

# Interagency Collaboration Along the Reentry Continuum

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**IN OCTOBER 2012**, the U.S. Probation Re-Entry Expert Working Group conducted a national survey of federal probation and pretrial services officers regarding a variety of reentry practices, with a goal of establishing a baseline of certain collaborative practices along the federal reentry continuum. The survey provided valuable insight into the level of collaboration between U.S. Probation and Pretrial Services and the Federal Bureau of Prisons. In this article we highlight some of the survey's findings regarding ways to improve federal reentry.

## Background

Formed in 2005, the National Offender Workforce Development Partnership (NOWDP) focused on coordinating workforce development efforts between the Bureau of Prisons (BOP), the National Institute of Corrections, the Department of Labor, and the Probation and Pretrial Services Office (PPSO) of the Administrative Office of the U.S. Courts (AO). NOWDP placed particular focus on promoting the Offender Workforce Development Specialists curriculum (OWDS), often with a regional focus that includes local and state-level partners. Over time, however, additional federal agencies that focus on a variety of reentry concerns joined the NOWDP.

In 2012, the NOWDP members, realizing that this expanded membership necessitated a reassessment of the group's mission, agreed to expand their focus to *all aspects of reentry*,

but to concentrate on the unique circumstances and barriers facing *federal* defendants, inmates, and offenders. Contributing to these unique circumstances is the fact that the largest correctional system in the country, the BOP, houses over 219,000 inmates, many of whom are imprisoned far from the communities to which they will ultimately return on supervision. This creates special challenges.<sup>1</sup> Reflecting their new mission, the group renamed itself the Federal Offender Reentry Group or FORGe.<sup>2</sup>

One of FORGe's first efforts was to create a network of reentry points of contact (POCs), primarily to disseminate information and to promote communication among BOP staff and U.S. probation officers. In 2010, the BOP put in place Regional Re-entry Affairs Coordinators in each of the six BOP regions, as well as a Re-entry Affairs Coordinator in each institution. The Reentry Affairs Coordinators comprised the BOP's half of that network. In 2010, the AO selected an Expert Reentry Working Group that worked in partnership with the BOP Regional Reentry Affairs Coordinators and at the national level

<sup>1</sup> Many federally funded programs that could assist returning federal inmates are organized and administered at the state level. This greatly complicates the initiation of services or benefits for inmates imprisoned away from their home state.

<sup>2</sup> FORGe Mission: to foster collaboration among federal agencies and with national organization to equip federal defendants/offenders with the necessary skills and resources to succeed upon release.

to enhance reentry collaboration. In 2011 PPSO solicited volunteers from each probation and pretrial services office to likewise serve as points-of-contact (POCs). Some districts identified one POC, others identified multiple volunteers. Unifying these points of contact was the FORGe Listserv, in which all POCs were enrolled. There are also regional listservs that facilitate discussion and planning between POCs within the six BOP regions.

## The Survey

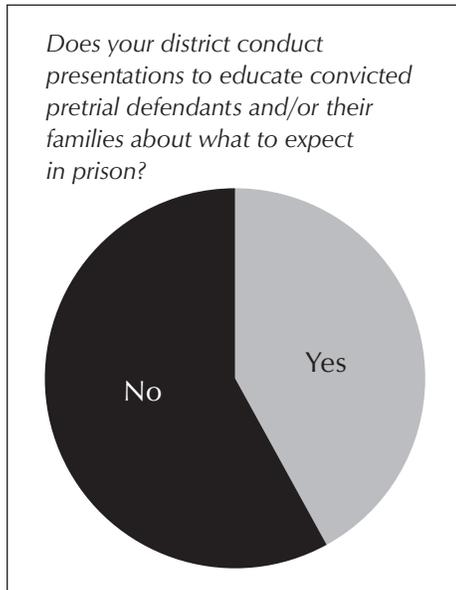
The past 10 years has seen a flurry of reentry-related activity and legislation affecting the U.S. probation and pretrial services system. This activity has included efforts to improve employment prospects for those leaving prison through job training, collaboration between criminal justice partners and community-based agencies, reentry courts, and expanded authority to expend funds under the Second Chance Act. While some of this activity was initiated at the national level, districts have engaged in different initiatives, creating a patchwork of reentry-related programming across the federal system that reflects the variety of needs and priorities of each district, as well as district autonomy.

Because of the wide variation in practices, PPSO sent a survey through the FORGe Listserv to the U.S. Probation and Pretrial Services POCs to establish a baseline of various activities for defendants/inmates/offenders navigating the federal criminal justice process. Responses were received from

107 of 120 separate offices, an 84 percent response rate. The following graphics and commentary provide significant insight into reentry operations between the BOP and U.S. probation and pretrial services offices across the country.

## Preparation for Prison

Forty-two percent of respondents indicated that they conduct presentations to educate convicted pretrial defendants about what to expect in prison.



Defendants face great stress and anxiety during the prosecutorial process. If convicted, and if facing custodial sentence—which the vast majority will—defendants are typically unfamiliar with both the restrictions and the opportunities within federal prison. Many districts conduct regularly scheduled presentations, often in collaboration with BOP staff, to educate convicted defendants and their families on life under incarceration (e.g., child support issues, available programming within prison). Increased awareness can decrease defendant anxiety (potentially mitigating risk of nonappearance and better ensuring the safety of the community) and help defendants to better prepare. Preparation enables inmates to adjust to incarceration and to make better use of BOP available programming. Similarly, inmates fare better upon reentry when they have made the most productive use of their time in custody.

It is also important to educate families. When families are prosocial, it is critical for inmates to maintain those connections and that support, both while they are in prison and after their return. Research has shown that

inmates with higher levels of visitation have lower recidivism rates once they are released back into the community.<sup>3</sup>

Districts have created a variety of preentry programs that range from informal meetings between officers and defendants to formal panel presentations with representatives from BOP, ex-offenders, treatment staff, attorneys who advise on guardianship and other family matters, and pretrial services and probation officers. Some districts offer the presentations monthly; others offer presentations bi-monthly, quarterly, or twice yearly. Participation is generally voluntary, although some districts mandate attendance through court order. Family members are usually welcome to attend. A few districts provide preentry orientation to detained defendants, although most programs are geared towards defendants on pretrial release.

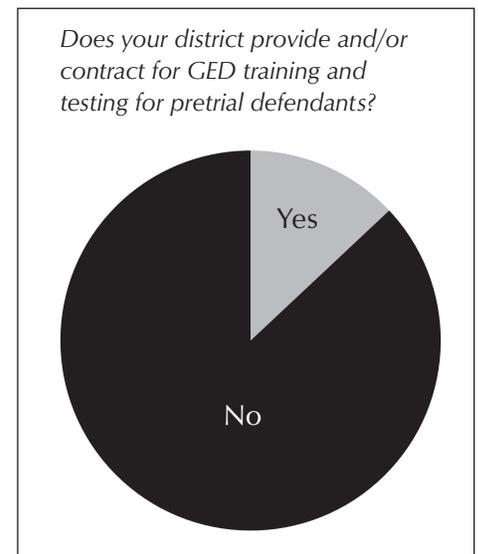
While the districts vary in their curricula, in general preentry programs educate defendants about the presentence process, sentencing, and the BOP. In addition, defendants may be encouraged to research BOP facilities to learn about educational or vocational programs in which they may want to participate. Presenters provide guidance regarding transition planning, including taking care of personal and legal affairs, obtaining identification that will be valid upon release, documenting medical conditions and medication, storing important documents in a safe place, and informing about prerequisites for certain BOP programs (e.g., GED or high school diploma, payment of special assessment fee). Practical information about the BOP is also shared, ranging from the logistics of self-surrender (How do I get there? What do I bring? What happens when I get there?), to visitation and communication with family, commissary and daily life, and reintegration upon release. Ex-offenders share their unique perspective about the transition into and out of the BOP, and offer their experience on how to structure the pretrial and prison time as productively as possible. Finally, some orientation programs focus on the emotional aspect of the transition, providing coping tools and resources to ease the anxiety and stress that defendants and their families' experience.

Districts that have engaged in preentry services have received positive feedback from defendants, family members, and BOP staff. In general, defendants are better

prepared—practically and emotionally—when they enter prison.

## Pretrial GED programs

In the survey, 13 percent responded that they provide GED assistance to pretrial defendants. In a follow-up question for those who provide GED training or testing, 32 percent indicated that they have used court funding to provide these services.<sup>4</sup>



Many defendants on pretrial release have significant educational deficits. Districts can use appropriated funds or free community resources to help defendants attain the General Equivalency Degree (GED) while their cases are pending. The lack of a high school diploma or GED increases an inmate's risk score during the BOP's security designation process. It also precludes inmates from pursuing more advanced educational services in the BOP. Success and rehabilitation while on pretrial release are also more likely to be considered at sentencing in the post-Booker environment.<sup>5</sup> Research has shown that, even when controlling for defendant risk levels, improved pretrial outcomes lead to improved reentry outcomes, specifically, lower re-arrest rates.<sup>6</sup>

<sup>4</sup> The federal courts suspended Second Chance Act funds halfway through fiscal year 2013, and no funds were allocated during fiscal year 2014 due to budget constraints.

<sup>5</sup> *United States v. Booker*, 543 U.S. 220 (2005). This ruling struck down the requirement that federal judges sentence offenders within the Federal Sentencing Guidelines.

<sup>6</sup> Cadigan & Lowenkamp (2011). Preentry: The key to long-term criminal justice? *Federal Probation*, 75(2), 74-77.

<sup>3</sup> Joshua Cochran (2014). Breaches in the wall: Imprisonment, social support and recidivism. *Journal of Research in Crime and Delinquency*, 51(2), 200-229.

Although courts have always had the authority to impose release conditions of education and employment (18 U.S.C. 3142 (c)(1) (B)(ii) and (iii)), a 2009 study of federal pretrial services enhanced the focus on this issue.<sup>7</sup> The study found that 41.4 percent of pretrial defendants lacked a high school diploma or GED. It also found that, on average, 52 percent of defendants were unemployed at the time of their initial appearance. The study also demonstrated that education and employment status were related to the risks of nonappearance and danger to the community. Therefore, some pretrial services agencies have developed more robust programs, targeting those without high school diplomas or GEDs. They have also provided vocational, educational, and employment assistance by way of skills assessments and job readiness training for those who have met the basic educational requirements of the BOP.

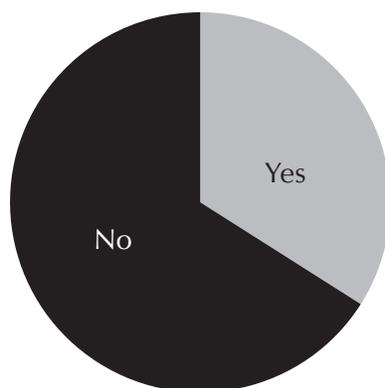
Some pretrial services agencies have appointed Workforce Development Coordinators, who are tasked with resource development in the community. Partnering with community-based organizations is essential to provide educational, vocational, and employment assistance to the pretrial population. Coordinators work with community colleges, Goodwill Industries, Offender Aid and Restoration, and others. Defendants are given opportunities to attend English as a second language (ASL) classes and various computer classes. Program coordinators also partner with the federal public defender's office to provide orientation meetings for unemployed defendants released on supervision. Emphasis is placed on ensuring that these defendants have birth certificates, social security cards, and photo identification, which are vital for defendants' educational, vocational, and employment endeavors.

<sup>7</sup> Marie VanNostrand, Gena Keebler. (2009). Pretrial risk assessment in the federal court. *Federal Probation*, 73(2), 3-29.

## Reducing Child-Support Obligations

Thirty-four percent of respondents reported that they educate defendants about the importance of pursuing modifications of child-support orders before incarceration.

*Does your district educate defendants about the benefits of modifying child support payments prior to incarceration? (Excessive child support arrears can be a disincentive for offenders to join the legitimate labor force.)*



Many offenders are released owing tens of thousands of dollars in child support. The federal Office of Child Support Enforcement (OCSE), part of the Department of Health and Human Services (HHS), conducted an analysis of 51,000 federal inmates and found that 29,000 had past-due child support.<sup>8</sup> On average, an inmate who enters prison owing \$10,000 will owe \$20,000 upon release.<sup>9</sup>

Some districts are carefully documenting any and all child-support obligations and encouraging defendants to seek modifications of their child-support orders before incarceration. The survey shows clearly, however, that two-thirds of districts do not address child support with defendants facing incarceration. Taking the long view, educating defendants who have child-support obligations could improve offenders' chance of success upon

<sup>8</sup> *Project to Avoid Increasing Delinquencies*. Office of Child Support Enforcement Child Support Fact Sheet Series Number 5

<sup>9</sup> Nancy Thoennes. (2002, May). *Child Support Profile: Massachusetts incarcerated and paroled parents*. Center for Policy Research.

reentry.<sup>10</sup> The research is encouraging. A six-month evaluation was conducted on 350 paroled and released offenders who participated in Denver's Work and Family Center (WFC). WFC is a voluntary multi-service site that offers employment assistance and services for child support and family integration in one setting. The evaluation showed that employment rates rose for participants from 43 percent to 71 percent, and average quarterly earnings among clients increased from \$3,178 to \$3,853. Child-support payments were higher as well. On average, parents served at the WFC paid 39 percent of what they owed in child support, compared to 17.5 percent paid during the 6 months prior to using the program. Those paying no child support dropped from 60 percent to 25 percent. Additionally, WFC clients were returned to prison in lower numbers than those reported for all DOC inmates. WFC clients were returned at a rate of 28.6 percent, compared to a state-wide average rate of 40 percent.<sup>11</sup>

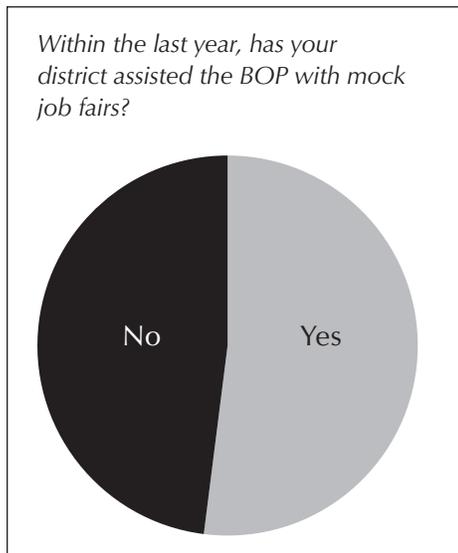
Support and encouragement for offenders to maintain prosocial ties is critical to reducing recidivism. Offenders excessively burdened by child-support orders may be less inclined to pursue a non-criminal lifestyle. Accepting financial responsibility for one's children and engaging in the legitimate workforce marks a major transition for many offenders. Coordination between U.S. probation and pretrial services officers and BOP case managers could ensure that offenders have more manageable child-support burdens upon reentry.

<sup>10</sup> Office of Child Support Enforcement. (2007). *Project to avoid increasing delinquencies*. Office of Child Support Enforcement Child Support Fact Sheet Series Number 4. OCSE argues that inmates should seek to have their child-support orders modified, if possible, *prior* to incarceration. Excessive child support debt is considered a disincentive for parents to join the legitimate economy. Child support rules vary by state, but the federal government is trying to educate and encourage the states to be more open to modifying child support rules. In fact, some states consider incarceration as voluntary unemployment and therefore refuse to modify orders. HHS would rather have offenders who are non-custodial parents make some smaller manageable payments toward child support (as opposed to making none and having no contact), so that they might still be involved in the lives of their children.

<sup>11</sup> Jessica Pearson & Lanae Davis. (2001). *Serving Parents who Leave Prison—Final Report on the Work Family Center*. Center for Policy Research.

### Mock Job Fairs

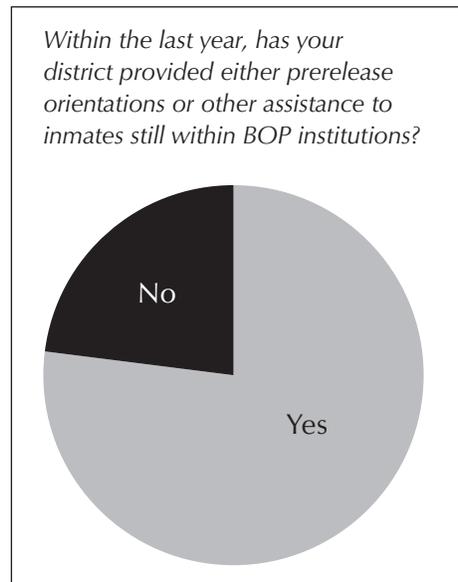
Fifty-two percent of survey respondents reported that they assist with BOP mock job fairs.



Mock job fairs provide incarcerated inmates with an opportunity to practice interview skills. Inmates practice the difficult conversations they will have when they seek employment. By helping with these mock job fairs, probation officers show inmates that employment will be a major focus and expectation upon their release. Being community-based, probation officers have greater awareness of the employment challenges and opportunities offenders encounter upon their release. To assist the BOP with job readiness training, officers from some districts present soft-skill programs directly to BOP inmates. Officers can also provide general release information, particularly concerning what offenders should expect from supervision. Officers also identify inmates who have participated in vocational training and connect them with employment upon release.

### Prerelease orientations

Seventy-seven percent of survey respondents reported that they provide assistance to inmates while they are in BOP institutions.

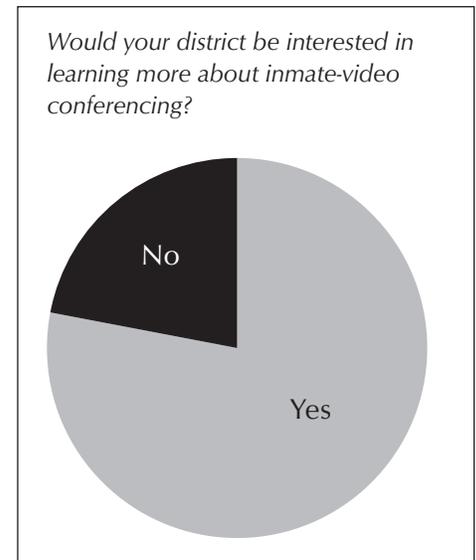


As shown in the survey, many districts engage with inmates and staff at nearby BOP institutions. As mentioned earlier, many inmates are in institutions far from their home communities. Not surprisingly, BOP staff members often have limited knowledge of the communities to which inmates are returning.

One district conducts in-reach at federal prisons in its local area. Probation officers go to the prisons at least quarterly to inform inmates about Selective Service Registration, employment, education, family, home ownership, and other programs. The district's Community Resource Specialist also provides information to inmates to assist with transitional planning, such as information regarding schools and training.

### Video Conferencing—Inmates Preparing for Release

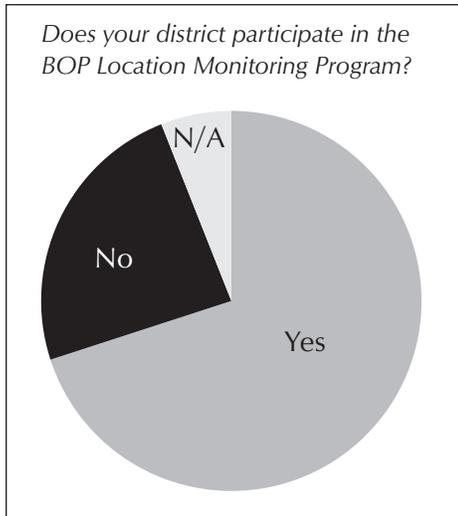
Seventy-eight percent of respondents reported that they would like to learn more about inmate video-conferencing with BOP.



Very often federal inmates are incarcerated too far for family to visit or for staff to conduct prerelease seminars. A district in the Midwest conducts video conferencing with 11 institutions. The BOP identifies the inmates, and probation officers invite the family to come to the courthouse. This offers an opportunity to start family reunification and also provides a joint orientation regarding programs and resources available to build motivation and family support. At times, inmates have not seen family members at all while incarcerated. Since the technology and equipment are available, video conferencing can be implemented at no cost to either agency.

### For Low-Risk Inmates—BOP Location Monitoring

Over 70 percent of the survey respondents reported that they participate in the BOP Location Monitoring program.



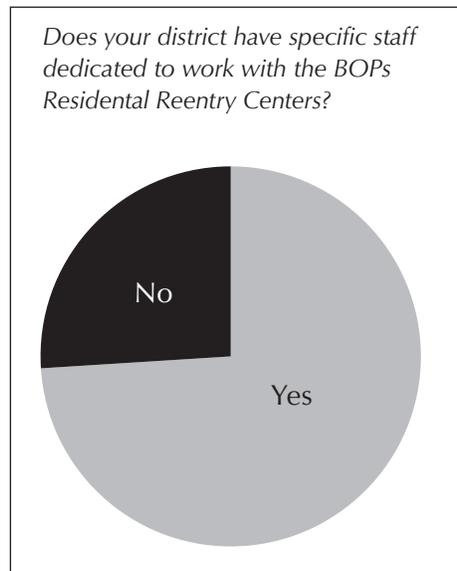
The adoption of evidence-based practices has been a major focus in community corrections for the past decade, emphasizing applying the principles of Risk, Need, and Responsivity (RNR) to reduce recidivism. Simply put, the risk principle directs that there must be increased interventions for higher-risk offenders in order to reduce recidivism. Correspondingly, there should be decreased interventions with lower-risk offenders, to avoid increasing the likelihood that they will recidivate. The redesign of the BOP location monitoring program represents a major step by federal corrections to adopt the risk principle. It also saves the BOP money that would otherwise be paid to the contract Residential Reentry Centers (RRCs).

Under the BOP-AOUSC Inter-Agency Agreement revised in 2011, BOP institutions may refer inmates (generally only those at the minimum risk level according to the BOP Security and Classification tool) directly onto home confinement with location monitoring and under the supervision of U.S.

probation officers. The BOP’s Residential Reentry Managers assess the referrals and then forward them to U.S. probation. If accepted by the probation office, these inmates are supervised according to probation policies, as detailed in the *Guide to Judiciary Policies and Procedures*. The probation office also retains the discretion to select the most appropriate type of location monitoring technology. The BOP reimburses the AOUSC through quarterly payments based upon the number of cases referred and any other associated costs.

### Working with Residential Reentry Centers

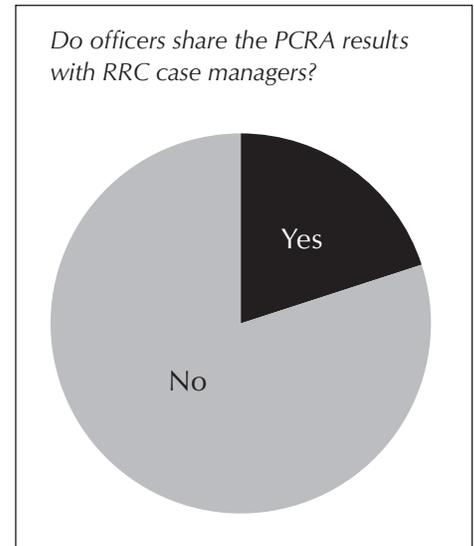
As shown here, 74 percent of respondents have staff dedicated to working with the RRCs.



Over 80 percent of BOP inmates are released to RRCs before their term of supervision begins. The goal of the RRCs is to allow inmates to assimilate more gradually into their local communities and to receive necessary programming. Inmates may now spend up to 12 months of their sentence (or 10 percent, whichever is less) in an RRC. The average length of time inmates spent in the RRC was 131 days during fiscal year 2011, but it appears to be increasing.

### Sharing Risk Assessment Results

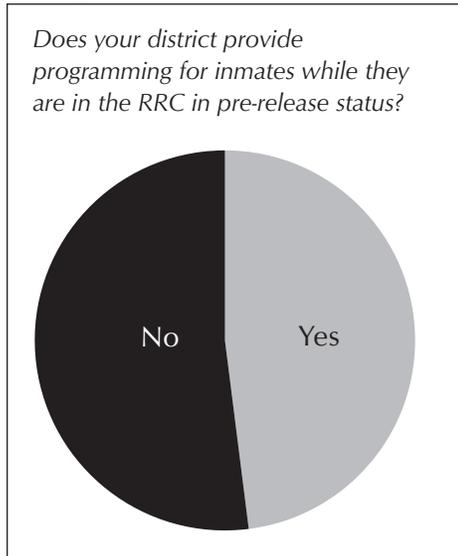
In 2011, PPSO released the Post Conviction Risk Assessment (PCRA), which is now the primary actuarial risk prediction tool that informs case planning. As shown below, 20 percent of respondents reported that they share PCRA scores with RRC case managers.



To become a more streamlined collaborative reentry system built upon evidence-based practices, it is essential that we share actuarial risk prediction information data along the continuum. The PCRA identifies each offender’s risk of recidivating, dynamic risks, responsivity factors, and criminal thinking styles. Providing PCRA results to RRC case managers would more fully inform their efforts to improve each inmate’s transition back into the community.

## Programming for RRC Inmates

Forty-eight percent of respondents reported that they provide programming to inmates residing in the RRCs.



In contracting for services, the government uses a statement of work to delineate the contractor's responsibilities. The BOP's statement of work specifies the scope of activities and interventions that the RRCs must provide to residents. Although these services assist the inmate with reentry challenges, many U.S. probation staff noted that they provide additional services, such as a general orientation to supervision to RRC inmates. Respondents noted that they provide a variety of services, including cognitive behavioral therapy classes, job readiness, basic computer skills, journaling groups, resume writing, etc. These take place either in the RRC or at the probation office, and RRC inmates are allowed to participate. Some districts also invite RRC inmates when they hold job fairs.

## Future Directions

The survey paints a promising picture of how BOP and U.S. probation and pretrial services officers can work together to improve federal reentry. The federal reentry continuum is complex—spanning two branches of federal government, 94 federal districts, and 119 institutions—but progress in overcoming obstacles continues. At least as important, there is tremendous innovation and commitment at the local level among institutions, RRC staff, and U.S. probation and pretrial services staff. Advances require building working relationships with our counterparts who share the mission of improving federal reentry and reducing recidivism. Progress has been made despite physical distances between institutions and probation offices, differences in organizational cultures, and lack of data integration. Nevertheless, it is a time of optimism, for the fiscal challenges facing the federal criminal justice system will increasingly demand improved process efficiency and demonstrable outcomes. These will likely only be realized as we improve interagency collaboration.