special populations of returning citizens who face additional reentry barriers, such as those convicted of sex offenses
- Attorneys and staff who provide indigent legal defense services, including public defenders
- Pennsylvania colleges and universities

In addition, a wide range of government agencies have been instrumental to PARC, including:

- Corrections agencies, including the Federal Bureau of Prisons, the Pennsylvania Department of Corrections, and county jails
- Federal, state, and county probation and parole offices
- The U.S. Attorney's Offices for the Eastern and Western Districts of Pennsylvania
- Pennsylvania Department of Transportation
- Pennsylvania Housing Finance Agency
- County Commissioners Association of Pennsylvania
- Pennsylvania Workforce Development Board
- Pennsylvania Commission on Crime & Delinquency
- Pennsylvania Department of Labor & Industry

PARC ACCOMPLISHMENTS TO DATE

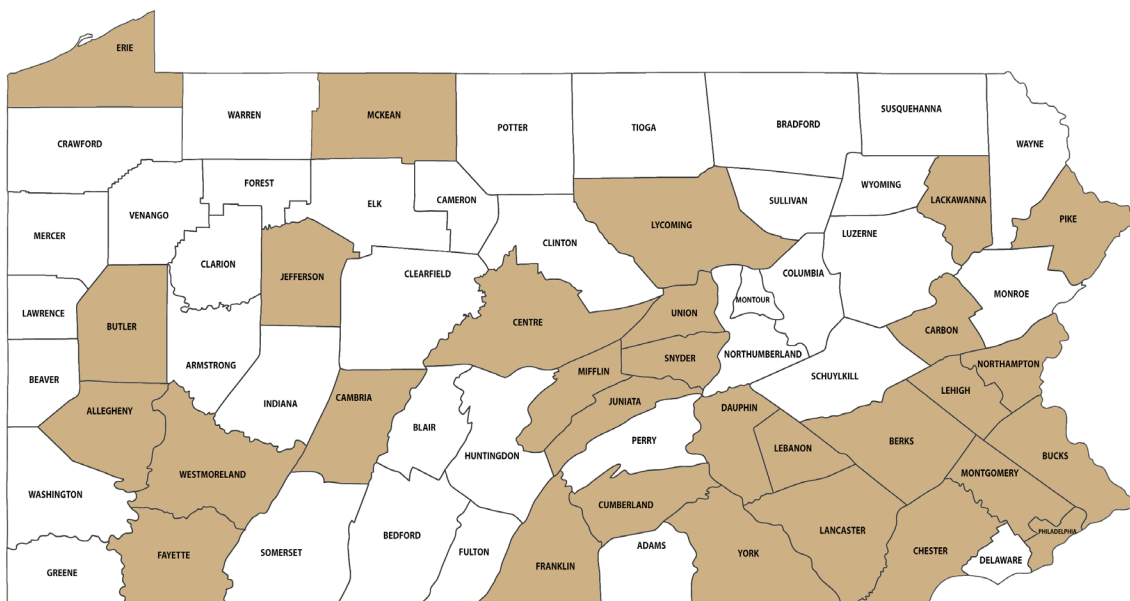
New county reentry coalitions

As important as it is to have statewide leadership on reentry issues, each returning citizen comes home to specific communities with their own individualized needs and unique set of barriers. Services must be tailored to meet these realities, and so reentry services must be delivered at the county and local level.

Reentry coalitions are county-level organizations that partner with local, state, and federal government agencies, community-based service providers, researchers, advocates, returning citizens, faith-based groups, and others to address reentry needs in their communities. In short, they are made up of dedicated people and organizations who already serve returning citizens, but recognize that their clients have the best chance of success if their efforts are coordinated.

When PARC was launched, there were only 21 county-based reentry coalitions in Pennsylvania. Today, thanks to the advocacy and organizing efforts of PARC members, 10 more counties have formed coalitions, for a total of 30.¹ When this report was published, the following counties had operational coalitions (*denotes new additions):

- | | | |
|---------------------|---------------------|--------------------------|
| ■ Allegheny County | ■ Erie County | ■ McKean County |
| ■ Berks County | ■ Fayette County | ■ Mifflin County |
| ■ Bucks County * | ■ Franklin County | ■ Montgomery County * |
| ■ Butler County | ■ Jefferson County* | ■ Northampton County |
| ■ Cambria County* | ■ Juniata County* | ■ Philadelphia County |
| ■ Carbon County* | ■ Lackawanna County | ■ Pike County* |
| ■ Centre County | ■ Lancaster County | ■ Union/Snyder Counties* |
| ■ Chester County | ■ Lebanon County | ■ Westmoreland County |
| ■ Cumberland County | ■ Lehigh County | ■ York County |
| ■ Dauphin County | ■ Lycoming County | |



¹Union and Snyder counties have established a joint reentry coalition. The City of Chester, in Delaware County, also has a reentry coalition which participates in PARC.

The primary challenge in forming and maintaining coalitions is funding. Coalitions need dedicated staff who can devote their time working to build and maintain connections and direct returning citizens to the services they need.



When Attorney General Josh Shapiro was its Chairman, the Pennsylvania Commission on Crime and Delinquency (PCCD) began distributing federal funds as County Reentry Planning Grants to counties throughout the Commonwealth. These planning grants awarded counties up to \$20,000 to hire consultants to lead local reentry teams through a planning year that culminated with the production of a County Reentry Plan. These plans identified current reentry efforts, gaps in services, and goals and objectives to address those gaps. The County Reentry Plans became roadmaps for local reentry efforts, guiding which programs and projects would be funded. In addition to PCCD funds, there are other government and private funders that fund reentry initiatives annually.

Future of Pennsylvania county reentry coalitions

PCCD and staff from the Office of Attorney General (OAG) are leading an effort to establish minimum operating standards for existing and future county reentry coalitions to ensure consistency across the coalitions. To ensure the reentry coalition minimum operating standards are effective and not overly burdensome, PCCD engaged reentry coordinators from six successful coalitions across the commonwealth to help inform the creation of the standards. An initial working session was held at PCCD in October 2019 and a wide range of topics, from membership to data collection, were discussed. During the working session, there was consensus that the following factors should be included in the minimum operating standards:

- **Membership** – Minimum operating standards will outline required membership across all coalitions. Additionally, the standards will indicate other entities that could be valuable members, if they exist in the county.
- **Bylaws** – Each reentry coalition must have formally accepted bylaws. The working group is developing a model set of bylaws that can be used across the Commonwealth, including: mission and vision, membership/leadership structure, decision-making/voting, leadership responsibilities, and coordinator responsibilities.
- **Strategic Planning** – Each reentry coalition should have an active strategic plan or be engaged in the strategic planning process.
- **Recidivism Data Collection** – Each reentry coalition must strive to collect data on recidivism so that PCCD can assess trends statewide.

PHFA reentry housing

One of the first barriers a returning citizen is likely to face is access to safe and supportive housing. When they walk out of the prison gates, they likely don't own a home or have a lease. Some can stay with friends or family, but this is typically only a temporary arrangement, and an estimated 80 percent of landlords use criminal background checks to screen out applicants with past criminal convictions.² Ultimately, 20 percent of all returning citizens will experience homelessness,³ and they are ten times more likely to be homeless than those without criminal records.⁴

Stable housing is crucial to successful reentry. Without housing, the likelihood that reentering citizens will engage in criminal activity and illegally use drugs or violate the conditions of their parole increases substantially.

Thanks to advocacy by PARC members, the Pennsylvania Housing Finance Agency (PFHA) has taken two major steps to address this need. First, it will grant special consideration for developers promoting supportive housing for returning citizens. Second, it announced a demonstration project in the Allison Hill neighborhood of Harrisburg that sets aside apartments for returning citizens and provide returning citizens with opportunities for job training and apprenticeships in construction. This pilot program has the potential to create a model for affordable housing projects and reentry across the Commonwealth.

PennDOT license initiative

Having valid identification is essential for returning citizens to obtain social services, seek housing, apply for benefits, and even obtain a job. Yet returning citizens frequently lack valid driver's licenses or other forms of identification. It may be that their license lapsed while they were incarcerated, or that they simply never had one before going to prison. Regardless, the hurdles to getting new identification are high: In order to access state-issued identification in Pennsylvania, residents are required to provide a Social Security card, two forms of address verification and either a birth certificate, passport, or certificate of naturalization.⁵ Just to obtain a Social Security card, applicants must show two forms of identification.

Returning citizens need identification the day they leave prison. Unfortunately, these administrative barriers often prove too burdensome.

PARC applauds the long-running collaboration between PennDOT and the Department of Corrections to ensure that individuals returning from state prisons have immediate access to licenses and identification. Since 2013, they have processed nearly 45,000 applications for returning citizens.

However, lack of access to identification remains an issue for those returning from county jails. Thanks to PARC's advocacy, PennDOT launched a pilot program in York County to facilitate license and identification applications prior to release from prison. The program has been successful, helping numerous returning citizens obtain identification. To build on the success of this pilot, PennDOT is working to launch the program in six other counties across Pennsylvania. The ultimate goal is to provide the same opportunity for every returning citizen returning from county jails in each of Pennsylvania's 67 counties.

²[*One Strike and You're Out: How We Can Eliminate Barriers to Economic Security and Mobility for People with Criminal Records*](#), Center for American Progress (Dec. 2014).

³[*Barriers to Successful Re-Entry of Formerly Incarcerated People*](#), National Alliance to End Homelessness (Mar. 2017).

⁴[*Nowhere to Go: Homelessness among Formerly Incarcerated People*](#), Prison Policy Initiative (2018).

⁵[*Get a Photo ID*](#), Pennsylvania Department of Transportation.

Employment roundtables

One of the key reentry barriers is employment, and one of the main obstacles to finding employment is a lack of employers who are willing to interview and hire returning citizens.

To help address this, PARC partnered with the Pennsylvania Workforce Development Board (PA WDB) to focus on finding employment for returning citizens. In the fall of 2019, PARC and PA WDB began holding Employment Roundtables across the Commonwealth. These roundtables provide employers with an opportunity to share their concerns while hearing from government officials and returning citizens about the mutual benefits of employment. As a result of this effort, PARC and PA WDB will jointly produce an Employment Toolkit to help employers hire returning citizens.



Sharing of best practices

One of the most tangible benefits of PARC is the opportunity for members to share best practices across the Commonwealth.

PARC has introduced new reentry programs and approaches to PARC members at each PARC quarterly meeting. PARC has also served as a hub of information sharing between returning citizens, county reentry coalitions, and other reentry service providers.

RECOMMENDATIONS

PARC’s members have identified a number of barriers that cannot be solved exclusively at the community level. They may require changes to the law, significant funding sources, or a commitment from various government agencies at the local, state, and federal levels. This section outlines the recommendations from each subcommittee, as well as top-level recommendations, that would benefit reentry efforts statewide. PARC and its members look forward to working with all interested and necessary parties to help effectuate these recommendations.

To the extent that recommendations are directed at government agencies, PARC is acutely aware of the limitations that these agencies have. They are charged with wide-ranging responsibilities, and they are expected to meet those responsibilities with limited resources. PARC recognizes that it is impractical to expect any agency to adopt all of the recommendations described here without a substantial influx of funding and capacity. Therefore, PARC makes these recommendations not as demands but as goals for a time when those resources are available.

Overall

Establish reentry coalitions overseen by dedicated reentry coordinators in every county

While grants from governmental or private-sector organizations—such as the federal government, 2nd Chance Funding, local foundations, and private companies—are invaluable, they only provide the seed funding to start some new county-based reentry work. There is not enough funding to start coalitions in every county or to sustain their operations long-term.

PARC therefore recommends that the Governor, General Assembly, Criminal Justice Advisory Boards (CJABs), and county governments work together to identify and provide dedicated funding to start and sustain reentry coalitions in every county in Pennsylvania.

Hire reentry counselors in all correctional facilities

With few exceptions, every single person housed in Pennsylvania’s correctional facilities will someday become a returning citizen. These facilities are the critical starting points for successful reentry.

Of course, jails and prisons have limited resources that are rightfully dedicated first and foremost to the safety and security of those who are incarcerated, corrections staff, and the general public. But investing in reentry counseling before release also serves all of those goals.

PARC is pleased that the Department of Corrections has reentry counselors in every state correctional institution. PARC recommends that County Commissioners and the General Assembly work to dedicate funding to similarly employ full-time reentry counselors in every county jail in Pennsylvania.

By working to address known problems like housing and continuity in drug treatment before

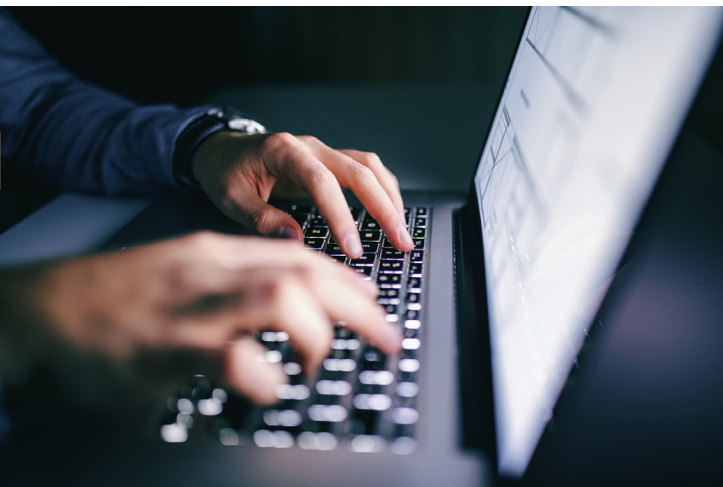
someone returns to society, we can ease their transition and dramatically improve their likelihood of success in the community.

Provide state-issued identification upon release

As discussed above, many of returning citizens' needs cannot be met without proper identification. PARC applauds PennDOT's efforts to pilot the provision of state-issued identification prior to release. Working closely with PARC, PennDOT continues to expand this program. We recommend that the General Assembly provide any necessary funding to facilitate this critical service. PARC applauds the Department of Corrections for having a process in place for all state-run institutions, and we would also welcome legislation (accompanied by sufficient funding) requiring county correctional facilities to ensure access to state-issued identification prior to release.

Develop an online resources portal

One of the problems faced not just by returning citizens, but also by the people trying to help them, is a lack of knowledge of the different programs and services that are available. There are so many needs to fill, so many ways to fill them, and so many organizations trying to help that it can be challenging to keep track of them all or know how to access them.



PARC is working to identify a solution to this problem. The goal is to create an internet platform to provide a mechanism for anyone – including reentering citizens, judges, probation and parole officers, other government officials, and service providers – interested in identifying support services on a county and local level for reentering citizens. These services include housing, employment, education, healthcare services, and other benefits

Increase funding for problem-solving courts

Pennsylvania is currently home to 125 problem-solving courts, including drug courts, veterans' courts, and domestic violence courts.⁶ These courts allow defendants, prosecutors, victims, and judges to work together to develop equitable solutions that addresses victims' needs while not unfairly punishing defendants, all while striving to resolve any underlying issues that may have contributed to the defendant's criminal behavior.

Problem-solving courts have been associated with lower rates of incarceration and recidivism.⁷ These courts improve other outcomes as well; for example, employment levels for individuals who successfully graduated from Pennsylvania drug courts in 2017 increased by 144 percent.⁸ Drug court programs in particular have demonstrated significant reductions in recidivism, achieving recidivism reductions of five to 25 percent.⁹

⁶Administrative Office of Pennsylvania Courts, [Problem Solving Courts](#).

⁷Illinois Criminal Justice Information Authority, [An Overview of Problem-Solving Courts and Implications for Practice](#) (2017).

⁸Administrative Office of Pennsylvania Courts, [Adult Drug Courts Data](#).

⁹United States Government Accountability Office, [Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes](#) (2005).

While some counties have been proactive in establishing a wide variety of problem solving courts, others simply lack the resources or expertise to do so. The General Assembly and counties should provide more funding for problem-solving courts and offer supports to help start and maintain those courts.

Establish regional problem-solving courts for rural counties

One major barrier to establishing problem solving courts in rural areas is the high level of funding and resources needed to establish a court relative to the number of defendants who would benefit from its services. However, if counties work together to establish regional problem solving courts that serve multiple counties, these courts can both be cost-effective and achieve better outcomes for defendants and victims.

Housing

Shelter is the most immediate and high-priority need for any returning citizen. Unfortunately, housing assistance resources are scarce, and many are unavailable to individuals with criminal histories. If we hope to reduce recidivism, we must address housing concerns first.

Restrict housing discrimination against returning citizens

The Pennsylvania Human Relations Act prohibits discrimination in all housing transactions based on race, national origin, religion, disability, age, and other protected characteristics. However, the Act does not provide any protection for persons with a criminal record—even those who have been released from prison after serving their entire sentence. As a result, landlords are free to refuse to rent to returning citizens, which leads to increased homelessness, recidivism, and re-incarceration.

PARC therefore recommends that the Governor and General Assembly work together to identify and provide legal protections for returning citizens in the housing market. Other jurisdictions, such as Cook County, Illinois, have done so using laws similar to “Ban-the-Box” to prevent landlords from immediately rejecting housing applications based solely on the existence of a criminal conviction or arrest record.

Provide incentives for landlords

Landlords often have little if any incentive to rent properties to individuals with criminal records, even if those records have no bearing on their prospects as a tenant, particularly in areas where housing stock is relatively scarce. However, if we could provide landlords with some sort of incentive, financial or otherwise, to rent to returning citizens, we could reduce the number of housing-insecure returning citizens. For example, several cities across the U.S. have created landlord mitigation funds to expand housing for individuals who are low-income or who have criminal histories, providing financial protection for landlords who are willing to reduce their screening criteria.¹⁰



¹⁰[*Engaging and Supporting Landlords through Risk Mitigation Funds*](#), United States Interagency Council on Homelessness (2016).

Governments at every level – federal, state, county, and municipal – should explore ways to create incentives for landlords to make it more appealing for them to rent to returning citizens.

In addition, consideration should be given to revising public housing guidelines to allow for returning citizens to reside with family members in public housing.

Incentivize property rehabilitation for reentry housing

To expand available housing for reentering citizens, incentives should be provided to property owners and landlords to receive a financial benefit to rehabilitate housing in return for a commitment to provide housing. Some examples of possible incentives include:

- tax credits for properties identified for returning citizens;
- tax credits for developers building or rehabilitating housing in blighted neighborhoods with the intent to reserve a percentage of newly developed units for returning citizens;
- transitional/supportive housing programs with guaranteed rental payments for set period of time; and
- prepaid renter’s insurance for properties designated for returning citizens.

Health

Healthcare remains a major concern for many Americans, and returning citizens are no exception. People age significantly while incarcerated, and while our correctional institutions have made tremendous strides in the level of care they provided, not every medical issue can be solved. Many returning citizens leave prisons and jails with disabilities and long-term healthcare needs, and ensuring continuity of care is literally vital for these individuals.

Ensure continuity of care post-release

While Pennsylvania’s jails and prisons generally provide quality healthcare, that care stops at the prison walls. Most returning citizens will not have private health insurance upon release, and any public benefits they were receiving—such as Medicaid, Medicare, SSI, and SSD—were suspended upon incarceration.

Our correctional facilities should help everyone who is eligible secure medical benefits prior to release to ensure that they are able to seek necessary and appropriate medical treatment on the first day they reenter the community. Reentry coalitions can also help ensure continuity of care for reentering citizens as they are well-connected to the healthcare services that exist in their communities.

Provide for long-term care post-release for physical disabilities

About 32 percent of those incarcerated report having a hearing, vision, cognitive, ambulatory, self-care, or independent living disability, compared to 11 percent of individuals in the general population.¹¹ Continuity of care is essential for these individuals; without proper care, they quite simply have no chance at success in the community.

¹¹[*Disabilities Among Prison and Jail Inmates, 2011–12*](#), U.S. Department of Justice.

PARC hopes to work with stakeholders to develop methods for helping incarcerated individuals obtain authorizations and waivers for living support, long-term care, and other solutions to the challenges of day-to-day life faced by individuals with disabilities. For those who need a waiver authorization, there is currently no window of transition in place with the Pennsylvania Department of Aging to allow for waiver services to be set up prior to release. This transition window is critical for helping to locate and coordinate care, and to have it ready for service on the person's first day of release.

Treat substance use disorder

The vast majority (65 percent) of those held in U.S. facilities suffer from substance use disorders (SUD).¹² Addiction is a disease, not a crime; yet for many, SUD either directly or indirectly led to their incarceration. Unfortunately, our correctional facilities simply do not have enough resources to provide SUD therapy—in particular medication-assisted treatment (MAT)—to all those who need it. In fact, only 16 percent of U.S. correctional facilities offer treatment in specialized settings, which is the type of treatment that has been shown to provide the best results for SUD.¹³ Continuity in drug treatment is crucial to improving likelihood of success in reentry. Studies have shown that prison-based drug treatment programs are most likely to be effective when those patients participate in post-release community treatment, and that individuals who do not receive any drug treatment while incarcerated are more likely to recidivate.¹⁴

PARC recommends that the General Assembly and county governments ensure that our prisons and jails have sufficient funding dedicated to providing SUD treatment and MAT to all who need it. Treating this disease will not only improve outcomes for these individuals, but it will prevent future crime by eliminating one of the key factors that leads to crime in the first place.

Utilize certified peer recovery specialists (CPRs)

It is human nature to be more receptive to information shared with us by our peers than by those in positions of authority or who are members of groups that we do not consider ourselves as a part of. This willingness to be influenced by peers can result in negative behaviors, such as when children succumb to peer pressure and make destructive life decisions. But if utilized correctly, this tendency can also be a source of positive change.

CPRs are one example of using positive peer influence for those who are incarcerated. In the prison context, CPRs are individuals who have been incarcerated who can use their own personal experiences to relate to those who are currently incarcerated. By building relationships on a foundation of shared experience, and by speaking a common language, CPRs can help guide them through challenges, help them avoid destructive decisions, and prepare them to resume their lives in the community.



¹²*Behind Bars: Substance Abuse and America's Prison Population*, The National Center on Addiction and Substance Abuse at Columbia University (2010).

¹³*Id.*

¹⁴*Interventions to Promote Successful Re-Entry Among Drug-Abusing Parolees*, U.S. National Library of Medicine (2009).

CPRs are evidence-based: in one study, 93 percent of mental health service providers reported that hiring CPRs added value to their service delivery.¹⁵ CPR programs should be established and expanded across the Commonwealth so that returning citizens can reverse the cycle of crime and poverty by establishing a virtuous cycle whereby the formerly-incarcerated not only avoid crime themselves, but help future returning citizens avoid crime and become mentors themselves.

Improve mental health services

An estimated 20 percent of all Americans suffer from mental health disorders;¹⁶ for incarcerated individuals, that number jumps to nearly 50 percent.¹⁷ Our correctional institutions must do more to address their mental health needs.

A good example comes from Centre County, where correctional officials realized that they needed a new model for providing services to those with mental health diagnoses. They built a program in which incarcerated individuals have access to correctional nurses and physician assistants who are trained in behavioral health services.

PARC recommends that other correctional facilities follow the Centre County model to better assist those with mental health diagnoses.

Provide transportation to healthcare services

One major barrier to healthcare services for returning citizens, particularly in rural areas, is a lack of transportation resources. Many do not have a car or access to public transportation, which can leave them isolated and unable to access needed services.

Counties should ensure that all returning citizens have access to some form of transportation, such as LIFT, to help them attend medical appointments, refill prescriptions, and otherwise address their medical needs.



Ensure all care provided is trauma-informed

One of the most impactful, yet hardest to detect, conditions common in prison populations is trauma. Individuals who end up incarcerated were often born and raised in high-poverty, high-crime areas; they have experienced not only acute instances of trauma (particularly adverse childhood experiences, or ACEs), but are subjected to a daily barrage of low-level trauma throughout their lives. We know from the original ACE Study that people experiencing four or more ACEs have a substantially higher probability of heart disease, cancer, emphysema, and diabetes; the probability of suffering from alcoholism is seven times higher; intravenous drug use

is ten times higher; and attempted suicide is 12 times higher. Another study indicated that those

¹⁵*Use of Certified Peer Specialists*, Minnesota Department of Human Services (2016).

¹⁶*Behind Bars*, *supra* note 12.

¹⁷*Id.*

who commit crimes experienced nearly four times as many ACEs in childhood as those who have not, and that eight out of ten types of ACEs studied were found at significantly higher levels among those who commit crimes.¹⁸

High levels of trauma affect individuals' behaviors as well as their responses to various interventions. Many well-intentioned efforts to help can fall short or be outright rejected if they are not conducted in ways that account for an individual's trauma history.

To enhance recovery, PARC is working to promote awareness of trauma-related issues across the correctional system, including among probation and parole, and service providers.

PARC asks all corrections agencies to help ensure that all care provided in correctional facilities and post-release is trauma-informed, and that all personnel receive trauma-informed training to help them better interact with traumatized individuals, deescalate situations, and ensure that the services being provided are as impactful as possible.

Employment

After housing, employment might be the most significant barrier to successful reentry. Economic stability is critical to avoiding recidivism, and a job is the key to that stability. One study found that employment can reduce recidivism by upwards of 85 percent.¹⁹ Yet nationwide, nearly 60 percent of returning citizens are unemployed one year after their release from prison.²⁰

Of course, the simple fact of having a criminal record makes finding employment far more difficult. Each year, nearly two million U.S. workers aren't hired because of their criminal records.²¹ Ironically, employers' instincts to avoid hiring returning citizens as a safety measure actually reduces public safety by increasing the likelihood of recidivism. While there are many examples of employers across the country who routinely hire, train, and employ returning citizens with the same degree of success as employees without a criminal record, too few are willing to do so. One study, for example, showed that simply having a criminal record reduced the likelihood of a callback for a second interview by 50 percent.²²

Since 2018, PARC has partnered with the PA WDB to focus on finding employment for returning citizens. To streamline their efforts, PARC's employment subcommittee chair has been named as a co-chair of the PA WDB subcommittee on reentry. The primary mission of this partnership is to provide awareness to employers across Pennsylvania about the challenges and opportunities of hiring returning citizens.

¹⁸Reavis, James *et al.*, *Adverse Childhood Experiences and Adult Criminality: How Long Must We Live before We Possess Our Own Lives?*, The Permanente Journal (Spring 2013).

¹⁹Cove, P. & Bowes, L., *Immediate Access to Unemployment Reduces Recidivism*, Real Clear Politics (June 11, 2015) (finding a reduction in recidivism from 67 percent to 8 percent, which is an 85 percent decrease).

²⁰Center for American Progress, *supra* note 2.

²¹*The Price We Pay: Economic Costs of Barriers to Unemployment for Former Prisoners and People Convicted of Felonies*, Center for Economic and Policy Research (2016).

²²Pager, Devah, *The Mark of a Criminal Record*, American Journal of Sociology (2013).

Create a toolkit for employers hiring returning citizens

Employers might not hire returning citizens out of fear for their own safety, insurance concerns, or other perceived disincentives. For example, one study showed that employers have a tendency to perceive returning citizens as untrustworthy or likely to break rules, steal, or deal poorly with customers.²³ Employers are also reluctant to hire individuals with criminal records due to fear of litigation; they may believe that if they knowingly hire someone with a criminal history, and the employee commits a crime in the course of their employment, the employer will be liable and face legal and financial consequences.

However, many of those concerns are unfounded, and many myths can be easily dispelled

To help employers better understand how to successfully hire returning citizens, PARC and the PA WDB will create a standard toolkit for employers who are interested in promoting public safety by hiring dedicated workers who happen to be returning citizens. We expect that this toolkit will refer to and build on the work of the Council of State Governments Justice Center, which has developed a Reentry and Employment Toolkit that helps both employers and job applicants navigate any concerns regarding criminal history.²⁴

Incentivize hiring returning citizens

One of the biggest levers that government has to encourage behavior is through financial incentives. We expect that employers will respond if the government provides and promotes financial incentives to hire returning citizens. As a result, we would see a reduction in unemployment in this population and an increase in successful reentry.



For example, the Work Opportunity Tax Credit is a federal tax credit for employers who hire individuals who are considered difficult to employ, including those with criminal records. Another example is the Federal Bonding Program (FBP), which was created as an incentive for employers to hire at-risk, hard-to-place job seekers. The FBP provides employers with a business insurance policy that protects them against loss of money or property due to employee dishonesty. The bond is good for six months up to the amount of \$5,000 at no cost to the employer.²⁵

PARC recommends that all levels of government explore ways to incentivize hiring returning citizens.

²³Hickox, Stacy, *Employer Liability for Negligent Hiring of Ex-Offenders*, 55 St. Louis Univ. L.J. 1001 (2011).

²⁴*The Reentry and Employment Project Toolkit*, Council of State Governments Justice Center (2014).

²⁵*Federal Bonding Program*, Pennsylvania Department of Labor & Industry.

Revisit occupational licensing restrictions

In many professions, employees need special certifications from the Commonwealth to operate legally. While certifications make sense for many professions (such as nurses or teachers), and while certain criminal histories should be prohibitive for some professions (such as child sex offenses with respect to childcare jobs), PARC believes that the current certification and licensing requirements for many trades in Pennsylvania are overly-restrictive. In Pennsylvania, 29 professional boards and commissions regulate over 100 different licensure types for nearly 1 million licensees. But many of these licenses seem unnecessary, such as those for hairdressing and cosmetology. In one case, a Philadelphia resident was denied her esthetician license by the Pennsylvania Board of Cosmetology, who claimed that her past misdemeanor convictions indicated a lack of “good moral character.”²⁶

Returning citizens should not be denied economic opportunities arbitrarily. Unless there is a compelling reason, a criminal record should not be a barrier to entry into a trade. PARC calls on the Pennsylvania Department of State and the General Assembly to thoroughly review occupational licensing restrictions with the goal of opening more doors for returning citizens.

Restrict the use of criminal background checks in hiring

Too often, well-qualified job candidates are rejected out of hand because employers see up front that they have a criminal history—even if that criminal history is irrelevant to the job for which they are applying. One study showed that that over 70 percent of employers who conducted criminal background checks did so before hiring, or before returning citizens could have the opportunity to demonstrate their ability to effectively perform the duties of the job.²⁷ But if returning citizens can at least get to the interview stage before the employer learns of their criminal history, they are much more likely to actually get hired.

PARC applauds Governor Wolf’s implementation of Ban-the-Box for Commonwealth employees, and this practice should be extended to more employers throughout the state. PARC asks that the General Assembly consider bills that would subject more industries to Ban-the-Box or similar restrictions in hiring in order to help returning citizens succeed in their employment searches.

Improve training opportunities

Vocational training is key to reducing recidivism through employment. One study showed that incarcerated individuals with vocational training were 36 percent less likely to be re-incarcerated.²⁸

Correctional facilities must always strive to provide more job training opportunities—both in terms of quantity and variety—and ensure that they are relevant in the modern economy. PARC applauds the ongoing efforts of the Department of Corrections to provide these services. However, more must be done. According to a study



²⁶Nuri, Trena, [Lawsuit: Pa. should end ‘good moral character’ requirement for cosmetology licenses](#), WHYY (Dec. 12, 2018).

²⁷Holzer, H., Raphael, S., & Stoll, M., [Will Employers Hire Ex-Offenders?](#), Focus (Summer 2004).

²⁸Davis, Lori *et al.*, [Education and Vocational Training in Prisons Reduces Recidivism, Improves Job Outlook](#), Rand Corporation (2013).

by the National Center for Education Statistics, only seven percent of people incarcerated in the U.S. receive vocational certifications while incarcerated, even though 29 percent of them have expressed interest in doing so.²⁹ This disparity is largely attributable to a lack of available training programs.

We ask that correctional facilities offer a robust, modern portfolio of trainings offerings, and we ask the General Assembly to consider providing facilities with additional funding to support these trainings.

Education

Education can be the key that unlocks economic opportunity, yet only 64 percent of people incarcerated in the U.S. have earned a high school diploma or GED, and another 30 percent have even less education than that.³⁰ Returning citizens should have the same opportunities as everyone else to further their education and obtain a degree in a formal educational setting.

Increase correctional education opportunities

Individuals who receive correctional education are significantly less likely to reoffend than those who do not, with one study showing a 43 percent drop in recidivism attributable to these programs.³¹ PARC recommends that all correctional facilities frequently review their educational offerings for quantity, quality, currentness, and accessibility to ensure that everyone in custody who wants to access educational programming has a meaningful opportunity to do so.

Institute Ban-the-Box for educational programs

Much like job applications, criminal histories can create barriers to educational opportunities. National surveys of admissions practices at higher education institutions showed that 60 to 80 percent of private institutions and 55 percent of public institutions require undergraduate applicants to answer criminal history questions as part of the admissions process.³²

Just as Governor Wolf has instituted Ban-the-Box for state hiring, educational programs should not consider past criminal history until they have given applicants a fair chance to be evaluated on their academic merits. This is already done elsewhere; for example, in 2017 Louisiana became the first state to prohibit all of its public universities from inquiring about criminal history on college applications.³³ And in 2018, the Common Application (a generic common application form used by colleges and universities across the United States) announced that it would eliminate questions about applicants' criminal histories from the common section of the application.³⁴

²⁹*Id.*

³⁰[Highlights from the U.S. PIAAC Survey of Incarcerated Adults: Their Skills, Work Experience, Education, and Training](#), National Center for Education Statistics (2014).

³¹[U.S. PIAAC Prison Study Results: 2014](#), National Center for Education Statistics (2014).

³²E.g. [Reconsidered: The Use of Criminal History Records in College Admissions](#), *New York: Center for Community Alternatives*, The Center for Community Alternatives (2010); Pierce, Matthew W. et al., [The Use of Criminal History Information in College Admissions Decisions](#), 13 *Journal of School Violence* 359-376 (2014); and Stewart, Robert, [Criminal History and College Application Process](#), Presentation at American Society of Criminology Meetings, Washington, D.C. (Nov. 18, 2015).

³³Kamanetz, Anya, [Louisiana Is First State To Ban Public Colleges From Asking About Criminal History](#), National Public Radio (June 22, 2017).

³⁴Davis, Jen, [Change to Criminal History Question for 2019-2020 Application Year](#), The Common App. (2018). Individual institutions would still be able to require applicants to provide this information at their discretion.

The sheer volume and diversity in educational programs makes blanket recommendations in this area impractical. Still, PARC recommends that every educational oversight agency and organization take steps to ensure that criminal histories are not used to unfairly discriminate against returning citizens who are trying to further their education.

Provide access to academic and digital literacy programs

Too few incarcerated individuals have adequate skills in reading literacy (the ability to read and write) or digital literacy (the ability to operate the basic functions of computers and utilize online services). These are skills that every educational program in the Commonwealth has a responsibility to teach, including programs in correction institutions.



PARC asks that all government stakeholders work together to create and fund educational programs in our correctional facilities that guarantee access to basic literacy programs for all who are incarcerated. While we certainly cannot force anyone to learn, we have an obligation to make it possible for them to learn if they choose to better themselves.

Family services and reunification

The most emotionally difficult part of returning to society is often reintegrating with family. Many returning citizens have children in county custody that they want to try to reunify with;³⁵ others are returning to homes where they are less than welcome due to their recent incarceration; and others will have been away from their communities and their families for so long that smooth reunification is extremely challenging.

This is a challenging problem for returning citizens, service providers, and reentry advocates. There are no easy solutions to family cohesion. Still, there are some things we can do that we know work that will make a difference for many returning citizens.

Increase availability of peer mentoring programs

All of us are most receptive to information that comes from our peers. This is as true when we're teenagers as when we're adults. So it makes sense that people who are incarcerated are most likely to listen to and learn from others who have been in their shoes.

Programs that match successful returning citizens with currently-incarcerated individuals for peer support and mentoring have proven effective at helping those incarcerated individuals reunify with family when they leave prison. Unfortunately, these programs are few and far between in Pennsylvania. PARC asks that the Department of Corrections and the General Assembly work

³⁵The Pennsylvania Department of Corrections estimates that 81,000 children have a parent incarcerated in Pennsylvania state prisons alone, and that 64 percent of all male state prison inmates have at least one child. Pa. Dept. of Corrections, [*Children of Incarcerated Parents*](#).

together to find ways to expand these programs and bring them to as many correctional facilities as possible.

Develop family reunification policies and procedures

Each county should develop policies and procedures addressing the reunification of returning citizens with their families. It is also important to identify the resources available for returning citizens within each county to assist with reunification. Ideally, counties would use a consistent set of policies and best practices to identify and address the barriers to family reunification faced by returning citizens.

Possible policies include:

- Have every incarcerated individual create a “reunification plan.”
- Offer parenting classes not just in prisons and jails but also through probation and parole.
- Establish “reunification coaches” to help reentering parents successfully complete their reunification plan and proactively address any custody issues.



Expedite access to subsidized child care

Upon release, parents have to quickly secure employment, childcare, and housing. For many, their financial situation makes finding subsidized childcare essential. However, subsidized childcare programs typically require parents to work a minimum of 20 hours a week to be eligible, which presents an enormous barrier given the challenges returning citizens face in obtaining employment.

Counties should consider lowering these work requirements for reentering parents to help them access childcare quickly. This will make their searches for jobs and housing easier and help ensure a more successful reentry for returning citizens and their children.

Facilitate child-friendly visitation

Having an incarcerated parent is traumatizing for children. Unfortunately, visiting them in a typical visitation room can be even further traumatizing for the child and parent alike. To reduce trauma while facilitating productive visitation time, all correctional facilities should have family-friendly visitation facilities and policies. This increases the likelihood that such visits would take place and would strengthen parent-child bonds.

Restorative justice

The criminal justice system is still working to develop systems to tailor accountability to fit each particular crime, perpetrator, victim, and circumstance. It is arguably the hardest challenge faced by prosecutors and judges. Many times, the traditional methods employed by the criminal justice system can be too blunt of instruments. We need to reevaluate how we approach accountability, balancing the legitimate interests of rehabilitation, incapacitation, retribution, addressing the needs of victims, and preventing recidivism. Restorative justice processes can assist with this.

Restorative justice involves, to the extent possible, all who have a stake in a specific offense. Restorative justice processes work to collectively identify and address harms, needs, and obligations, with the goal of making things right for all involved. Quality restorative justice models incorporate trauma-informed practices, and they must consider both interpersonal and systemic harm. After all, if we expect those convicted of crimes to change their behaviors moving forward, it makes sense for them to actively participate in the process.

Establish restorative justice processes

Counties, through their District Attorneys or other means, should fund and support restorative programs that foster victim/offender dialogue whenever appropriate and seek rehabilitation of offenders through reconciliation with victims and the community at large. When possible, this process should be fostered before, during, and after incarceration.

While there are different models, victim offender conferencing (VOC) is the most common restorative justice process used in the U.S. for both pre-adjudication and post-adjudication. VOC allows those who have caused harm to face the impact of their behavior and hear firsthand how people have been affected by it, while also allowing those affected to voice their needs and have a say in how an individual is held accountable. VOCs have shown to reduce recidivism, increase victim satisfaction in the process, and provide cost savings to the criminal justice system

Implement best practices in restorative justice

To facilitate this adoption of processes such as VOC, PARC's Restorative Justice Subcommittee will continue to review restorative process models in Pennsylvania and around the globe and serve as an informational resource for both urban and rural counties on which models may work well for them.

This work includes assisting other PARC subcommittees in viewing their work through a restorative justice lens. This subcommittee is exploring how best to assist other subcommittees to more carefully consider their work, to involve to the extent possible those affected by their work, and to use language reflects a restorative mindset.

Special populations - women

While many of the challenges faced by women returning citizens are similar to those experienced by their male counterparts, they also experience unique difficulties, including:

- increased likelihood to have experienced physical and sexual abuse as children;
- higher rates of mental illness; and
- serving as primary caretakers of children prior to entering prison, with plans to return to that role post-release.

Improve data collection

While collecting data on all returning citizens is valuable, it is even more important to collect data on female returning citizens to ensure sufficient resources to meet their unique needs. Counties and correctional facilities should strive to collect more detailed data regarding women in their custody.

Create a Women's Reentry Toolkit

Because women who are incarcerated or returning citizens face unique and complex life challenges, PARC is leading the creation of a Women's Reentry Toolkit to identify the challenges they face as well as the services needed and available to overcome those challenges.

Data, Metrics, and Information Sharing

The Data, Metrics, and Information Sharing (DMI) subcommittee conducted a survey of all county CJABs in the Commonwealth to examine how each CJAB, and agencies within their counties, define and track recidivism. The results show a lack of consistency in recidivism definitions and concern over the current ambiguity of recidivism definitions both within and between counties. Based on this survey, there also appears to be a lack of preparedness to undertake the level of data collection necessary to adequately measure recidivism.

Develop standards to define and track recidivism

The DMI subcommittee recommends that PARC establish (and counties adopt) a unified definition of recidivism to allow all counties to speak the same language regarding recidivism. This will also provide the potential for much larger-scale data collection on the impact of reentry efforts across the Commonwealth.

Establish standards for data collection

One of the concerns identified by the DMI subcommittee is that county agencies are not collecting the data necessary to accurately assess recidivism rates. PARC recommends all county agencies begin the process of formally tracking their cases and sharing that information across government. Data collection should include not only recidivism rates, but also use of treatment plans, programming attended, risk assessment scores, rearrests, incarceration, violations, housing, employment status, educational attainment, and any other useful data.

Risk/needs/responsivity (RNR) assessments

Risk/needs/responsivity (RNR) assessments are valuable tools for reducing recidivism. When executed properly, they help direct limited resources where they are needed most by: (1) assessing which individuals are at highest risk of recidivism; (2) determining what their needs are and which of those needs should take priority; and (3) responding to those needs with appropriate services and referrals. RNR assessments have been shown to reduce recidivism by upwards of 35 percent.³⁶

Increase awareness of RNR and its benefits

PARC will continue to work with RNR experts to develop materials to help policymakers and corrections officials understand and implement RNR effectively.

Provide RNR 101 training for stakeholders

It is essential for practitioners, judges, and other reentry stakeholders understand RNR. An RNR 101 training would provide this understanding and help policymakers and practitioners make informed decisions on how to use their resources.³⁷

The DMI subcommittee is exploring ways to create these trainings and provide them to stakeholders in county reentry coalitions.

Incorporate RNR into probation and parole

Just understanding and being trained on RNR isn't enough; RNR must become standard practice for probation and parole, and to be adopted by community-based service providers when appropriate. PARC asks that the county corrections facilities and agencies begin the process of implementing these best practices through education and training, then develop a plan for deployment across the Commonwealth.

³⁶Pennsylvania Board of Probation and Parole, [*Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation*](#) (2007).

³⁷Bonta, James and Andrews, Don A., [*Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation*](#), Ottawa, Ontario: Public Safety (2007).

CONTACTS

If you are interested in contacting the Pennsylvania Reentry Council, please send emails to:

Charla J. Plaines

Reentry Coordinator for Pennsylvania Office of Attorney General &
Pennsylvania Reentry Council
cplaines@attorneygeneral.gov

Robert K. Reed

Executive Deputy Attorney General for Special Initiatives
Pennsylvania Office of Attorney General & Chair, Pennsylvania Reentry Council
rreed@attorneygeneral.gov