

Offender Reentry and Justice Reinvestment

Ohio Association of
COUNTY
BEHAVIORAL
HEALTH
AUTHORITIES

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Behavioral Health Pivotal in Successful Reentry

Director Ernie L. Moore
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Rehabilitation and Correction

The Ohio Department of Rehabilitation and Correction (DRC) is standing at a critical and urgent crossroads. While our inmate population climbs, like most agencies we are being asked to do more with less. Much like making lemonade out of lemons, the dedicated and committed DRC staff face these challenges head-on, creating opportunities for improvement and change. I am proud of the tenacity displayed by DRC in these difficult times. Despite challenges, DRC has taken the lead when it comes to offender reentry by bringing this issue to the forefront, including treatment for offenders who are mentally ill both before prison as a preventative measure and following release to assist in stabilizing them in the community.

As part of our mission to ensure that Ohio is managing its costly criminal justice system in the most efficient manner possible, the Council of State Governments (CSG) has been asked to provide technical assistance in conducting an in-depth review. This analysis covers every spectrum of the system, and the results will be used to develop policies to ensure Ohio's tax dollars are spent wisely. DRC has been committed since the beginning to providing any assistance needed during this evaluation. I am excited to see the results

because there will certainly be significant implications on all areas of the system.

Behavioral health has been a large part of the evaluation by CSG. As a corrections agency with over 51,000 offenders, we understand that addressing behavioral health issues is a smart use of our resources. We have long known that there are a number of offenders who come into prison as a last resort because the resources in the community are dwindling. Any safe and appropriate effort related to diversion and treatment in lieu of conviction will help to alleviate a burgeoning population.

Over 9%, or close to 5,000 offenders in Ohio's prison system are considered Seriously Mentally Ill and close to 10,000 offenders are being served on the mental health caseload. Although mental illness is not the cause of criminal activity, we do know that people with mental illness are more likely to face risk factors associated with criminal activity such as homelessness or drug addiction. Reinvestment requires that resources be put toward basic needs for the mentally ill offenders so they are able to utilize social supports before their needs become so profound that their risk of reoffending increases.

Filling in the gaps of behavioral health treatment for offenders continues to be a priority both within our prisons as well as within our community-based programs. The Bureau of Community Sanctions was allocated "emergency" funding in 2007, and the funding increases continued in Fiscal Year

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OHIO OFFENDER FACTS

- ☞ Ohio's prisons are currently 33% above capacity.
- ☞ Ohio would need an additional estimated \$829 million on top of what it already spends just to house the growing prison population; prison intake has gone up by 41% between 2000-2008.
- ☞ Two-thirds of Ohio probation offices report that there are insufficient mental health resources in their jurisdiction.
- ☞ Fifty-six percent of Ohio's prison admissions are first time non-violent offenders – 68% of these non-violent first time offenders are there for property or for drug offenses.
- ☞ Thirty-six percent admitted to prison because of a probation violation have mental health needs.
- ☞ Eighty-five percent of prison admissions due to probation violations indicate recent drug use.
- ☞ Ohio judges report that loss of community-based outpatient treatment sites have led them to sentence people with behavioral health issues to more expensive residential community corrections programs even if the severity, risk level, or other considerations do not warrant a secure residential facility.

Justice Reinvestment in Ohio

Thomas J. Stickrath, Director
Ohio Department of Public Safety



After dedicating my career to the criminal justice field – 25 years in adult corrections, five years in juvenile justice, and presently public safety – no project has ignited my passion like the Justice Reinvestment Initiative. My involvement as a member of the Council of State Governments (CSG) Justice Center Board of Directors has enabled me to be a part of something of great magnitude to Ohio.

The Justice Center evolved from CSG's Eastern Regional Conference justice program to a national center in 2006. It serves all states to promote effective data-driven practices to provide nonpartisan, practical solutions to public safety and cross-systems problems to reduce corrections spending and reinvest savings in strategies that can decrease crime and strengthen neighborhoods.

State spending on corrections has grown at a rate faster than nearly any other state budget item over the past 20 years. Despite increasing expenditures, half of those released from prison recidivate within three years. Justice Reinvestment Initiative staff, with expert consultant help, work closely with state policymakers to advance fiscally-sound, data-driven criminal justice policies to reduce recidivism, avert prison expenditures, and make communities safer. The staff provide technical assistance to a limited number of states that demonstrate a bipartisan interest in the strategy.

Through the efforts of Governor Strickland, Justice Evelyn Lundberg Stratton and former ODRC Director Terry Collins, we were able to secure that critical bipartisan support in bringing this program to Ohio.

For Ohio, one of the most important aspects of this program is that it does not take a cookie-cutter approach, but is based on indigenous needs and data of individual states.

Texas and Kansas have seen positive results in recidivism rates and declining crime rates after lawmakers and policymakers in those states used data to enact comprehensive policy packages specific to issues with their prison populations. These are wonderful examples of how the Justice Reinvestment Initiative can be used to address specific problems and benefit an individual state.

Ohio is confronting challenges different from Texas and Kansas, including a looming budget deficit and considerable crowding in its prisons, but we also possess opportunities, through this process and other existing efforts, to examine our justice system in a data-driven

manner and produce policy options based on consensus.

Preliminary findings were presented July 26, 2010, to a variety of criminal justice stakeholders, including three Supreme Court Justices, several cabinet members, elected officials and other interested parties. We will continue these important discussions regarding the implementation of policies and working with the legislature to make statutory changes.

Kansas and Texas Case Studies

In Kansas, to address a projected prison population increase and the need for additional space and operating costs, state policymakers approved policies designed to reduce the risk of individuals under supervision and directed \$7.9 million to expand treatment programs and strengthen probation and parole. As a result, from 2007 to 2009, the state prison population decreased by 4%. The number of probationers and parolees revoked for violating conditions of their supervision or convicted for committing new crimes dropped by 20%.

In Texas, lawmakers enacted a comprehensive policy package to avert prison growth and save \$443 million. To improve the success rates of people under supervision, the legislature reinvested \$241 million to expand the capacity of substance abuse and mental health treatment and diversion programs and to ensure that release of low-risk individuals is not delayed due to lack of in-prison and community-based treatment.

Since the enactment of the new policies, the number on parole and probation who have been returned to prison decreased significantly. The prison population has been stabilized and is not projected to grow, allowing the state to cancel plans to build additional prisons. Crime rates have also declined.

Not only is this type of program unique to Ohio, but ours is one of the first states in the country to focus on behavioral health from the onset, which is a key component to the success of the program. ODADAS and ODMH embraced this initiative from the beginning and are committed to ensuring that behavioral health is included in our strategic thinking and planning. Also from inception, we have had the availability of the Justice Center and Dr. Fred Osher, a lead expert in the field, to ensure this issue remains a focal point.

It is very rewarding to hear my Justice Center colleagues are working closely together as we know that strong collaboration and teamwork are critical aspects in achieving great things. Future success will depend heavily on continuing to collaborate and build on existing relationships with community corrections, behavioral health networks, crisis intervention systems and supportive housing. Through this, Ohio can become a benchmark state in being smart on crime.





Unite to Support Reentry

William M. Denihan, CEO

Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board of Cuyahoga County and Chair of the Cuyahoga County Reentry Coalition

While Cuyahoga County makes up just 11% of Ohio's population, it receives the highest number of adult parolees, more than any of the other 87 counties, averaging nearly 10,000 ex-offenders or 27% of Ohio's prison population. Ohio Department of Rehabilitation and Correction (ODRC) data shows that ex-offenders face obstacles in Cuyahoga County, such as employment, transportation, behavioral health, housing, etc., which result in higher recidivism rates – 38% – and up to 75% for former inmates with untreated behavioral health issues.

The ADAMHS Board of Cuyahoga County currently funds three evidenced-based prison reentry programs for consumers of mental health services being released to the community from correctional facilities. The goals of these programs are:

- 1) to reduce recidivism of people with mental illness,
- 2) to increase access to mental health and other services available to offenders with a mental illness,
- 3) to stabilize mental illness, and provide referral and linkage to critical benefits and ancillary supports.

These programs have lowered recidivism rates from a high of 65% to 4%. Unfortunately, current funding limits the number of people being served to less than 300. The Board also funds \$200,000 to provide four mental health liaisons at the Cuyahoga County jail. The liaisons provide screenings, assessments, referrals, and linkages for treatment to the inmates.

The Greater Cleveland Integrated Reentry Project (GCIRP), funded by the Cuyahoga County Office of Reentry, is a collaboration of local and state providers working as a team to assist offenders and their families in making effective transitions into the community. GCIRP offers case-management and supportive services to those who are incarcerated with three to six months remaining who will live in Cuyahoga County after release. Services are provided before and after release through the Center for Families and Children and Community Reentry.

The Cuyahoga County Reentry Coalition, of which I am Chair, believes that without employment, ex-offenders cannot fully integrate in the community. Often highly qualified ex-offenders are not even considered for positions. The Coalition so strongly believes in this issue that it passed a resolution indicating that all of its members will be open to hiring qualified ex-offenders. In order to properly serve ex-offenders and change policy as well as public perception, the providers, funders, and overseers of the system must be the first to believe that ex-offenders can fully reenter and participate in society.

Cuyahoga County has been working with judges on the concept of provisional conditional release to move low-level non-violent offenders out of prison into treatment and the community. Luis Vazquez, Manager of the Cuyahoga County Office of Reentry, said, "We know that our outreach to the judges is effective, as more inmates have been released from prison and are being successfully served in the community."

A multitude of programs currently exist across Ohio and are attempting to address the problem of reentry. These programs, however, tend to be fragmented and independent of each other at the municipal, county, and state level across diverse fields such as law enforcement, corrections, behavioral health, and health and human services. Ohio would greatly benefit from the integration of these various programs into a better coordinated effort rooted in treatment services of proven effectiveness.

Justice Evelyn Stratton of the Ohio Supreme Court is working to elevate reentry to receive the level of attention it deserves, similar to the Crisis Intervention Team (CIT) Training. To date, nearly 300 police officers from Cleveland, five surrounding suburbs, colleges, hospitals, the Sheriff's Office, and the Metropolitan Housing Authority have been trained in CIT through the ADAMHS Board. Justice Stratton explains, "CIT training educates police officers about the realities of mental health with the goal of helping officers to de-escalate situations and recognize people who are better served by treatment rather than imprisonment. It is the first line of defense that we have to ensure that low-level, non-violent offenders with mental illness are diverted to treatment rather than imprisoned."

If the government and social service programs do not come together to create a united front and make significant policy changes, we will continue to face high recidivism rates. It only makes sense that programs to assist ex-offenders should be concentrated within the communities where ex-offenders live. By centralizing services, organizations will be able to maximize dollars and time in providing services, thus reducing the recidivism rate.

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Next Step for the Justice Reinvestment Process: Developing a Data-Driven Set of Policy Options for Ohio

Big Picture Goals

Reduce
Recidivism

Reduce
Spending on
Corrections

Reinvest in
Effective
Strategies

Policy Objectives

Strengthen probation
supervision & shift
supervision resources
to target high risk
offenders

Refocus diversion and
treatment resources
to improve cost-
effectiveness by
developing a
consensus on what
types of offenders
should utilize which
diversion/treatment
programs

Identify opportunities
to reinvest existing
dollars in more
effective strategies to
increase public safety
and further reduce
recidivism

Above is the Council of State Governments Justice Reinvestment Plan for changing policy and reducing recidivism and corrections spending in Ohio.

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2010 and 2011. The Bureau has set aside thousands of dollars of funding to meet requests from agencies to enhance mental health and substance abuse treatment.

In Fiscal Year 2010, the various types of funded community corrections programs served 630 offenders who were classified as Treatment in Lieu (TIL). Those offenders received approximately \$1.7 million in DRC funded services. Also since 2007, DRC has funded a permanent supportive housing initiative targeting offenders who are chronically homeless or at high risk of homelessness. The offenders must also have a condition that makes it difficult for them to live totally independently.

DRC has been a strong proponent of introduced legislation, Senate Bill (SB) 22. If passed, SB 22 would play an important role in addressing the needs of the mentally ill population before they are brought to prison, thus helping to alleviate the crowded prison system and addressing the needs of this population. Senate Bill 22 would allow judges to place additional offenders in TIL beds. Specifically, the legislation would expand eligibility to individuals charged with specified theft and other offenses; and would make low level drug offenders and Felony 4 possession offenders eligible for TIL of incarceration.

The fact is that a large majority of offenders who enter the prison system will be returning to our communities as our neighbors, making offender reentry a community issue, not just a prison issue. Wouldn't it be wise to do what we can to make sure offenders are prepared to meet the many challenges they will face upon release from prison? An adequately prepared offender is less likely to reoffend and more likely to become a law abiding, tax-paying citizen.

Safety and security will always remain the number one priority of DRC; however, we know that there is more to operating an effective corrections system than simply lock and feed. We are all taxpayers; therefore, we all have a stake in how this costly system is operated. As such, it is important that we continue to seek and support appropriate alternatives to prison for appropriate low level offenders who would benefit from treatment or other sanctions, reserving prison beds for those who are violent, assaultive or predatory.