

**EVIDENCE-BASED REENTRY INITIATIVES DEVOTED TO
STRENGTHENING POSITIVE SOCIAL RELATIONSHIPS**

**A Report of the Recidivism Reduction Committee of the
Connecticut Sentencing Commission**

TABLE OF CONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS

I. CHANGING FOCUS TO EMPHASIZE FAMILY AND OTHER PRO-SOCIAL NETWORKS IN REENTRY POLICY1

- A. *Correctional policy: from solitude to community*.....2
- B. *The effects of imprisonment on communities*.....4
- C. *Individual responsibility is a key part of efforts to create pro-social support systems, and vice versa*..... 6
- D. *Supporting families reduces recidivism*..... 7
- E. *Mothers in prison have special needs and concerns*..... 7
- F. *Family support requires recognizing the importance of fathers*.....9
- G. *Classrooms, schools, churches, and neighborhoods are important social support systems for reentry success*.....10
- H. *Work is an important social support system for reentry success*10
- I. *Achieving reductions in recidivism through supporting social networks requires realistic goals, good implementation, and careful reporting and analysis*.....11

II. “WHAT WORKS” TO REDUCE RECIDIVISM IN REENTRY THROUGH STRENGTHENING FAMILY AND OTHER PRO-SOCIAL SUPPORT NETWORKS

- A. *Enhance family visitation during incarceration*.....11
- B. *Support pro-social family relationships after incarceration through family mediation, family therapy, stable housing, realistic child support obligations, and expanded employment opportunities*15
 - 1. *Public housing restrictions can destabilize families*.....26
 - 2. *Court-imposed financial burdens can destabilize families*.....26
- C. *Family and pro-social support systems also help support substance abuse and mental illness interventions*.....19
- D. *Improve educational and vocational opportunities through pro-social networks to enhance pro-social and family ties*.....22
 - 1. *The pro-social power of the classroom*.....22
 - 2. *The pro-social power of the workplace*.....24
 - a. *In prison*.....24
 - b. *After prison*.....24
 - 3. *The pro-social value of other communities*25

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Ninety-five percent of those incarcerated nationwide will return to their communities. Between 50-60 percent will recidivate. Randomized studies have shown that punitive policies tend to be less effective overall than treatment-based policies in changing offender behavior,¹ and prison may exacerbate criminal behavior by eroding the familial, educational, community and vocational support necessary for successful reentry and by creating trauma and loss that perpetuate crime from generation to generation. People rarely change by themselves. Rather, they tend to make positive changes because of positive close relationships. This Report examines some of the existing empirical literature on evidence-based approaches for improving recidivism rates by attending more closely to approaches that strengthen familial and community networks. Connecticut is already using many of these techniques. But more can be done.

Below, the Recidivism Subcommittee of the Connecticut Sentencing Commission offers initial recommendations regarding the creation, expansion, or elimination of programs and policies in Connecticut.

I. PRISON-BASED PROGRAMS AND POLICIES

- **Expand Opportunities for Quality Visitation for Prisoners**

Studies show that visitation strengthens family ties, reduces prison violence, and decreases recidivism, often by providing stable housing and material and emotional support upon reentry. The following reforms might be considered in the area of prison visitation.

- Help create more transportation options for visitors to less-accessible prison facilities.
- Encourage more visitor-friendly attitudes and appreciation for visitors.
- Enhance child visitation/contact by:
 - creating child-friendly visit facilities (playgrounds, play areas, toys and books)
 - creating prison nursery programs
 - looking into the expansion of family overnight visitation programs, especially as part of family therapy or reentry preparation
 - creating read-to-your-children programs, scouting programs, or other ways in which mothers and fathers can collaborate with their children while incarcerated
- Reduce restrictions on the number of people that may be placed on visiting lists; increase flexibility regarding number of persons who can visit at one time (especially to allow children to visit together); expedite and simplify the process for changing the visiting list.
- Ease restrictions on visits with family members with criminal records.
- Encourage prisoners to reach out to supportive family members and to recognize that not all family relationships are helpful and supportive.
- Reevaluate whether and when loss of visitation and phone access ought to be used as a general sanction for misbehavior. Take into account in visitation policies, discipline policies and policy statements the positive

effects visitation and telephone contact can often have in 1) supporting offenders' efforts to change, 2) improving their prospects for reentry, and 3) improving their children's and families' well-being.

- Residential community prison-diversionary programs for mothers and infants could be expanded. Similar family housing for fathers could be considered.

- **Promote Other Means for Prisoners to Connect with Family While in Prison**

Positive social relationships may be maintained through means other than visitation. Below are some recommendations.

- Investigate new technologies for enhancing communication, such as video conferencing.
- Ensure that phone service is adequate and calls are low-cost to offenders' families.
- Enhance lines of communication with foster parents, care-givers, pediatricians, and school officials, and among DOC, CSSD, and DCF.
- Expand family services and counseling, and other programs seeking to reconnect families with incarcerated members before and after release.
- Expand Cognitive Behavioral Treatment ("CBT") programs in prison concerning fatherhood, family, and parenting skills, and carefully evaluate program outcomes.
- Recognize the importance of healthy family relationships, especially with children, to incarcerated fathers as well as mothers, and to their children.

- **Encourage and Support Positive Social Relationships for Prisoners Through Drug and Mental Health Treatment, Education, Vocational Training, and Religious Programs**

Treatment and Counseling: More than half of the prison population suffers from substance abuse and/or mental illness.² Group-based treatment and supportive counseling programs with community follow-up help reentrants to overcome addiction and mental illness and to develop supportive relationships, substantially decreasing recidivism. The appropriate involvement of family in treatment and counseling increases its efficacy, and the treatment in turn strengthens family relationships.

- Provide drug treatment where possible using therapeutic communities and aftercare program models, including reentry counseling, and peer support groups.
- Study access to and continuity of medication-assisted and CBT treatments for substance addiction from jail to prison to reentry.
- Provide more consistent counselor liaisons in prison, even through transfers, to accurately record and follow-up therapy programs and help keep family contacts.
- Provide counseling and psychotherapy for institutionalized juveniles, especially along with family therapy.

- Expand CBT programs in prison concerning alternatives to violence and safe communities.
- Study restorative justice approaches and provide opportunities for community service and restitution before release and after.
- Life skills education and domestic violence CBT programs may need reevaluation. (Some studies indicate that these programs do not seem to reduce recidivism for adults, slight impact for juveniles.)

Education: Educational opportunities give prisoners the opportunity to develop positive social relationships with other students and teachers, in addition to helping them become more employable upon their release.

- Enhance general and college education opportunities, especially for juveniles.
- Eliminate state contractor requirements for universities that offer free courses to inmates.
- Evaluate funding models used in other states.
- Evaluate effect of prison transfers on educational opportunities.
- Prefer in-person classroom experiences to distance learning.
- Support peer-mentoring and mutual support programs.
- Support pre-release programming.

Vocational Training: Job training also provides prisoners with the opportunity to build relationships while improving their employment prospects.

- Enhance work release or transitional employment opportunities.
- Create Parallel Universe workplaces, with significant inmate forums for input and governance.
- Evaluate vocational training opportunities in prison to better connect them with market needs and jobs.

Religious Programs: Connecting with religious communities while in prison may help individuals find support from these communities post-release. Religious programs—particularly those that enable inmates to form supportive relationships—could be more continuous from prison to community. Volunteer no-contact rules could be reevaluated.

II. POST-RELEASE REENTRY PROGRAMS AND POLICES

Positive social relationships are crucial to the successful reintegration of individuals into the community. The following reforms might help maintain and strengthen these relationships post-release.

- Expand family mediation and transition services. Help inmates evaluate and choose supportive relationships and protect themselves from abusive ones.
- Look at options for child-care, transportation, etc. to help support family ties.

- Mandatory public housing restrictions on formerly incarcerated persons who wish to live with family members are counter-productive, especially for those with children—a flexible case-by-case approach should be used.
- Engage formerly incarcerated individuals in multi-dimensional therapy involving parents, schools, and families.
- Enhance transitional housing and halfway house reentry programs.
- Do not rely on intensive supervision alone for individuals at a high risk of recidivating, but also provide intensive treatment.
- Provide more opportunities for reentry networking among community service providers, as in existing roundtable projects across the state.
- Coordinate reentry support for housing, employment, food, continuity of health care, substance abuse prevention, and transportation.
- Support in-prison drug and mental health treatment with community aftercare, including peer support, telephone follow-up, and continuity of treatment.
- Child-support obligation accumulation during incarceration is counter-productive. Coordinate agency oversight so that arrearages do not accumulate during incarceration. Consider using mechanisms other than jail sanctions to encourage payment of child support.
- Reevaluate driver’s license suspension laws in light of employment, child care, and transportation needs.
- Mandatory-by-crime post-incarceration employment and licensing restrictions are counterproductive—a flexible case-by-case approach should be used.
- Reevaluate fees parolees may pay for required electronic monitoring or other required services, especially in light of child-care and support obligations.
- Record and track participants in existing programs for better future evaluation, and work closely with social scientists to establish adequate control groups and data collection.

III. OTHER PROGRAMS TO REDUCE RECIDIVISM

- Nurse-Mother partnerships that provide visiting nurses for new mothers in difficult financial circumstances prevent criminal activity by mothers and children.
- Early childhood education programs that provide preschool opportunities for children at risk prevent criminal activity.
- “Scared Straight,” boot camp, and other programs that rely primarily on fear, shame and pain to change behavior in juvenile offenders do not work, but may increase recidivism. Connecticut has already abandoned most of these programs. These results suggest that prison discipline practices should be carefully calibrated for juvenile offenders, and positive reinforcement used where possible.
- Use of school expulsion and criminal referral for less serious offenses by juveniles is counter-productive.

- Outdoor experience programs for juveniles in place of prison do not seem to work.

EVIDENCE-BASED REENTRY INITIATIVES DEVOTED TO STRENGTHENING POSITIVE SOCIAL RELATIONSHIPS

“The story begins in an economically depressed urban setting (Bridgeport, New Haven, Hartford). Two teens meet in high school. Since they do not have the best parental guidance, supervision or role models they engage in unsafe sex and this is how our subject is conceived. These young parents face numerous challenges and the consequences start. She drops out of school to take care of the baby and lives at home with her mother or grandmother. He drops out of school too and tries to get a job. His job pays minimum wage, their living space is a room in a relative’s home and the challenges increase. He ends up moving out and selling drugs which will lead to a series of incarcerations over the next 20 years. The baby does not receive the best care or attention. Malnutrition and low academic achievement are present. His mother is stressed, works two-three minimum wage jobs and by the time the kid is 10 his mother has had a few boyfriends and she has had two-three more children with different men. So by the time our subject is 10 he starts going to play in the streets after school, weekends and during the summer (his mother cannot afford after school care or summer camp). Out in the streets he does not have much supervision and eventually once he is a teen he starts getting in trouble. The pranks turn into crimes and he gets arrested for the first time. This time he will go to a juvenile review board. He has grown up without a father figure. He has only seen his father a few times in between incarcerations and prolonged episodes of drug use. Our teen is back on the streets but he has been kicked out of school and is hanging out with negative role models. This leads to criminal behavior, drug selling and eventually arrest and incarceration. His mother does not have money to bail him out and realizes that perhaps the best way to keep him away from trouble is for him to go to jail. The first sentence will be for a few months, the next one will be for a couple years and by the time he is in his late twenties he will get a sentence for almost five years. By now he has two children with two separate women, he owes child support and has broken ties with most of his relatives by abusing and misusing their support. As he approaches the end of his incarceration he faces high expectations: he has to get a job, live on his own, pay child support, attend night school, and comply with all the programming stipulated by parole or probation ranging from relapse prevention to domestic violence prevention. He faces these challenges without a GED, reliable transportation, appropriate healthcare and key supports. The odds are against him, he grows frustrated, desperate and starts coping with substance use and violence which will lead to criminal behavior and re-incarceration. At some point during this story his children grew up, became teens, got pregnant, started getting in trouble, dropped out of school, got arrested, possibly incarcerated and the cycle continues.” --Yale Family Reentry Team Research Worker

I. CHANGING FOCUS TO EMPHASIZE FAMILY AND OTHER PRO-SOCIAL NETWORKS IN REENTRY POLICY

Contemporary evidence-based “best practices” for successful reentry after prison require a break with our historic focus on the individual offender and a renewed attention to developing, aiding, and sustaining pro-social networks.

A. *Correctional policy: from solitude to community*

“You come here alone, you leave here alone.” -- Inmate at York CI quoting a prison proverb.

The original philosophy of the penitentiary was to isolate offenders from the community to allow them to repent and reflect—to become “penitent.” The success or failure of offenders was considered to be an internal, individual, spiritual matter, not a matter of social environment. Early reformers in Pennsylvania believed that:

Depraved tendencies, characteristic of the convict, have been restrained by the absence of vicious association, and in the mild teaching of Christianity, the unhappy criminal finds a solace for an involuntary exile from the comforts of social life. . . . Shut out from a tumultuous world, and separated from those equally guilty with himself, he can indulge his remorse unseen, and find ample opportunity for reflection and reformation.³

New York reformers likewise, in 1821, directed prison inspectors “to select a number of the ‘oldest and most heinous offenders’ and put them in solitary confinement, with the end in view of observing its disciplinary effects.”⁴ The experiment “proved a hopeless failure and led to a marked prevalence of sickness and insanity on the part of the convicts in solitary confinement.”⁵ New York instead instituted a regime of communal work. Other jurisdictions soon did the same.⁶

Modern penological and psychological theory has confirmed what these early prison reformers discovered: **most significant personal change—from quitting smoking⁷ to getting an education⁸—does not usually occur in solitude, but is greatly enhanced by supportive social networks.** Reentrants who have faith-based communities have lower recidivism rates than comparable-risk reentrants who do not.⁹ Those receiving drug treatment in therapeutic communities have better outcomes than those who receive drug treatment with less social support.¹⁰ Those who have strong and healthy family relationships have lower recidivism rates than those who do not.¹¹ Even the U.S. Army is turning to peer-mentoring,¹² family counseling, and group therapeutic approaches to help soldiers coming back from battle (and the families they return to) to counteract post-traumatic stress disorders and achieve “resilience,”¹³ the “capacity to rebound from adversity strengthened and more resourceful.”¹⁴ An early assessment of the Army’s program in January

2012 showed positive results, and the program's director, Brigadier General Jim Pasquarett, noted, "I think in the future, even under this budget, we're going to fund it. We believe this will save us money through prevention (because) it helps our Soldiers, family members and Department of the Army civilians deal with adversity in their life and more importantly – thrive in their lives."¹⁵

The resilience therapies used by the Army stem from resilience studies in the 1990s. These studies followed children from areas of violence and poverty who were statistically likely to "fail" according to measures of substance abuse, mental illness, family instability and crime. Researchers tried to identify the common characteristics of those who, defying expectations, became optimistic, successful, and stable adults. They found that the children who succeeded against all odds were those who had, among other things, at least one consistently stable and supportive adult in their lives and who were able to establish concentric circles of community supports in peer groups, classrooms, churches, and neighborhoods.¹⁶ Researchers have also demonstrated that this resilience can be taught and strengthened through teaching family and community members to communicate well, to work together through hard times, and to avoid or change abusive relationships that cause trauma and often lead to criminal conduct.¹⁷ The focus is on seeing difficulties as challenges, and then finding strengths and resources in both past experiences and in present support systems to meet those challenges. The focus is not on making "excuses" and receiving "help." The key findings of this resilience research are:

- "Individual resilience is best understood and fostered in the context of the family and larger social world, as a mutual interaction of individual, family, sociocultural, and institutional influences.
- Crisis events and persistent stresses affect the entire family and all its members, posing risks not only for individual dysfunction, but also for relational conflict and family breakdown.
- Family processes mediate the impact of stress for all members and their relationships and can influence the course of many crisis events.
- Protective processes foster resilience by buffering stress and facilitating adaptation.
- Maladaptive responses heighten vulnerability and risks for individual and relationship distress.
- All individuals and families have the potential for greater resilience; we can maximize that potential by encouraging their best efforts and strengthening key processes."¹⁸

These principles have been put to work in the correctional and reentry context in other states, as we detail below. Mark Carey, a warden in Minnesota, summarizes:

[T]he social learning approach appears to have the greatest potency for long-lasting behavior change. . . . These programs rely on role-modeling, mentoring, connecting a disenfranchised community member to the larger, pro-social environment, using positive reinforcement and consequences, employing cognitive skills and restructuring, using a network of social supports, and experiential learning. . . . Learning through social interaction, by its very nature, means that it does not occur in a vacuum. It thrives in the context of families, neighborhoods, and communities.¹⁹

B. The effects of imprisonment on communities

“Me and his mom was talking [when she came to visit me in prison] and he [my son] had the key in his hand and he started digging around the edge of the window.

So I’m like ... ‘Boo Boo, what you doing?’

He’s like, ‘I’m trying to break all the daddies out.’”²⁰

Across the country there has been deep concern over the disproportionate number of young African American and Hispanic men who are incarcerated and the concentration of this incarceration in poor, predominately minority neighborhoods.²¹ Connecticut’s story is similar, and Connecticut has begun to take steps to study and redress this disparity.²²

More attention, however, needs to be paid to the collateral and generational consequences of this disproportionality. Nationwide, African American children are seven times more likely to have a parent in prison than White children, and Hispanic children are twice as likely.²³ The concentration of incarceration in isolated minority communities over generations contributes to the breakdown of families and social support networks in these communities.²⁴ When a large percentage of the men in a community are incarcerated, women carry the burden of supporting and raising children alone and community resources dwindle. When mothers also go to jail, family dislocation is even worse. Children grow up in an atmosphere of emotional and financial instability, moving from place to place and relative to relative, suffering emotional distress, behavioral problems and developmental delays.²⁵ Many children end up in foster care.

Qualitative studies from Connecticut demonstrate that relationships between parents are often irrevocably broken by imprisonment, and stable, long-term

parenting is highly unusual in such families.²⁶ Fathers who are in and out of prison lose contact with children and/or create tension as they try to reassume parenting roles after long absences. They often want to reestablish ties with their children, but time, money, and skills are often lacking. Reentry strains the whole family. Families may be required to leave public housing in order to reestablish a home with a father coming out of prison, creating additional instability and financial strain.

Parents under financial pressure may return to lucrative criminal conduct to support families, or they may give up trying and cope with substance abuse, and then children once again lose their parents to imprisonment and enter foster care. Families become transient and constantly morphing, creating anxiety, insecurity, aggression, violence, and depression. **Disruption of secure, stable, and supportive social relationships by incarceration contributes to more crime** and the cycle continues.²⁷ Because of the dislocation of families and loss of social supports, children who come from homes in which parents (usually fathers) are incarcerated are two to three times more likely to be incarcerated themselves.²⁸ And the number of children who have incarcerated parents is increasing—2.3% of the U.S. population under 18 are children whose parents are incarcerated, and between 1991 and 2007, the number of parents in prison in the U.S. increased by 79%.²⁹

The trauma and dislocation caused by the arrest and incarceration of a parent can be comparable to the experience of a parent's death and can reverberate in a child's life in many negative ways and for many years, influencing the potential for job and financial instability, mental illness, substance abuse and criminality.³⁰ To take just one example of this co-occurrence, the National Center for Addiction and Substance Abuse found that inmates that are substance involved are 40.6% likelier to have family criminal history and are more likely to have lived only with their mothers or in foster care as children than inmates who are not substance involved.³¹ As recent scholarship puts it:

The ubiquity of penal confinement in the lives of young African American men with little schooling is historically novel, emerging in the last decade . . . [and] the effects of the prison boom extend also to the families of those who are incarcerated. . . . Partly because of the burdens of incarceration on women who are left to raise families in free society, incarceration is strongly associated with divorce and separation. In addition to the forced separation of incarceration, the post-release effects on economic opportunities leave formerly incarcerated parents less equipped to provide financially for their children. New research shows that the children of incarcerated parents, particularly the boys, are at greater risk of developmental delays and behavioral problems. . . . [C]lear majorities of the young men in poor communities are going to prison and returning home less employable and more detached from their families. In this situation, the institutions charged

with public safety have become vitally implicated in the unemployment and the fragile family structure characteristic of high-crime communities.³²

C. Individual responsibility is a key part of efforts to create pro-social support systems, and vice versa

*The power of rewards and punishments in situations of interpersonal influence resides in the relationship. . . . To put it bluntly, if one does not care what the other thinks or feels, then one is free to act according to his or her own wishes. Relationship-building skills such as expressing warmth and respect and providing constructive feedback can be taught.*³³

The shift in perspective from the individual offender to the social environment does not entail diluting personal responsibility or de-emphasizing the importance of individual transformation. Cognitive-behavioral therapy (“CBT”) approaches, for example, have been proven to reduce recidivism by focusing on changing antisocial thinking patterns and increasing the offender’s sense of personal responsibility and compassion for others.³⁴ The basic idea of CBT is to achieve buy-in from offenders by teaching them to recognize in themselves the patterns of, for example, suspecting and blaming others or not thinking ahead, that lead to impulsive, violent, manipulative, and self-destructive actions. Even CBT however, though conceived as “individualistic” therapy focused on changing the offender and not his environment, already has a social dimension that is not always explicit: Role-playing, positive and negative reinforcement, identification with the leader or therapist, mentoring, modeling and mutual discussion are key elements of successful CBT approaches, yet these techniques themselves require trust and reciprocity within the therapy group or therapeutic relationship.

As Mark Carey points out, social networks, social learning and CBT are mutually reinforcing, for they all emphasize developing relationships of reciprocity, trust, respect, patience and compassion, and skills of mediation, communication, and thinking long-term and outside the box. But compassion and patience and problem-solving techniques are only adaptive if the larger social network is not pervasively violent, unstable, and manipulative. For trust to be possible, those around you have to be trustworthy. In short, **the therapeutic models we already use and know to be effective at reducing recidivism already both presuppose and strengthen social networks.** These models also point out that the mode in which we intervene is as important as the content of the intervention. Seeking input from those formerly and currently incarcerated about how best to structure programs is also part of the process of creating community, reciprocity, mutual respect and encouraging participation. As the next sections demonstrate, empirical research bears out the fact that helping offenders build strong pro-social networks that support change and bridge prison and reentry is key to reducing recidivism.

D. Supporting families reduces recidivism

“Given current scarce resources, our reentry system is families.”

-- Reentry agency worker.

One of the most important social networks, of course, is the family, broadly defined. Especially for younger offenders, even those “at the higher range of offense seriousness,” “effect sizes as high as 60 percent have been obtained from functional or behavioral family therapy, family empowerment, and allied therapeutic approaches, which involve working with young offenders and their families.”³⁵ A comprehensive analysis of policy options in Washington State demonstrated across the board that therapeutic interventions that involve children and families are the most effective in lowering recidivism rates. The most effective interventions were also the earliest ones—nurse/mother partnerships that provided visiting nurse support to new mothers through the first two years, keeping mothers and their children from lapsing into criminal conduct, and pre-school education for at-risk children. But resilience research shows that later interventions can work, too, and “over the years, positive interactions have a mutually reinforcing effect” and “a downward spiral can be turned around at any time in life.”³⁶ Likewise, the still-tentative empirical consensus is that children who are able to maintain contact with their incarcerated parents, unless there is a history of abuse, are better off than those who lose those relationships.³⁷ And, incarcerated parents who maintain their relationships with their families are less likely to violate parole and to recidivate than those who do not have families to return to.³⁸ Many former inmates report that having a role as a “father” or “mother” is a source of pride and an incentive to care about the future; it creates the optimism and sense of purpose and connection that is necessary for resilience and reentry success. **Breaking the generational cycle of imprisonment, then, requires attention to improving and fostering supportive family ties, especially between partners, parents and children.**

Not all relationships are supportive ones,³⁹ of course, and a “pro-family” policy should not be applied blindly or inflexibly. As with all efforts to provide appropriate programming, careful assessment of an offender’s needs and individual program planning are crucial, and the planning process may warrant dialogue with offenders and/or with their families to identify supportive relationships and balance the interests, rights, and duties of the incarcerated person, the state, and the family members. Moreover, family relationships, as we detail below, are often complex and shifting, and should embrace a broad and flexible definition of “family.”

E. Mothers in prison have special needs and concerns

“I had my baby inside and DCF took him away right away. I don’t know where he is now.”

Former inmate at York, CI.

Nationwide, more than 60 percent of incarcerated women have children, and of those, 64 percent lived with their children in the month before their arrest or just before incarceration and 77 percent provided most of the daily care for their children, 40 percent as single parents.⁴⁰ Because mothers are three times more likely than men to be raising their children alone, incarcerated mothers are more likely to have children in foster care and to lose their parental rights during incarceration. The number of mothers incarcerated more than doubled between 1991 and 2007, but women's facilities are few and usually far from their children. All of these factors combined mean that more children who lose their mothers to incarceration will tend to miss them more (because they were primary care givers), need them more (because dislocation and foster care is more likely), and see them less (because transportation is more difficult and caregivers less likely to provide it). As a result, "there is some evidence that maternal incarceration is more damaging to a child than paternal incarceration."⁴¹

Mothers in prison also often suffer from trauma or illness. Mothers in prison are twice as likely as men to report recent homelessness, four times as likely to report physical or sexual abuse, and one-and-a-half times more likely to have a current mental illness or other health problem.⁴² Twenty-five percent are pregnant at arrest or have given birth in the year before.⁴³ Substance abuse among women in prison is more likely to be associated with past trauma than it is for men.⁴⁴ Domestic violence against women is also associated with abuse and neglect of children, and even very early exposure to violence, neglect, and family instability can lead to reactive attachment disorders in children, a diagnosis associated with later criminal activity.⁴⁵

Hence, availability in jails and prisons of resilience programming, mental and physical health care, and substance abuse treatment designed for women is vital both for imprisoned mothers and for their families. Prison nursery programs enable early attachment and enhance parenting skills. And, nurse-mother mentoring programs, family-friendly half-way houses, and parenting programs in the community that support single-parent families are crucial, too. A Washington State Public Policy Institute study found programs targeting young mothers and children to have the biggest impact on recidivism per dollar spent.⁴⁶ Strong family ties enhance both the mother's and the child's chances for stable and non-criminal lives.⁴⁷

The Connecticut Judicial Branch's Court Support Services Division recently completed an important study for the National Institute of Corrections that field-tested and evaluated a new probation model designed expressly for women (WOCMM). Consistent with the research mentioned in this paper, the new probation model emphasizes collaborative, resilience-based, and CBT approaches, continuity and coordination of services (including mental illness and substance abuse treatment), and explicitly identifies the protective effects of pro-social contacts, employment, and education. The study also employed methods of quality control to be sure the treatment model was properly implemented. It targeted areas

of need specific to women, including trauma, abuse, mental illness, substance abuse, and children and family needs. After one year, the study compared the recidivism rates in four Connecticut cities of 174 women who received treatment according to the new WOCMM approach with 174 women who had standard probation services. (The two samples were randomly assigned, but then matched by risk assessment score, ethnicity, age, site, substance abuse involvement scores, and probation site). After one year, WOCMM participants were significantly less likely to be rearrested than the control group (31.6% versus 41.5%), and the effect sizes were even greater for high risk participants (36.1% versus 49.5%).⁴⁸

F. Family support requires recognizing the importance of fathers

Young New Haven boy to his formerly-incarcerated father:

"Papa, will you take a walk with me?"

"Ok, but why do you want to take a walk?"

"I want everyone to see that I have a dad, too."

Concerns about family ties have too often been considered an issue only for mothers in prison. But fatherhood is equally crucial. Because so many more men are incarcerated than women, many more fathers are behind bars than mothers. Though incarcerated fathers are often portrayed as having little contact with their children, more than half of incarcerated African American men lived with their children before going to prison.⁴⁹ Research is also clear that fathers' incarceration causes wide-spread instability in the extended family, financial and housing instability, and, rather than making prison seem "normal," as is sometimes assumed, harms, stigmatizes and isolates children.⁵⁰

For imprisoned men, family visitation is complicated by shame and worries about their children turning to crime, yet their desire to stay in touch is often strong.⁵¹ Reentry is often hard, as fathers struggle to find a place in their children's lives again.⁵² Yet these family ties are too often ignored in prison programming and reentry programs. Schemes in which half-way houses for families are limited to mothers, reentry employment for fathers does not consider the need for child-care, and in-prison programming for men does not address fatherhood, ignore this reality.⁵³ On the other hand, programming for men that includes family therapy and definitions of masculinity and fatherhood can be effective in stabilizing family relationships and reducing recidivism⁵⁴

Childhood abuse and trauma are not women-only issues either, but men tend to be more reluctant to discuss them. More study and discussion of men's experience with trauma and abuse can help develop more appropriate

programming. Researchers note that backgrounds of abuse and trauma can surface in discussions of fatherhood and discipline, and family therapy helps here, too.⁵⁵

G. *Classrooms, schools, churches, and neighborhoods are important social support systems for reentry success*

“When I taught at York Correctional, my students read hundreds of pages of texts. But the most often-quoted passage in their papers was this sentence from Martin Luther King: ‘Find some great cause, some great purpose, some loyalty to which you can give yourself and become so absorbed in that something that you give your life to it.’”

—volunteer prison teacher

Concentric circles of social networks are important to successful reentry. One such social network is the neighborhood or community. For example, offenders and therapists working with school officials alongside families decreases recidivism more than therapists working with families alone.⁵⁶ Networking among prosecutors, police, social workers, probation officers, business owners, and community leaders can produce “patterns of reciprocity” that create the “mutual obligation and responsibility that reduces the incentives for opportunism and malfeasance.”⁵⁷ Those with supportive faith communities also have a better chance to stay out of prison.⁵⁸ Resilience is created through optimism about the future, mutual support, a sense of “greater purpose,” and a feeling of control over one’s environment. Education programs can provide both needed skills and self-confidence. Restorative justice programming and opportunities for community service and restitution can restore self-respect as well as giving back to victims and communities.⁵⁹ Encouraging communication, collaboration, participation, and group decision-making, from prison classrooms to parent-teacher associations to voting booths, can support that optimism, group cohesion, and sense of purpose and control that enable trust and resilience.

H. *Work is an important social support system for reentry success*

Beyond family and neighborhood, another important pro-social network is the workplace. Having a job reduces recidivism,⁶⁰ but not just because it provides financial stability. **Working with others also promotes mutual understanding, camaraderie, optimism, and team spirit.** Dora Schriro, former director of corrections in Arizona and Missouri, and current commissioner of correction in New York City, discusses the beneficial effects of her “parallel universe” program, which allows prisoners to experience a sense of accomplishment and teamwork in a “parallel universe” work-world inside:

For example, one of the job opportunities available to inmates in Arizona who earn a GED is with a company we have partnered with for many years. When the company won a business innovation award, the CEO said that he wished the inmates who contributed to the firm’s

success could have attended the awards ceremony. So I said, "Why don't you bring the award out to the prison, and we'll replicate the awards ceremony?"

We brought together more than 300 inmates from various housing units in a common yard where the impact of the partnership and shared success was immediately apparent. In addition to friendly banter and lots of laughter, I observed many of the prisoners who were employed in the award-winning business generously praising the officers who had helped make this happen. Both inmates and staff spoke about what they had accomplished. The inmates knew that they did not get the work assignment by accident; they had to get their GED and remain violation-free to participate in the employment program. And the staff knew that they were correctional professionals who had inspired, supported and sustained this change.⁶¹

I. Achieving reductions in recidivism through supporting social networks requires realistic goals, good implementation, and careful reporting and analysis

Most of "what works" doesn't work magic. Nor does it work for all offenders. First, the effect sizes for most interventions are modest—a 10% drop in the recidivism rate is a terrific result. We should make sure that we don't over-inflate expectations of policy-makers, citizens, or offenders themselves. Second, the **interventions only work well if there is quality control in implementation.** Therapists doing family therapy, for example, have to be good therapists to achieve any effects at all. Third, change takes time. A cautionary tale: The Vera Institute's ambitious Greenlight Program in New York, though grounded in the empirical literature of "what works," ended up with *higher* rather than *lower* recidivism effects. According to its disappointed designers, part of the failure may have been poor implementation, but part of the failure may also have been its attempt to implement all its reentry therapies in a cost-saving 60 day time-frame.⁶²

II. "WHAT WORKS" TO REDUCE RECIDIVISM IN REENTRY THROUGH STRENGTHENING FAMILY AND OTHER PRO-SOCIAL SUPPORT NETWORKS

A. Enhance family visitation during incarceration

"The findings suggest that revising prison visitation policies to make them more 'visitor friendly' could yield public safety benefits by helping offenders establish a continuum of social support from prison to the community."⁶³

As might be predicted, research has found a connection between prison visitation and the quality of an imprisoned person's relationships with family and friends. For example, Visher (2011) analyzes data on 324 male prisoners from Ohio and Texas with at least one minor child and finds that fathers who received mail or in-person visits from their children during the final 3 months of their prison term were more likely to have a strong attachment to their children after release.⁶⁴ In a review of the existing literature regarding parent-child contact, Poehlmann, Dallaire, Loper, and Shear (2010) report a wealth of evidence supporting positive outcomes from parent-child visits.⁶⁵

While most of the studies control for variables such as age, race, marital status, criminal history, length of incarceration, and program participation, they are not able to control for the pre-incarceration quality of familial relationships. Using longitudinal survey data, however, La Vigne et al. (2005) do control for pre-incarceration relationship quality, and find that **in-prison contact is important for the maintenance of relationship quality**. They find less evidence that visitation plays an important role in creating new relationships or improving the quality of existing relationships. In light of this finding, however, it should be noted (and is emphasized by Poehlmann et al. (2010)) that establishing a relationship with a child's caregiver can be vital to maintaining a relationship between an incarcerated parent and their child.

Connecticut's current policies regulate these potentially beneficial visits more stringently than many other states. For example, Connecticut is one of a minority of states which places strict limits on the number of individuals that may be put on a prisoner's visitors list (5-10 based on the security level of the inmate⁶⁶) and restricts individuals to only one inmate's visitors list unless that individual is an immediate family member of more than one inmate.⁶⁷ Connecticut also limits the number of visitors who can visit at the same time to 2 (non-contact) or 3 (contact). This limitation is especially hard on families with more than one or two children, because siblings cannot all visit on the same day and caregivers incur additional transportation and child-care costs. In addition to the limitation on the number of individuals that may be included on the visitors list, Connecticut also restricts the frequency of updates to the visitors list. The relevant Administrative Directive from the Connecticut Department of Correction ("DOC") states that "[m]odifications to the list shall not normally occur more frequently than every 120 days."⁶⁸ **The vast majority of states have not found such limits necessary to administer a secure visitation program.**

Limiting categories of visitors is especially problematic in the context of the complicated parenting relationships that many incarcerated parents have. A pilot study in New Haven of fathers on parole gives us a glimpse at the important parenting relationships that may not code as "immediate family."

Fathering relationships for the men in our sample took a number of different forms. One participant, 25 year old Kevin, illustrates this

well. [H]e was incarcerated for the first time, at the age of 15, for five years. Since then, he has been incarcerated four more times. Between February 2004 and December 2006, he had five children with four different women, the first one when he was 21 years old. ... He also has a social son [named after him] who was born in 2002. The mother of his social son is the mother of his two oldest children. Two of his biological children and his social son were born while he was incarcerated.⁶⁹

In addition to maintaining the quality of relationships, the quantity and timing of visitation seems to be associated with reduced risk of recidivism.⁷⁰ Bales and Mears (2008) analyze administrative data on 7,000 Florida inmates and find that *who* visits seems to matter. Studies have reached different results, but, across studies, **spousal visitation is most strongly associated with reduced recidivism, at least for men.**⁷¹ Other studies have shown that men tend to rely on female family members, wives, girlfriends, mothers and sisters, for housing and material support post-incarceration, which would help to explain the correlation.⁷² Visitation that directly bears on reentry options like housing, then, may be the most directly related to reductions in recidivism.⁷³ Emotional support is critical, too, however. Bales and Mears suggest that “associating with others or believing that others care about them helps released prisoners feel more willing and able to cope with the challenges of reentry.”⁷⁴ They also note that “inmates may come to believe that they are, at their core, deviants, a process termed ‘role engulfment.’” By allowing those in prison to reconnect with family roles as husbands, sons, fathers, and lovers, “visitation may serve to provide an important counter to such labels and processes.”⁷⁵

Despite their potentially beneficial role in the rehabilitation process, the Connecticut DOC’s Administrative Directives provide that loss of visitation may be used as a disciplinary sanction, and it does not appear that the rehabilitative potential of visits has historically been factored into DOC policy decisions about visitation. An inmate can be denied Extended Family Visiting and contact visits due to past disciplinary infractions. In general, Administrative Directive 10.6(6)(P). states that “[a]n inmate may be denied future visits for a specified period of time in accordance with Administrative Directive 9.5, Code of Penal Discipline.” Furthermore, the Connecticut DOC can forbid an inmate from writing or receiving letters as a disciplinary penalty and may also deny the use of telephones as they are “deemed a privilege and not an entitlement.”⁷⁶ These restrictions are general penalties for disobedience and are not directly related to security concerns. The Code of Penal Discipline does, however, stipulate that “loss or modification of social visiting, loss of telephone, or loss of social correspondence” will not be imposed concurrently.⁷⁷ The Administrative Directives do not express the beneficial aspects of visitation anywhere.

By contrast, California’s penal code states that any DOC regulations impacting visitation shall “recognize and consider the important role of inmate

visitation in establishing and maintaining a meaningful connection with family and community.”⁷⁸ Florida’s statute states that “[t]he Legislature finds that maintaining an inmate’s family and community relationships through enhancing visitor services and programs and increasing the frequency and quality of the visits is an underutilized correctional resource that can improve an inmate’s behavior in the correctional facility and, upon an inmate’s release from a correctional facility, will help to reduce recidivism.”⁷⁹ Alaska puts it this way: “The Department encourages prisoner visitation because strong family and community ties increase the likelihood of a prisoner’s success after release. Visitation is subject only to the limitations in this policy and as necessary to protect persons and maintain order and security in the institution.”⁸⁰ A revision of Connecticut’s Administrative Directives or Statutes could likewise encourage visiting policy to be made with a view to 1) encouraging offenders’ efforts to reform, 2) encouraging supportive social connections for offenders’ emotional well-being and autonomy, 3) supporting continuity and stability in those supportive relationships for improved reentry options, 4) supporting offenders’ friends, family, and children, who may need and want their imprisoned loved one to stay involved in their lives, as well as maintaining order and security.⁸¹

Reframing visitation policy as a part of the rehabilitation process may not only be valuable in reshaping visitation policy but may also be a way of improving the often strained relationship between visitors and correctional officers. Some studies have found that differing perspectives on the visitation process can cause conflict between correctional officers and visitors. In interviews with correctional officers, Sturges (2002) finds that correctional officers view the visitation process mainly as a security threat to the facility and complain about visitors’ attitudes during the process.⁸² Dixey and Woodall (2012) likewise find that correctional officers largely view visitation as a burdensome logistical nightmare. On the other hand, visitors feel that long waits and the attitude of correctional officers towards them make an already stressful situation more difficult.⁸³ A change in perspective regarding the entire visitation process may help to ease this officer-visitor tension while also promoting a beneficial tool for rehabilitation and eventual post-incarceration reintegration into a community.

Modes of enhancing family visitation can include:

- Prison nursery programs that allow infants to stay with their mothers through the first year, enhancing the infant’s attachment and ability to form social bonds as well as supporting the mother’s parenting role and dedication to the child.⁸⁴ The women’s prison at Bedford New York has the flagship program, which could serve as a model in Connecticut.
- Transportation for families to visit prison. Especially for prisoners housed at a distance from major metropolitan areas in Connecticut, it

is difficult for families to visit. Bus services could be enhanced for these prisons. Families with young children especially need help maintaining contact with incarcerated family members.⁸⁵

- Playgrounds, reading areas, overnight visits for children. Children who visit in prison often must sit still at a table across from their parent. This is not a natural way for children to interact with their parent. Visiting a parent in prison could be much less traumatic for children if they are able to interact in a child-friendly environment. Some prisons have facilities for overnight visits, but they are seldom used because of prison policies that allow overnight visits only in extraordinary circumstances. Other states are beginning to allow parents to eat a meal or spend a night or weekend with their children,⁸⁶ often as a reward for specific achievements.
- New technologies. Video visitation could help prisoners keep in touch with distant family members or enable more participation in the daily lives of their children.⁸⁷
- Several agencies and programs in Connecticut help children with parents in prison feel less alienated both from their parents and from their communities. These groups could be supported and expanded.
- Case managers or counselors could provide more support for mothers and fathers to keep in touch with school teachers, child counselors, pediatricians, foster parents, and other caregivers to allow them to play more of a daily role in their children's lives.
- The quality of the visit matters. For example, girl scout programs in which children of incarcerated parents participate with their incarcerated parents have had empirical success in enhancing mother-daughter relationships.⁸⁸ An inmate forum in Arizona led to innovative visits that included food brought by visitors.⁸⁹
- Functional family therapy and integrated family transitions programming was found to be especially helpful and cost-effective for institutionalized juveniles, according to a 2011 report from the Washington State Institute for Public Policy ("WSIPP").⁹⁰

B. Support pro-social family relationships after incarceration through family mediation, family therapy, stable housing, realistic child support obligations, and expanded employment opportunities

Most offenders return to live with family members. Half-way houses and other transitional living arrangements, though beneficial during the crucial early period of reentry when recidivism rates are highest, are scarce resources and most offenders cannot participate in them.⁹¹ They also may not provide sufficient reentry services. Hence, aiding families during the reentry process is crucial. Connecticut's family reentry programs have been helpful to many transitioning offenders and include mediation, visitation, and family therapy. Other states and models have also had beneficial results.⁹²

1. Public housing restrictions can destabilize families

"Mrs. Smith came to our office to fight an eviction proceeding which had been filed against her. The main cause of eviction was that she had an unauthorized tenant living with her. It was her son, Al. Mrs. Smith and Al have lived in public housing all their lives, and up until he served two years for a felony drug charge, Mrs. Smith's apartment was Al's home. He was a party to the lease, and a permissible resident. After he got out of prison, he tried to return to the complex and asked to sign onto the lease again, but they decided to bar him because of his felony conviction.

Alex was thus homeless, or would have been had Mrs. Smith not let him stay there anyway, in violation of her lease. Eventually, the office caught on to what was happening, and now Mrs. Smith, who has had a mental disability for her whole life, is fighting to convince the court to re-open the default judgment entered against her (she never showed up to court because she cannot read, and even if she could, she's got severe mental impairments that would have kept her from comprehending anyway.)

Al has a court date coming up- he was arrested for larceny, which he swears he did not commit. The special prosecutor must agree, because she tells him he has a very strong case and should fight it.

As tends to happen, the police have offered Alex a plea deal- 2 years if he'll plead guilty. Remarkably, he decided the other day that he might want to accept the deal, rather than litigate, despite his strong chance of winning his pending case, because that is the only way he can think of that will get him a permanent address and will satisfy the landlord who is trying to evict his mom." Legal Aid Worker

Federal rules are more flexible than local housing authorities often realize,⁹³ and in many cases local housing authorities have discretion to accept ex-offenders. Indeed, the U.S. Department of Housing and Urban Development ("HUD") recently emphasized to public housing authorities the "importance of second chances" and urged them to allow ex-offenders to enter public housing where appropriate. HUD noted that "people who have paid their debt to society deserve the opportunity to become productive citizens and caring parents, to set the past aside and embrace the future." HUD stated that "part of that support means helping ex-offenders gain access to one of the most fundamental building blocks of a stable life—a place to live." HUD emphasized that owners may consider in screening applicants with criminal histories "all relevant evidence, including factors that indicate a reasonable probability of favorable future conduct" such as "evidence of rehabilitation."⁹⁴

Despite the flexibility permitted under federal law, many local housing authorities adopt restrictions that are much stricter than federal requirements. For example, the Housing Authority of New Haven will reject any application with a conviction for use of drugs within the last ten years.⁹⁵ Berger Apartments, a federally subsidized and privately-owned housing development in New Haven rejects applicants who have ever been convicted of a drug-related crime, any felony, or a misdemeanor involving violence.

Last year, the Connecticut Sentencing Commission recommended legislation to allow judges to issue certificates to offenders who appear to be good candidates for public housing, although local housing authorities would retain discretion to determine the applicant's suitability for housing.

Model programs addressing standards for placing ex-offenders in public housing exist in Utah, Oregon, and Vermont. The Salt Lake County Housing Authority partnered with the county jail to place ex-offenders in rent-assisted housing and helps locate appropriate units and negotiate with landlords. The Housing Authority of Portland provides subsidies for housing in conjunction with nonprofit groups involved in career placement and training. A jointly-funded Housing Specialist helps program participants locate units that will accept the subsidies and considers applications for public housing on an individual basis using its own guidelines that rate the seriousness of particular crimes. Housing applicants may appeal denials and are invited to bring evidence of rehabilitation and an advocate, such as a parole officer, to testify on their behalf. In Vermont, the Burlington Housing Authority is working with six other cities to find housing for reentrants, and has also implemented a set-aside of Section 8 vouchers for people released from jail. Staff also works with inmates in the county jail's transitional work program to help with financial planning.⁹⁶

The Housing Authority of New Haven ("HANH") currently has a Reentry Pilot Program, which allows the Housing Authority to admit applicants who would be otherwise ineligible under HANH guidelines based on their criminal convictions.⁹⁷ However, the program is limited to only 12 applicants and has a lengthy waiting list. Programs such as this should be expanded in Connecticut.

Another possible reform would be to alter the procedures used by housing authorities in screening applicants. Currently, it appears that most housing authorities run criminal record checks after receiving applications, and automatically send out letters denying applicants with convictions that render them ineligible under the local housing authority's guidelines. The applicant may then request a hearing to challenge the denial decision and present evidence of rehabilitation. However, many applicants do not challenge the denial decision because they are discouraged by the rejection and/or do not understand their rights. Instead of denying an applicant and then placing the burden on the applicant to appeal the decision, the housing authority could instead simply defer a decision and invite the applicant to present evidence of rehabilitation at a hearing. A

Connecticut statute arguably already requires approach,⁹⁸ although it does not appear that housing authorities follow this procedure.

2. Court-imposed financial burdens can destabilize families

Another challenge during reentry is the accumulation of financial obligations during prison and parole—a debt load that makes it difficult for parents (usually fathers) to find their feet during reentry. Connecticut permits inmates to modify child support obligations and stop the accumulation of child support debt during incarceration, but inmates need to be informed of this option and exercise it, otherwise child support obligations continue to accrue during imprisonment and create an insurmountable debt. An automatic process of stopping this accumulation during imprisonment would be better. When fathers fail to pay child support, this may count as a parole violation, or they may be jailed for contempt of court, and reentry as well as family unification is defeated.

Until last year, Connecticut had an innovative “problem solving court” as part of the Family Support Magistrate Court in New Haven. The court used a non-adversarial team approach to help parents—most of whom had criminal records—to meet their support obligations. Rather than jailing parents for contempt for nonpayment, the support court team worked together to help support parents’ efforts to find jobs, go to school, and improve their parenting skills. The program involved close monitoring and a system of rewards and non-incarceration sanctions. Cases involved frequent status hearings and direct interaction between the litigants and the Family Magistrate.

Parole and probation themselves may also require significant economic and time demands that take away from the ability to pay child support and spend time with children. Some examples of these payments are given in the Smoyer, Blankenship, MacIntosh study:

“1. Restitution Payments: Offenders who are convicted of larceny or burglary charges may be required to re-pay the victim (usually a store or bank, sometimes an individual). Installment plans are arranged that take into consideration the offender’s income and the amount of time they will be on community supervision. The debt must be paid in full before the end of the [parole or probation] sentence.

2. Drug Testing and Monitoring Devices: Parolees and probationers may be charged for surveillance equipment and/or drug testing. These co-payments are determined by the parole/probation officers, depending on the offender’s income. While these charges were uncommon among study participants, some men did pay for these services, especially monitoring bracelets.

3. Required Classes (e.g., domestic violence, anger management, and parenting): Some classes that are required by P/P have a co-payment (generally between \$10 and \$20). Participants cannot attend the class unless the co-pay is paid and, not surprisingly, participants reported skipping classes and violating the terms of their community release because they did not have the money to pay this fee.

4. Transportation: Only one of the African American fathers we interviewed had his own car. All the other men relied on public transportation or rides from friends or family, who often requested money for gas. While the \$2.50 that is required for a round-trip bus trip in New Haven may seem like a minimal outlay, these fares were a significant expenditure given the participants' limited incomes and the number of required weekly appointments."

The authors conclude that **"living on very low incomes created a constant tension between personal living expenses and bills, expenses relating to their criminal justice status, and expenses relating to their children. . . .** Expenses relating to probation and parole and state-mandated child support were usually paid first as non-payment could result in reincarceration. These demands limited the fathers' capacity to offer direct financial support to their children and/or their children's mothers."

The study pointed out that fathers are also required to maintain full time employment and report for programming and drug testing, leaving little time for child care. Child care itself does not count as full-time employment. With little support, parenting relationships for reentering fathers can be stressful. Smoyer et al conclude that "it was clear that children can be a source of inspiration for recovery; nevertheless, fatherhood was also a source of stress that led to relapse and criminal activity The question of whether or not interaction with children (and specifically what kinds of interaction) reduces fathers' likelihood of going back to prison requires further study."⁹⁹

While some of these fees and probation/parole requirements may be important and justified by their restitutive, rehabilitative, or restorative justice goals, the effects of the accumulation of such obligations deserves further study. Perhaps fees might be monitored and ameliorated in individual cases through a case worker, or perhaps "phased in" as reentrants establish housing and job security.

C. Family and pro-social support systems also help support substance abuse and mental illness interventions

"For inmates with substance use disorders, provide comprehensive pre-release planning to assure transition to a broad range of integrated reentry services including addiction treatment and management, mutual support programs, other health care services, education and training, and family support."¹⁰⁰

A 2006 report funded by the Bureau of Justice Statistics found that 64 percent of inmates had some mental health problem and within that group, 76 percent of inmates were diagnosed with co-occurring mental illness and substance abuse problems. According to a joint report from the Substance Abuse and Mental Health Services Administration ("SAMHSA") and National Institute of Justice ("NIJ"), drug use among the offender population is much higher than the general population with 60 to 80 percent of individuals under the supervision of the criminal justice

system having a substance use-related issue. This national report suggests that, “More and more, the success of offender reentry efforts will hinge on the availability of effective and readily accessible treatments for mental and substance use disorders for those probationers and parolees who, in increasing numbers, need these services.”¹⁰¹ Unfortunately, a 2010 report from the National Center on Addiction and Substance Abuse at Columbia University has documented a serious ‘treatment gap’ in prisons across the nation. In addition to lagging availability of treatment and counseling programs, medicine-assisted treatment options for addiction are often interrupted or unavailable.¹⁰²

More treatment for substance abuse and mental illness is vitally important. But as with other attempts to effect change in prison, **drug and mental health treatment works better in supportive environments and small expenditures on community aftercare can make a big difference in effectiveness.**¹⁰³ Voluntary therapeutic community treatments work both in and outside of prison to reduce recidivism, and are remarkably more effective with follow-up aftercare, consistent support for medicine-based treatments, peer-support, and volunteer support following reentry in the community.¹⁰⁴ Even simple and inexpensive interventions, like a daily “check in” phone call from a volunteer, can aid recovery.

Connecticut’s “reentry roundtables” across the state are working on successful collaborative working relationships that connect resource providers and facilitate coordination of community aftercare opportunities. Although little data is yet available from these efforts, similar programs in other states have demonstrated cost-effective success.

Pennsylvania’s Allegheny County Jail (“ACJ”) Collaborative, for example, provides treatment for underlying mental health and substance abuse problems and successfully reduces recidivism rates among offenders. The ACJ Collaborative is a cooperative effort between the ACJ, the Allegheny County Department of Human Services and the Allegheny County Health Department. The collaborative consists of “a 25-member committee representing 60 social service providers and government agencies, providing both in-jail and post-release comprehensive yet individualized non-duplicative services with the goal to promote reintegration and reduce recidivism.”

A 2008 study of 301 inmates involved in the ACJ Collaborative supports the hypothesis that community support programs that may help reduce recidivism among traditional inmates will also help reduce recidivism among inmates with mental illness and substance abuse issues, provided those individuals received treatment for their mental health and substance abuse. The study found that “individuals who received treatment for their mental health issues had significantly lower recidivism rates; whereas their untreated peers had higher recidivism rates.”¹⁰⁵ In addition, the study also found that **“highly positive family social support was found to reduce the effect of factors known to predict higher recidivism rates,”** including substance abuse. Family social support was measured

“according to the participants’ perceived level of social support offered by their family” in answering questions about their family support on a 0 to 8 scale.

The study found that “collaborative jail reentry programs for people with mental health and substance abuse problems are critical tools to reduce recidivism.” It is important to note that a major goal of the ACJ Collaborative is family reunification and building healthier family relationships. This collaborative approach demonstrates how the community-building programs described elsewhere in this paper can be most successful when paired with efforts to address mental health and substance abuse issues for affected inmates. The efforts are mutually reinforcing: the treatment helps the patient relate to the family, and the family helps the patient stay in treatment.

The family and social support programs that can reduce recidivism among the general offender population can be especially helpful for mentally ill offenders. A 2011 study examined factors associated with recidivism among offenders with mental illness specifically and also addressed the importance of treatment for mental illness, as well as addressing co-occurring mental illness and substance abuse, and the important role of family and social support. The study explained,

Lack of family and social support has been identified as a barrier to mental health treatment. Although families play a significant role in the lives of mentally impaired offenders, family members often lack the knowledge and education on providing support for treatment. Effective treatment should incorporate family members to help families understand the illness and how to deal with a mentally impaired individual.¹⁰⁶

The family support programs that help all offenders build strong community connections and reduce the risks of re-offending can also help mentally ill offenders gain maximum value from their treatment programs and provide even stronger connections to help reduce recidivism.

In addition to programs designed to support a strong family connection, programs designed to assist offenders in transitioning back to living and working in their communities can also be especially helpful for offenders with mental illness. A 2010 paper published in the American Journal of Community Psychology addressed the challenges of community reentry among inmates with serious mental illness and found that mentally ill inmates are more likely to experience homelessness and less likely to find employment than other released inmates.¹⁰⁷ Additionally, the researchers found that individuals with co-occurring mental illness and substance use disorders have a “poorer overall prognosis” than those with serious mental illness alone; specifically, these individuals are at greater risk of “relapse and hospitalization, housing instability and homelessness, violence and suicidality, and a host of other negative outcomes.” The need to provide programs supporting the offender’s reentry into the community becomes even more important for those with

mental illness *and* substance abuse issues. Pairing treatment programs for mental illness and substance abuse with effective community reentry programs will gain maximum effectiveness for this significant portion of offenders.

D. Improve educational and vocational opportunities through pro-social networks to enhance pro-social and family ties

1. The pro-social power of the classroom

Nationally, those incarcerated are among the least educated members of society. A 2003 Bureau of Justice Statistics report found that 41 percent of state and federal prisoners have not completed the requirements for a high school diploma or GED. Only 11 percent have attended some college, compared with 48 percent of the general population.¹⁰⁸

We know that education programs can develop specific job-related skills, such as data entry or welding or balancing a check book, but they also have more diffuse benefits. Reading critically, writing well, mastering deductive reasoning and computation, and learning to articulate thoughts and ideas clearly and persuasively are skills that “cross-train” across many life activities—from filling out forms to moderating disputes. Marks of success, such as a GED or college credit, may enhance future opportunities and signal diligence and follow-through to employers and administrators. **But critically, the classroom experience itself, if interactive and rich, creates pro-social bonds as students listen to others’ views and experiences, overcome fear of sharing their own experiences with others, improve their communication skills, help and support each other through the rigors of a course, and model respectful communication of differences and moral reasoning.**¹⁰⁹

Education programs have been evaluated by a number of empirical studies and in a number of meta-analyses. Even when control groups are used, and even when those receiving the educational services are statistically more likely to recidivate than those in the control group, and even when one controls for post-incarceration employment, **education reduces recidivism.**¹¹⁰

The two most reliable studies, which control for selection bias, from Florida, show that basic education also has employment benefits. A 2007 Florida study (Tyler and Kling) of the effect of attaining a “GED” on employment opportunities showed a GED helped only African American but not White prisoners. A 2008 follow-up study (Cho and Tyler) found that **general adult basic education improved employment prospects more and more over time**, but did not improve wages when compared to employed reentrants who did not have the educational programming.¹¹¹

The effect of college-level or specialty courses on recidivism rates is more difficult to measure, because those who complete these classes are highly self-selected. Many studies demonstrate that those who choose to participate in college courses have dramatically lower recidivism rates than those who do not, but it is difficult to determine whether the same motivation that leads these individuals to take college courses is also the causal factor affecting recidivism, rather than the courses themselves.¹¹² Likewise, arts programs in prison, including visual arts, writing, drama and dance, can show that participants recidivate at much lower rates than those who do not participate, but an appropriate control group is difficult to identify.¹¹³ Qualitative evidence from the classroom, however, suggests that both college-level and arts-based courses can be transformative, bridging racial boundaries, providing non-violent outlets for emotional expression and thoughtful evaluation of experience, creating pro-social bonds and providing non-substance-abuse-based forms of satisfaction, engagement, and vocation.¹¹⁴ Moreover, there may be spill-over peer effects: even if it is only the most-motivated students who take advantage of these opportunities, and even if they would have succeeded anyway, they may serve as role-models and inspiration to others who may initially be less motivated to change. These peer effects have been studied in other educational settings, and, not surprisingly, the more redundant the peer influences, the stronger the effects.¹¹⁵ In other words, **the more friends you have who do well in school, the higher the likelihood that you will, too.** The WSIPP study does not separately evaluate post-secondary education or arts programs, but these programs deserve closer empirical study, especially for their potential peer effects.

College courses in prison are scarce and not currently federally funded. Though Wesleyan University offers a series of classes in several prisons (and is expanding this year to York), there are currently no college 4-year degree programs offered in Connecticut, and other college course programs (through Trinity and Quinnipiac) are isolated. These programs might be expanded, if appropriate legislation can resolve contracting barriers. Community college courses have also been offered in some institutions, but families must pay for them. Other college courses are available only on a correspondence basis, which is not only expensive for inmates (though limited scholarships are available), but is logistically difficult and loses the role-playing, moral reasoning, and modeling benefits of the classroom experience.¹¹⁶ More modern distance-learning techniques, like virtual classrooms, email, instant messaging, blogs, and on-line discussion forums, which help create social learning environments at a distance, cannot be used currently in Connecticut prison settings. New York, Texas, Massachusetts, Iowa, Nevada, Oregon, Minnesota, North Carolina, and California have developed more expansive programs of college education and experimented with various forms of state partnerships with educational institutions and non-government funding sources, which deserve further study and could serve as models here.¹¹⁷

Arts programming in Connecticut includes drama and dance, as well as visual arts and creative writing. Arts programming, however, is less common in men's

facilities than in women's. Evaluation and potential expansion of these programs should be part of a close look at rehabilitative educational opportunities.

2. The pro-social power of the workplace

a. *In prison*

Prison work itself can reduce recidivism by giving inmates the job skills they need outside as well as the experience of self-esteem, satisfaction, and social connection that comes with employment. The WSIPP analysis found that prison industries reduce recidivism by 5.9 percent. **Some jurisdictions are also trying to enhance the in-prison experience of work by “parallel universe” programs.** In Arizona and Missouri's pilot parallel universe programs, for example, prisoners interviewed for jobs and received job evaluations. They received higher wages after they completed educational programs and they received employee awards similar to those in the workplace. They also had more autonomy (and therefore responsibility) for personal decisions, such as reordering medications and keeping track of commissary balances. In Arizona, the prison administration developed an award system after an inmate forum. Inmates suggested that a valued award would be the right to have visitors bring in food on visitation days; another was the right to have “dinner and a movie.” As a result of these forums, these awards were incorporated into the “parallel universe” incentive structure. Inmates were also encouraged to do community service projects and were given some choice about which to support.

Officials in both states credited these reforms with reduced prison violence and reduced recidivism rates. In four years, Arizona inmates raised 1.4 million for victim agencies and court-ordered restitution increased 14 percent. Inmate on inmate and inmate on correctional officer violence decreased substantially and recidivism rates improved among program completers. Missouri reduced its overall recidivism rates for new felony charges by 13 percent.¹¹⁸

Connecticut's in-prison hospice and nurse-assistant volunteer programs provide similar opportunities to develop skills, mentor and support peers, and experience the satisfaction of community service. Peer-mentoring is also used in other programming, such as alternatives to violence.

b. *After prison*

Reentrants face a difficult employment market, with significant discrimination against ex-offenders. However, the Equal Employment Opportunity Commission (“EEOC”) ruled 25 years ago, and reaffirmed in April 2012, that employers may not discriminate against ex-offenders in employment “unless they can show that the exclusion is job related and consistent with business necessity.”¹¹⁹ Educating employers about this rule and EEOC guidelines may help reentrants in the employment market. Connecticut is experimenting with “ban the box” legislation in

state employment, which allows ex-offenders to apply for jobs without indicating their criminal history. Instead, employers may inquire about past convictions only after a prospective employee “has been deemed otherwise qualified for the position.”¹²⁰ Cities such as New Haven have gone further, and require city employers, and employers who contract with the city, to make provisional job offers before inquiring regarding criminal history.¹²¹

In 2012, Ohio enacted comprehensive “collateral sanctions” legislation with bipartisan support.¹²² Ohio’s legislation allows a person to apply to the court to request the sealing of one felony and one misdemeanor conviction or two misdemeanor convictions. In addition, the legislation allows courts to issue “certificates of qualification for employment,” which provide relief from certain bars on employment and occupational licensing. The legislation also protects employers from negligent hiring lawsuits by providing immunity to employers who hire employees who have been granted certificates. Finally, Ohio’s new statute prohibits the State Board of Cosmetology from denying an applicant based on a prior criminal conviction (regardless of whether the applicant has received a certificate).

In Connecticut, some barriers to employment for those with criminal convictions stem from state statutory restrictions on employing or licensing ex-offenders in a broad array of jobs.¹²³ Connecticut’s “provisional pardons” system, created in 2006, is intended to remove barriers to licenses and employment for individuals with prior criminal convictions. However, few provisional pardons are issued each year and many people do not understand their legal effect. Last session, the Connecticut Sentencing Commission recommended legislation aimed at improving this system. The legislation would have renamed provisional pardons “certificates of relief from barriers,” expedited the application process by allowing courts to issue certificates, clarified the legal effect of certificates, and expanded the program to remove barriers to public housing. The bill received a favorable vote in the Judiciary Committee, but was not ultimately enacted.

California’s 2011 realignment program is currently experimenting with returning less serious offenders to local jails where they can be more easily connected with community resources. Alameda County’s implementation program includes ambitious reentry programs, including transitional employment and housing initiatives, though rushed implementation may make these experiments less successful. Similar initiatives are being implemented in the United Kingdom.¹²⁴ The success or failure of these programs will be important to watch.

3. The pro-social value of other communities

Many studies, including WSIPP, have emphasized the reduction in recidivism associated with participation in religious communities. And, many formerly incarcerated people who have successfully returned to their communities work with community organizations to help others who are reentering. Currently, no-contact rules prohibit persons who were formerly incarcerated from associating with each

other or with prison volunteers. To the extent that these rules impede positive social ties like these, or prevent a reentrant from, for example, going to church with volunteers they met inside, they should be reevaluated.

Collaborative or restorative approaches can also help reintegrate those in prison with their communities by providing opportunities post-sentence for victim/offender dialogue and for restitution and community service. WSIPP studies show a modest recidivism reduction effect for restorative justice approaches, but this doesn't account for the benefits to communities and to victims that these encounters and services can provide.¹²⁵ Especially in communities where many of those in prison are returning, the opportunity for dialogue may be important not only to bring home to offenders the particular consequences of their offenses and possibly thereby lower crime rates, but to enhance neighbors' feelings of safety, reduce resentment and fear, make those returning from prison more employable, make employers more comfortable employing them, and reestablish public trust. Efforts like this are underway in Bridgeport, as family reentry groups organize community service projects for ex-offenders. Juvenile mediation pre-sentence is in place in several juvenile courthouses and schools throughout the state, through grants from private institutions. An adult diversionary mediation program, though successfully handling many cases in several GA courts, was a victim of recent budget cuts. But currently there are few opportunities for victim/offender dialogue post-sentence. These programs should be evaluated and possibly expanded.

III. Conclusion

Focusing on creating and strengthening supportive relationships for people reentering their communities from prison will support community safety now and in the future.

¹ Lipsey, Mark W. and Cullen, Francis T., *The Effectiveness of Correctional Rehabilitation: A Review of Systematic Reviews*, 3 ANNUAL REVIEW OF LAW & SOCIAL SCIENCE, (2007)(a review of meta-analyses showed that punitive or supervisory approaches had no effect on recidivism or increased it, while rehabilitation methods, depending on program and implementation, decreased recidivism); M. Keith Chen & Jesse M. Shapiro, *Does Prison Harden Inmates? A Discontinuity-Based Approach*, AMERICAN LAW AND ECONOMICS REVIEW (2007)(compared inmates with similar risk scores that were assigned to different security levels because of bright-line risk score cut-offs, finding that those in harsher institutions had a higher recidivism rate); ROGER PRZYBYLSKI, WHAT WORKS: EFFECTIVE RECIDIVISM REDUCTION AND RISK-FOCUSED PREVENTION PROGRAMS: A COMPENDIUM OF EVIDENCE-BASED OPTIONS FOR PREVENTING NEW AND PERSISTENT CRIMINAL BEHAVIOR (2008)(RKC Group, Prepared for Division of Criminal Justice, Colorado); STEVE AOS, MARNA MILLER, ELIZABETH DRAKE, EVIDENCE-BASED PUBLIC POLICY OPTIONS TO REDUCE FUTURE PRISON CONSTRUCTION, CRIMINAL JUSTICE COSTS, AND CRIME RATES, WASHINGTON STATE INSTITUTE OF PUBLIC POLICY (2006). [WSIPP] See also the WSIPP website at: <http://www.wsipp.wa.gov/topic.asp?cat=10&subcat=0&dteSlct=0>

² THE NATIONAL CENTER ON ADDICTION AND SUBSTANCE ABUSE AT COLUMBIA UNIVERSITY, BEHIND BARS II: SUBSTANCE ABUSE AND AMERICA'S PRISON POPULATION (February 2010).

³ HARRY ELMER BARNES, THE STORY OF PUNISHMENT 130 (quoting "Report of the Inspectors of the Western Penitentiary, 1854") (Boston: Stratford, 1930).

⁴ *Id.* at 134.

⁵ *Id.* at 134-35.

⁶ *Id.* at 138-39 ("Maryland introduced solitary confinement in 1809 and abolished it in 1838. Massachusetts authorized solitary confinement in 1811 and did away with it in 1829. Maine experimented with solitary confinement from 1824 to 1827. New Jersey introduced solitary confinement in 1820, abolished it in 1828, reintroduced it in 1833 and finally abolished it in 1858. Virginia introduced solitary confinement in 1824 and practically abolished it in 1833. Rhode Island introduced solitary confinement in 1838 and abolished it in 1844. Except for these instances of brief experimentation with the Pennsylvania system, the [New York] Auburn system[of work] prevailed in the early state prisons of the country.").

⁷ Lindsay F. Stead and Tim Lancaster, *Group Behaviour Therapy Programmes for Smoking Cessation*, 2 THE COCHRANE LIBRARY (2009)(meta-analysis showed that group therapy doubled the chance of quitting smoking compared to self-help approaches).

⁸ Those who take on-line or correspondence classes involving little social interaction drop out more often than those who take traditional classes. Karen Frankola, *Why Online Learners Drop Out*, WORKFORCE (June 2001).

⁹ Beverly D. Frazier, *Faith-Based Prisoner Reentry*, in RETHINKING CORRECTIONS: REHABILITATION, REENTRY AND REINTEGRATION 279-306 (Lior Gideon & Hung-En Sung, eds., 2011) (review of literature).

¹⁰ Wayne N. Welsh, *Prison-Based Substance Abuse Programs*, in RETHINKING CORRECTIONS, supra, at 157-92 (review of literature).

¹¹ *See infra*.

¹² Nisha Money, et al., *Best Practices Identified for Peer Support Programs* (January 2011)(Defense Centers of Excellence: For Psychological Health and Traumatic Brain Injury).

¹³ *See* <https://www.resilience.army.mil/about.html>

¹⁴ FROMA WALSH, STRENGTHENING FAMILY RESILIENCE 4 (2006).

¹⁵ David Vergun, *Study Concludes Master Resilience Training Effective*, January 24, 2012, at http://www.army.mil/article/72431/Study_concludes_Master_Resilience_Training_effective/

¹⁶ "Werner and Smith's (1982, 1992) longitudinal study of resilient children provides rich evidence for a complex interactional view of resilience, involving multiple internal and external protective influences in lives over time. They concluded that earlier researchers focused too narrowly on maternal influence and the damage of one parent in the nuclear household, and missed the importance of siblings and others in the extended family network. The role of a wide variety of supportive relationships was crucial at every age. ... Throughout their school years, the resilient children actively recruited support networks in their extended families and communities. Interestingly, more girls than boys overcame adversity at all age levels. We might postulate the influence of gender-based socialization in seeking out and sustaining supportive relationships: Girls are raised to be both more easygoing and more relationally oriented, whereas boys are taught to be tough and self-reliant through life. Moreover, often because of troubled family lives, competencies were built by assuming early responsibilities for household tasks and care of younger siblings." *Walsh*, at 14. *See also*, EMMY WERNER & RUTH S. SMITH, OVERCOMING THE ODDS: HIGH RISK CHILDREN FROM BIRTH TO ADULTHOOD (1992).

¹⁷ WALSH at 25 ("A resilience-based stance in family therapy is founded on a set of convictions about family potential that shapes all intervention, even with highly vulnerable families whose lives are saturated with crisis situations. Collaboration among family members is encouraged, enabling them to build new and renewed competence, mutual support, and shared confidence that they can prevail under duress. This approach fosters an empowering family climate: Members gain ability to overcome crises and challenges by working together, and they experience success as largely due to their shared efforts and resources. Experiences of shared success enhance a family's pride and sense of efficacy, enabling more effective coping with subsequent life adaptations.").

¹⁸ *Id.* at 26. WERNER & SMITH (1992) at 186: “Among the protective factors that discriminated between high risk individuals with and without coping problems in early adulthood were the educational level of the parents (especially the opposite-sex parent), the availability of caring adults outside the home, and supportive teachers in school who acted as role models and assisted the youths with realistic educational and vocational plans. Other potent buffers of adversity in early adulthood were the emotional support provided by spouses, kith, and kin, the power of faith and prayer, and the opening up of opportunities that increased the individual’s competence and confidence. Equally powerful in adulthood as predictors of successful adaptation were temperamental characteristics that have a strong genetic base: activity level, sociability, and emotionality. Protective factors within the individual tended to make a greater impact on the quality of adult adaptation of high risk women; outside sources of support tended to make a greater impact on the overall adaptation of high risk men.”

¹⁹ American Correctional Association & International Community Corrections Association, *Social Learning, Social Capital, and Correctional Theories: Seeking an Integrated Model*, in WHAT WORKS AND WHY: EFFECTIVE APPROACHES TO REENTRY 6-7 (2005).

²⁰ Interview from Amy Smoyer, Kim Blankenship & Tracy MacIntosh, *Parenting on Parole or Probation: African American Fatherhood Under Community Supervision*, in THE MYTH OF THE MISSING BLACK FATHERS (Roberta Coles & Charles Green, eds., 2009) (from a qualitative pilot study on the effect of parole and probation on parenting in New Haven).

²¹ CASA at 4.

²² A study commissioned by the Connecticut Assembly Appropriations Committee in 2003 (*Building Bridges from Conviction to Employment*) found that just a few predominantly minority neighborhoods in Hartford, New Haven, Bridgeport and Waterbury accounted for 45% of Connecticut’s prison population, and that 10-15% of young African American men ages 18-49 in these neighborhoods were incarcerated. See, *Building Bridges From Conviction to Employment: A Proposal to Reinvest Correction Savings in an Employment Initiative, One Year Later* 14-22 (2004). The report demonstrated that 15-20% of this incarceration stemmed from parole violations, and the report recommended changes to parole and probation systems that would involve targeted intensive programming and reduced use of incarceration for technical violations. Some of these recommended changes were implemented in 2004 by establishing two new programs in CCSD: the Probation Transition Program and Technical Violation Unit. They were found to be effective both in reducing recidivism and controlling costs. Stephen Cox, Kathleen Bantley, Thomas Roscoe, *Evaluation of the Court Support Services Division’s Probation Transition Program and Technical Violation Program 3* (2005). A 2008 Office of Legislative Research Report is also available that details the types of technical violations that may result in reincarceration. George Coppola, *Parole Technical Violations* (2008). <http://www.cga.ct.gov/2008/rpt/2008-R-0135.htm>. These programs now serve as a national model. NESTOR RIOS AND JUDITH GREENE, REDUCING RECIDIVISM: A REVIEW OF EFFECTIVE STATE INITIATIVES (2009)(Justice Strategies, Tides Center, Report for Colorado Legislature). Responding to evidence that harsher penalties for crack cocaine had racially disparate effects, Connecticut equalized penalties for crack and powder cocaine in 2005. In 2009, the Connecticut Assembly passed disproportionate minority contact legislation, to look closely at the patterns and effects of the arrest and incarceration of juveniles in these minority communities. Studies done pursuant to this legislation found that “racial and ethnic minorities are greatly over-represented in the juvenile justice system,” and “the observed disproportionality cannot be explained by difference in delinquent behavior across racial and ethnic groups,” and that “Black and Hispanic juveniles were clearly overrepresented in Connecticut’s juvenile justice system (e.g., referral to court, placement in detention, and placement at Long Lane School). While overrepresentation was sizable for Hispanic juveniles, it was considerably greater for Black juveniles.” DORINDA M. RICHELLE, ELIOT C. HARTSTONE, KERRI L. MURPHY, A SECOND REASSESSMENT OF DISPROPORTIONATE MINORITY CONTACT IN CONNECTICUT’S JUVENILE JUSTICE SYSTEM (2009)(submitted to the Office of Policy and Management, Criminal Justice Policy and Planning Division). A second study in 2011 found that disproportionate minority contact (“DMC”) in Connecticut with the criminal justice system may be more prevalent outside cities than it is within cities, where minority populations in Connecticut are concentrated. Benjamin Barnes,

Secretary, Office of Policy Management, *Biennial Report on Disproportionate Minority Contact, Fiscal Years 2010-2011*, <http://www.ctjja.org/resources/pdf/DMCBiennialReport123111.pdf> (December 31, 2011).

²³Laura Glaze & Lauren Maruschak, *Bureau of Justice Statistics Special Report: Parents in Prison and Their Minor Children* (2004); Stacy Bouchet, *Children and Families with Incarcerated Parents* (2008)(Annie E. Casey Foundation).

²⁴ Smoyer, Blankenship & MacIntosh, *supra*; see also Dorothy E. Roberts, *The Social and Moral Cost of Mass Incarceration in African American Communities*, 56 STAN. L. REV. 1272 (2004).

²⁵ WERNER & SMITH (1992) at 160-71 (nothing that parental absence, family disruption, and family conflict were key predictors of 'poor adult adaptation,' criminal behavior, and mental illness.)

²⁶ *Id.*

²⁷ Smoyer, Blankenship, MacIntosh, *supra*.

²⁸ Solangel Maldonado, *Recidivism and Parental Engagement*, 40 FAMILY LAW QUARTERLY 191, 195 (2006).

²⁹ Lauren Glaze and Laura Maruschak, Bureau of Justice Statistics, U.S. Department of Justice, *Parents in Prison and Their Minor Children* (2010).

³⁰ Maldonado, *supra*.

³¹ CASA at 24.

³² Bruce Western & Becky Pettit, *Incarceration and Social Inequality*, DAEDALUS 8-15 (2010).

³³ D.A. ANDREWS, JAMES BONTA, *THE PSYCHOLOGY OF CRIMINAL CONDUCT* 243 (5th Ed., 2010).

³⁴ *Id.* at 131-55.

³⁵ James McGuire, *Evidence-Based Programming Today*, in *WHAT WORKS AND WHY: EFFECTIVE APPROACHES TO REENTRY* 85; see also WSIPP (2006).

³⁶ STRENGTHENING FAMILY RESILIENCE, *supra*, at 15.

³⁷ McGuire, *supra*, at 197.

³⁸ *Id.* at 196. Maldonado, *supra*, at 191; see also JOYCE A. ARDITTI, *PARENTAL INCARCERATION AND THE FAMILY: PSYCHOLOGICAL AND SOCIAL EFFECTS OF IMPRISONMENT ON CHILDREN, PARENTS, AND CAREGIVERS* (2012).

³⁹ WERNER & SMITH (1992) at 74: (Recognizing that for at risk children and adolescents: "[t]here was ... the need for detachment from kith and kin whose emotional and domestic problems still threatened to engulf them.")

⁴⁰ Laura E. Glaze & Lauren Maruschak, *Bureau of Justice Statistics Special Report: Parents in Prison and Their Minor Children* (2004). These statistics are from state prisons nationwide in 2004.

⁴¹ The Sentencing Project, *Incarcerated Children and their Families: Trends 1991-2007* at 1. D.H. Daillaire, *Incarcerated Mothers and Fathers: A Comparison of Risks for Children and Families*, 56 FAMILY RELATIONS 440 (2007).

⁴² Glaze & Maruschak (2004).

⁴³ Laura Maruschak, *Medical problems of prisoners*, Bureau of Justice Statistics, 2004.

⁴⁴ CASA (2010).

⁴⁵ TERRY LEVY & MICHAEL ORLANS, *HANDBOOK OF ATTACHMENT INTERVENTIONS* (2000).

⁴⁶ WSIPP 2006.

⁴⁷ WSIPP 2006, Stacey Bouchet, *Children and Families with Incarcerated Parents* (2008).(For Annie E. Casey Foundation).

⁴⁸ *Women Offender Case Management Model: Outcome Evaluation* (November 29, 2010)(A Report to the National Institute of Corrections from the Connecticut Justice Department, Court Support Services Division).

⁴⁹ Roberts, *supra*.

⁵⁰ Maldonado, *supra*; Bouchet, *supra*; JOANNA RAMIREZ-BARRETT, EBONY RUHLAND, HILARY WHITHA, DEE SANFORD, TOM JOHNSON, RYAN DAILEY, *THE COLLATERAL EFFECTS OF INCARCERATION ON FATHERS, FAMILIES AND COMMUNITIES*, 7 (2006)(Council on Crime and Justice summarizing seven qualitative studies in Minneapolis, MN)("Council on Crime and Justice").

⁵¹ Council on Crime and Justice at 19-20.

⁵² Council on Crime and Justice Study at 23 quotes one study participant: “It’s hard to adjust back into the streets, you know, and your kids they’re not going to do exactly what you tell them to do when you first start seeing them but in due time, love and mentally they’ll come back. Just be patient and keep on trying.”

⁵³ Smoyer, Blankenship & MacIntosh, *supra*.

⁵⁴ WSIPP 2006.

⁵⁵ See, e.g., Council on Crime and Justice at 17.

⁵⁶ McGuire, *supra*, at 86.

⁵⁷ Carey, *supra*, at 9; Peggy McGarry, *Public Safety and the Search for a Strategic Convener*, in WHAT WORKS AND WHY: EFFECTIVE APPROACHES TO REENTRY 153-54 (“[C]ommunity-based or problem-oriented prosecutors do not just prosecute individual criminal cases. They may be doing broader legal research on noncriminal legal areas, pursuing code enforcement cases in civil court, writing new codes or ordinances, or providing legal advice to police and community organizations.”).

⁵⁸ See *supra* note 8.

⁵⁹ Dora Schriro, *Getting Ready: How Arizona Has Created a “Parallel Universe” for Inmates*, NATIONAL INSTITUTE OF JUSTICE JOURNAL No. 263 (2009). WSIPP (2006) also notes recidivism reduction effects for restorative justice programs, at least for younger offenders.

⁶⁰ SEE JACK CRONIN, MISSOURI INSTITUTE OF PUBLIC POLICY, HARRY S. TRUMAN SCHOOL OF PUBLIC AFFAIRS, THE PATH TO SUCCESSFUL REENTRY: THE RELATIONSHIP BETWEEN CORRECTIONAL EDUCATION, EMPLOYMENT AND RECIDIVISM 15 (2011) (finding that employment cut recidivism rates in half for study in Missouri of 25,000 inmates). The study, however, did not have a random job assignment component, so could not eliminate the factor of individual motivation, though it did control for other factors. However, studies based on a 1972 randomized job assignment experiment in the federal prisons also support, though more modestly, a connection between employment and lowered recidivism, especially for those over 27. See Christopher Uggen, *Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism*, 67 AMERICAN SOCIOLOGICAL REV. 529-46 (2000).

⁶¹ Dora Schriro, *Getting Ready: How Arizona Has Created a “Parallel Universe” for Inmates*, NATIONAL INSTITUTE OF JUSTICE JOURNAL No. 263 (2009).

⁶² JAMES A. WILSON, YURY CHERYACHUKIN, ROBERT C. DAVIS, JEAN DAUPHINEE, ROBERT HOPE, KAJAL GEHI, VERA INSTITUTE FOR JUSTICE, SMOOTHING THE PATH FROM PRISON TO HOME: AN EVALUATION OF THE PROJECT GREENLIGHT TRANSITIONAL SERVICES DEMONSTRATION PROGRAM (Executive Summary) (2005) (“This study raises strong cautions about the desirability of intensive short-term reentry programming. Other studies of longer and more expensive reentry programs with tighter links to community-based services show that reducing recidivism among people leaving prison is possible. The current findings suggest, however, that trying to save money by compacting reentry programming into a shorter time frame may be counterproductive. Like mentoring programs, a small dose of reentry programming may be worse than no programming at all.”).

⁶³ MINNESOTA DEPARTMENT OF CORRECTIONS, THE EFFECTS OF PRISON VISITATION ON OFFENDER RECIDIVISM (Nov. 2011).

⁶⁴ Christy A. Visher, *Incarcerated Fathers: Pathways from Prison to Home*, CRIMINAL JUSTICE POLICY REVIEW (2011).

⁶⁵ Julie Poehlmann, Danielle Dallaire, Ann Booker Loper, Leslie D. Shear, *Children’s Contact with Their Incarcerated Parents: Research Findings and Recommendations*, 65 AMERICAN PSYCHOLOGIST 575 (2010). Visits were associated with improved relationships, but more consistently positive outcomes were shown to be associated with remote contact such as letters and phone calls. The study did not look at the extent to which the prison visiting environment or correctional officer attitude to the visitors (playground versus sterile room; welcoming versus suspicious and authoritarian) affected the success of the visit.

⁶⁶ Only a handful of states allow fewer individuals on an inmate’s visitors list than Connecticut. See Alabama (8) Ala. Admin. Reg. 303, Visitation, at V.B (2006); Iowa (4 plus family) Iowa Dep’t of Corr. Policy 3 at IV.A.1.; Kentucky (3 plus family) Ky. Corr. Policy 16.1.II.D; Oklahoma (6 plus family) Okla. Dep’t of Corr. Policy 030118.I.A; II.D.; Rhode Island (9) R.I. Dep’t of Corr. Policy 24.03-3.III.D.3; South

Dakota (2 plus family) S.D. Dep't of Corr. Policy 1.5.D.1.IV at "Approval for Visits" A.23; S.D. Admin. R. 17:50:02:01; and Tennessee (8 plus family) Tenn. Dep't of Corr. Policy 507.01.VI.B.6(a), (o).

⁶⁷ Conn. Administrative Directive 10.6.4.A.4.b.

⁶⁸ Conn. Administrative Directive 10.6.4.A.2.

⁶⁹ Smoyer, Blankenship, MacIntosh, *supra* (2009).

⁷⁰ Grant Duwe, Valerie Clark, *Blessed Be the Social Tie That Binds: The Effects of Prison Visitation on Offender Recidivism*, CRIMINAL JUSTICE POLICY REVIEW (2011); William D. Bales, Daniel P. Mears, *Inmate Social Ties and the Transition to Society: Does Visitation Reduce Recidivism?* 45 JOURNAL OF CRIME AND DELINQUENCY 287 (2008); Daniel P. Mears, Joshua C. Cochran, Sonja E. Siennick & William D. Bales, *Prison Visitation and Recidivism*, JUSTICE QUARTERLY (2011); DENA DERKZEN, RENEE GOBEIL, JUSTIN GILENO, CORRECTIONAL SERVICE, CANADA, VISITATION AND POST-RELEASE OUTCOME AMONG FEDERALLY-SENTENCED OFFENDERS (2009). A 2011 Department of Correction study in Minnesota also found a correlation between visitation and lowered recidivism rates. See http://www.doc.state.mn.us/publications/documents/11-11PrisonVisitationResearchinBrief_Final.pdf

⁷¹ The Mears study also found an increased number of child visits to be associated with a higher rate of recidivism for the men in their study, a result they did not expect. Other studies have not replicated this result. It is also not clear whether there is an interaction between number of children and reincarceration for failure to pay child support. Mears et al. (2011) also look at Florida data, and find that visits from a spouse or significant other have the largest effect on reducing recidivism, with friends having a weaker effect and visits from other family members having an even weaker effect. Derkzen, Gobeil, and Gileno (2009), who study data on 6,537 Canadian offenders, show that increased visits decrease readmission but not reoffending. Spouses, however, were associated with lower reoffending. A 2011 Minnesota Department of Corrections study found that clergy, in-laws, and more distant family members were more strongly associated with lower recidivism, but that ex-spouses' visits increased recidivism rates (again, one wonders here about the connection between this result and policies of reincarceration for child support non-payment). Therefore, the effect of visits on post-incarceration outcomes seems to be associated with the type of visitor, though studies vary. In addition, there is heterogeneity in the effect of visitation on different types of offenders. Mears et al. (2011), for example, show a differential effect of visitation based on type of crime.

⁷² The same results may not hold for female inmates. Female inmates tend to rely most on public assistance for material support after reentry, and for them, marriage is not associated with lowered recidivism rates. Andrea Leverentz, *Barriers to Reintegration*, in RETHINKING CORRECTIONS 371. A SHARPP study in Connecticut also found male reentrants tended to rely on females for housing. KIM M. BLANKENSHIP, GENDER, RELATIONSHIPS, AND SEXUAL HIV RISK: FINDINGS FROM A STUDY OF NON-VIOLENT DRUG OFFENDERS ON PROBATION AND PAROLE (2011). The Mears study above did not find that visitation for women reduced recidivism, but recidivism rates for women are already very low.

⁷³ As always, however, one must remember that it is difficult to make causal claims based on observational studies because factors driving the perceived results may be unobservable to the researcher. For example, the connection between recidivism and visitation found in these studies could be due to some unobservable characteristic associated with both the likelihood of visitation and lower rates of recidivism – say, whether the offender is gregarious or a good communicator. Bales and Mears (2008) do suggest three theories explaining why visitation might lower recidivism, however. The first is that release from prison is not only a moment of freedom but a moment of challenge, and that visitation in prison will ease family tensions and challenges at the key moment of release and permit former inmates a better chance at reintegration. The second, labeling theory, would suggest that visitation from family could counter implicit self-labeling impulses that would otherwise lead inmates to believe they are deviants. Instead of “criminals” they see themselves as “husbands,” “fathers” or “sons.” The third, “general strain theory,” argues that visitation reminds prisoners consistently that someone cares about them and that, therefore, they have a “greater incentive to face the challenges of reentry.”

⁷⁴ Bales and Mears (2008) at 292.

⁷⁵ *Id.*

⁷⁶ Conn. Administrative Directive 10.7.4.A and 10.7.5.

-
- ⁷⁷ Conn. Administrative Directive 9.5.2.D.
- ⁷⁸ Cal. Penal Code § 6400.
- ⁷⁹ Fla. Stat. § 944.8031.
- ⁸⁰ Alaska Dep't Corr. Policy 810.02 VI.A.
- ⁸¹ Jade S. Laughlin, Bruce A. Arrigo, Kristie R. Blevins and Charisse T.M. Coston, *Incarcerated Mothers and Child Visitation: A Law, Social Science and Policy Perspective*, 19 CRIMINAL JUSTICE POLICY REVIEW 215 (2008) encouraging jurisdictions to follow California and Florida in placing language in their statutes regarding prison visitation policy which promotes such visitation as an important part of offender rehabilitation. 25 jurisdictions have policies that promote or encourage visitation. (BOP, AK, CA, CO, GA, HI, ID, IN, IA, LA, MD, MN, MO, MT, NH, NM, NY, OH, OK, OR, RI, SC, TX, VT, WA)(From a survey done by Chesa Boudin and Trevor Stutz, Yale Law School, January 2012 Draft).
- ⁸² Judith Sturges, *Visitation at County Jails: Potential Policy Implications*, 13 CRIMINAL JUSTICE POLICY REVIEW 32 (2002).
- ⁸³ Rachael Dixey, James Woodall, *The Significance of 'The Visit' in an English Category-B Prison: Views from Prisoners, Prisoner's Families, and Prison Staff*, 15 COMMUNICATION, WORK & FAMILY 29 (2012).
- ⁸⁴ Huebner (2010) found that women who live with their children during residential treatment are less likely to reoffend, though, unlike studies involving men, marriage had no effect on recidivism for women unless they brought resources to the marriage. Beth M. Heubner, Christina DeJong, and Jennifer Cobbina, *Women Coming Home: Long-Term Patterns of Recidivism*, JUSTICE QUARTERLY 27(2), 225-254 (2010). Prison nursery programs (CA, IL, IN, OH, NE, NY, SD, WA, WV) and community-based residential programs (AL, CA, CT, IL, NC, MA, VT) are detailed in Chandra Kring Villanueva, Institute on Women and Criminal Justice, *Mothers, Infants, and Imprisonment: A National Look at Prison Nurseries and Community-Based Alternatives* (2009).
- ⁸⁵ Johnna Christian, *Riding the Bus: Barriers to Prison Visitation and Family Management Strategies*, 21 JOURNAL OF CONTEMPORARY CRIMINAL JUSTICE 31 (2005).
- ⁸⁶ Laughlin et al, *supra*, at 223. Five jurisdictions allow for overnight visits – CT, CA, NM, NY, MS. Boudin & Stutz, 2012.
- ⁸⁷ Nine jurisdictions provide some form of video visitation -- AZ, IN, NJ, NM, NY, OR, PA, VA, WI. Boudin & Stutz, 2012.
- ⁸⁸ Kathleen J. Block and Margaret J. Potthast, *Girl Scouts Beyond Bars: Facilitating Parent-Child Contact in Correctional Settings* in CHILDREN WITH PARENTS IN PRISON 93-110 (Cynthia Seymour and Creasie Finney Hairston, eds. (2001) show that the Girl Scouts Beyond Bars program improves the quality of visits and can help to preserve or enhance the mother-daughter bond.
- ⁸⁹ Schriro, *Parallel Universe, supra*.
- ⁹⁰ The institute's publications are all available on-line at: <http://www.wsipp.wa.gov/auth.asp?authid=2>.
- ⁹¹ Even half-way house arrangements, however, could do more to promote family reunification. Half-way houses for men in CT only accommodate offenders, not children, preventing men from living with their children and limiting visiting times. (There are 31 spaces in CT half-way houses for female offenders with children). As with prison visitation, passes to spend time with family are not considered programming. No-cellphone policies also limit family contact. Smoyer, Blankenship, MacIntosh (2009), *supra*.
- ⁹² <http://www.crcmc.org/whatweoffer/reentrymediation.html>.
- ⁹³ Federal law contains only some absolute bans on tenant occupancy based on particular criminal convictions. In particular, local public housing agencies must ban applicants who (1) have manufactured or produced methamphetamine on the premises of federally assisted housing or (2) are subject to lifetime state sex offender registrations. See 42 U.S.C. §13663(a); 24 C.F.R. § 960.204(a)(3).
- ⁹⁴ U.S. Department of Housing and Urban Development, Letter from HUD Secretary to PHA executive directors (June 17, 2011).
- ⁹⁵ See Housing Authority of New Haven Admissions and Continued Occupancy Policy 32 (2010).
- ⁹⁶ BUREAU OF JUSTICE ASSISTANCE, U.S. DEPARTMENT OF JUSTICE, PUBLIC HOUSING AUTHORITIES (PHAS) AND PRISONER REENTRY (2006).

⁹⁷ See Housing Authority of New Haven Admissions and Continued Occupancy Policy 32 (2010).

⁹⁸ Conn. Gen. Stat. § 8-45a provides that housing authorities may consider certain types of prior criminal history in determining an applicant's eligibility for housing. However, in evaluating criminal history, they are also required to "give consideration to the time, nature and extent of the applicant's or proposed occupant's conduct and to factors which might indicate a reasonable probability of favorable future conduct such as evidence of rehabilitation and evidence of the willingness of the applicant, the applicant's family or the proposed occupant to participate in social service or other appropriate counseling programs and the availability of such programs." Denying an applicant prior to considering these other factors arguably violates this statute, even if housing authorities offer applicants an opportunity to present evidence of rehabilitation as part of an appeal.

⁹⁹ *Id.* at 28-29.

¹⁰⁰ CASA at 86 (2010).

¹⁰¹ THOMAS E. FEUTCHT & JOSEPH GFROERER, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION AND NATIONAL INSTITUTE OF JUSTICE, MENTAL AND SUBSTANCE USE DISORDERS AMONG ADULT MEN ON PROBATION OR PAROLE: SOME SUCCESS AGAINST A PERSISTENT CHALLENGE (Summer 2011). Not only is the prevalence of mental illness and substance abuse high among individuals in the criminal justice system, the costs are also high. A recent Connecticut study, *Costs of Criminal Justice Involvement among Persons with Severe Mental Illness in Connecticut*, found that the state of Connecticut pays a high price for incarcerating the mentally ill and suggested that new programs are needed to treat offenders outside the prison system. The study looked at information and data from Connecticut's Department of Mental Health and Addiction Service, Department of Corrections and Department of Social Services and found that among criminal justice-involved mentally ill people, total costs for care were roughly twice the average per-person cost for the non-criminal justice-involved. The study concluded that, "the addition of criminal justice costs doubled the total system costs per person for these service recipients with serious mental illness. Cost of jail diversion amounted to a small fraction of cost of arrest and incarceration; thus, there is potential for a large cost offset if jail diversion prevents further criminal justice involvement." See

<http://ctmirror.org/story/15199/state-pays-high-price-incarcerating-large-numbers-mentally-ill>.

¹⁰² CASA at 43-44. See also, e.g., *Methadone and Buprenorphine Prescribing and Referral Practices in US Prison Systems*, JOURNAL OF DRUG AND ALCOHOL DEPENDENCE (November 2009); Mark Parrino, *Methadone Treatment in Jail*, AMERICAN JAILS (2000).

¹⁰³ Evidence-based approaches to substance abuse treatment involve thirteen aspects: "1) standardized risk assessment, 2) standardized substance abuse assessment and treatment matching, 3) use of techniques to engage and retain clients in treatment, 4) use of therapeutic community, cognitive behavioral or other standardized treatment orientation, 5) a comprehensive approach to treatment and ancillary needs, 6) addressing co-occurring disorders, 7) **involvement of family in treatment**, 8) a planned treatment duration of 90 days or longer, 9) integration of multiple systems to maximize care and outcomes, 10) **continuing care or aftercare**, 11) use of drug testing in treatment, 12) use of graduated sanctions, and 13) incentives to encourage progress." CASA AT 42 (2010)(citing 2007 National Criminal Justice Treatment Practices Survey)(bold not in original).

¹⁰⁴ WSIPP Report (2006), *supra*.

¹⁰⁵ Solveig Spjeldnes, Hyunzee Jung, Lambert Maguire & Hide Yamatani, *Positive Family Social Support: Counteracting Negative Effects of Mental Illness and Substance Abuse to Reduce Jail Ex-Inmate Recidivism Rates*, 22 JOURNAL OF HUMAN BEHAVIOR IN THE SOCIAL ENVIRONMENT 130-47 (2012).

¹⁰⁶ Eladio D. Castillo & Leanne Fital Alarid, *Factors Associated with Recidivism Among Offenders with Mental Illness*, 55 INTERNATIONAL JOURNAL OF OFFENDER THERAPY AND COMPARATIVE CRIMINOLOGY 98 (2011).

¹⁰⁷ Jacques Baillargeon, Stephen K. Hoge and Joseph V. Penn, *Addressing the Challenge of Community Reentry Among Released Inmates with Serious Mental Illness*, 46 AM. J. COMMUNITY PSYCHOLOGY 361-75 (2010).

¹⁰⁸ C. HARLOW, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT, EDUCATION AND CORRECTIONAL POPULATIONS (2003).

¹⁰⁹ Gerald G. Gaes, *The Impact of Prison Education Programs on Post-Release Outcomes* (paper presented at Reentry Roundtable on Education 2008 at John Jay College of Criminal Justice).

¹¹⁰ *Id.* Because of the difficulty of designing a study with an appropriate control group, however, different studies find different effect sizes, from 7-40%. The Washington State Public Policy Institute Study (WSIPP 2006), one of the most conservative meta-analyses because it discounts or omits non-experimental designs and studies run by program designers, estimates that general education (both basic and post-secondary) reduces adult recidivism by 7% and vocational training reduces it by 9%. Life skills education had no effect. For juvenile offenders, the WSIPP study found general education in prison to have a substantial effect on recidivism, reducing it by 17.5%. High school graduation in the community itself reduced recidivism by 10.4%.

¹¹¹ Here, race worked the other way, with Whites gaining more advantage from prison education than minorities. According to the study, taking at least 313 hours of adult education in prison increased employment by 7-12% for Whites and 4-5% percent for minorities. Recidivism rates also declined slightly for those with at least 313 hours of education. A 1985 study of federal prisoners (Saylor and Gaes) with a 20 year follow-up found similar results for vocational training – it aided employment more over time, but not wages, though this study found it helped minority offenders more than Whites. Two studies in Ohio (Sabol 2007, 2007b), however, found vocational training to have no effect on employment. The experimenter suggested that one reason for these perverse findings may have been a mismatch between the training and the jobs available in the community. One would also have to ensure that the vocational training provided did not run aground on legal bans on ex-offenders holding those jobs (discussed in the next section). Gaes, *supra*.

¹¹² Gaes, *supra*, at 28. Those who complete college courses in prison are 45% less likely to recidivate than the general population, according to some studies that do not control for self-selection. See Wesleyan Prison Project's website at <http://www.wesleyan.edu/cpe/about/whycip.html>. However, controlled studies are not available. Gaes, *supra*.

¹¹³ Larry Brewster, *Arts in Corrections: A Path to Redemption* (2010)(University of San Francisco)(citing studies of California's 20-year arts-in-corrections program, and providing follow-up interviews with 16 former participants). Shakespeare-behind-bars, a 17-year-old drama-based arts program in several institutions in Michigan and Kentucky, boasts a 25% reduction in the recidivism rate for its former participants. <http://www.shakespearebehindbars.org/about/mission.htm>. Again, these studies do not control for self-selection.

¹¹⁴ *Id.*

¹¹⁵ ANTONI CALVO-ARMENGOL, ELEONORA PATACCHINI, YVES ZENOU, PEER EFFECTS AND SOCIAL NETWORKS IN EDUCATION (2006).

¹¹⁶ Georgen Guerrero, *Prison-Based Educational and Vocational Training Programs*, in RETHINKING CORRECTIONS 201.

¹¹⁷ DIANNA M. SPYCHER, GINA M. SHKODRIANI & JOHN B. LEE, COLLEGE BOARD ADVOCACY AND POLICY CENTER, THE OTHER PIPELINE: FROM PRISON TO DIPLOMA: COMMUNITY COLLEGES AND CORRECTIONAL EDUCATION PROGRAMS (2012). The WSIPP study also examines cost-effectiveness of education in prison for adults. Again, though its estimates are conservative, it finds that prison education saves between \$10,699 (general) and \$13,738 (vocational) per participant. These estimates are based on programs paid for by the state. Many of the post-secondary educational opportunities available in Connecticut prisons are run by volunteers, so the cost-saving estimates would be higher for these programs.

¹¹⁸ Dora Schriro, *How Arizona Has Created a "Parallel Universe" for Inmates*, National Institute of Justice (Issue 263, 2009); JOAN PETERSILIA, WHEN PRISONERS COME HOME: PAROLE AND PRISONER REENTRY 182-84 (2003).

¹¹⁹ See U.S. Equal Employment Opportunity Commission, EEOC Enforcement Guidance, Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964, http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm.

¹²⁰ Conn. Gen. Stat. § 46-80(b).

¹²¹ See New Haven Ordinance (Feb. 17, 2009),

<http://www.cityofnewhaven.com/CSA/pdfs/Ban%20the%20Box%20FINAL%20VERSION.pdf>.

¹²² Ohio Senate Bill 337, http://www.legislature.state.oh.us/BillText129/129_SB_337_EN_N.html.

¹²³ See JENNIFER NELSON, CONSEQUENCES OF A FELONY CONVICTION REGARDING EMPLOYMENT, OLR RESEARCH REPORT 2005-R-0311 (2005). Jobs subject to restrictions include commercial driving, veterinarians, barbers, hairdressers, cosmeticians, sanitarians, nurses, marital/family therapists, professional counselors, alcohol and drug counselors, nutritionists, accountants, architects, private detectives, security guards, shorthand reporters, teachers. Commercial cleaning and hair dressing are vocational training programs in some CT prisons, suggesting that the vocational programming has not been tailored to available jobs in the community.

¹²⁴ DEPARTMENT FOR BUSINESS INNOVATION AND SKILLS, MINISTRY OF JUSTICE, UNITED KINGDOM, MAKING PRISONS WORK: SKILLS FOR REHABILITATION: REVIEW OF OFFENDER LEARNING (May 2011), <http://www.bis.gov.uk/assets/biscore/further-education-skills/docs/m/11-828-making-prisons-work-skills-for-rehabilitation.pdf>.

¹²⁵ See, e.g., LAWRENCE W. SHERMAN & HEATHER STRANG, RESTORATIVE JUSTICE: THE EVIDENCE (Smith Institute 2007)(summary of the Jerry Lee Program of Randomized Trials in Restorative Justice for the Smith Institute)(meta-analysis of randomized controlled trials of RJ programs in England and the U.S. showed significant improvements in recidivism rates, number of cases processed, and victim and offender satisfaction with the process in multiple jurisdictions, though only with some kinds of offenders. As expected, these approaches worked better with younger offenders. The findings also, unexpectedly, showed better results for violent than for non-violent crimes).