



The California Prison and Rehabilitation System

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Poverty & Prejudice: Breaking the Chains of Inner City Poverty

Introduction

California is suffering from overpopulation of its prisons and jails. There are several factors that have contributed to the overcrowding problem including, political decisions and lack of effective education and rehabilitation programs. On the political front, lawmakers have passed new policy that locks up prisoners, particularly drug offenders, for long amounts of time. In addition, State education and rehabilitation programs have been unable to lower recidivism rates and reform criminals to allow them to return to society as law-abiding citizens.

The goal of this paper is to suggest ways to improve the prison system and help convicted felons regain their place in society. Our paper analyzes the current state of the prison system through a study of demographic and crime data. In particular, we have done a case study of juvenile crime in the Bay Area in an attempt to discern trends amongst juvenile criminals. In analyzing the prison system, we have investigated law and policy changes that have impacted the prison population. In thinking about ways to reduce recidivism, we first analyzed the current rehabilitation and education systems in California. Based on our findings, we have suggested improvements to the current system. Our suggestions are based upon our studies of successful programs, including Delancey Street - the paper provides a detailed description and overview of the Delancey Street program.

State of U.S. Prison Systems

The state of affairs of the US prison population is not encouraging. Through the years, the parallel issues of how to lower crime and how to handle prison populations has had a profound effect on the political arena in the United States, and the results of political battles have had a major impact on the US population. Recently, the Washington Post reported that African American youths constitute 15 percent of 10 to 17 year olds but 26 percent of juvenile arrests. Even more disturbing, African American youths account for 41 percent of those detained as delinquents, 46 percent of the juveniles in corrections institutions and 52 percent of the juveniles transferred to adult criminal court after judicial hearings. (May 14, 1999) These numbers suggest that there is not merely disproportionate lawlessness, but dissimilar treatment throughout the juvenile justice system. They are the sort of numbers that deserve investigation.

To see the connection between politics and crime, one only needs to look at Governor Davis' recent budget request for \$335 million to build a new maximum security prison for 4,500 inmates in Kern County (San Francisco Examiner, May 16, 1999). By requesting funds for additional incarceration, Governor Davis gets to look like he is tough on crime. He is following the example of former Gov. Pete Wilson. Under Gov. Wilson, the budget for higher education shrank 3%, while corrections spending jumped 60%. The increased spending on crime appealed to voters, and gave Wilson photo opportunities that helped his poll ratings. Wilson was only continuing a trend during which, over the last two decades, California has built 21 prisons (the new prison would be the state's 34th). As a result, the California prison system currently houses 158,000 inmates, and officials say that they need room for 50,000 more by 2003. However, with all the "tough on crime" measures, one has to wonder why more and more prisons are being built. After all, if the tough on crime effort was so effective, why are more jail cells needed?

A clue is seen in the data we have uncovered. In the last 6 years, crime in Alameda county has declined by 1.5% per year. In

San Francisco, crime has declined by 3.2% over the same time period. Meanwhile, in the past 14 years, the nationwide census of people imprisoned for drugs has increased 400 percent, which is twice the growth rate for violent crimes. About half the prison population is doing time for nonviolent crimes, including drugs. So, one conclusion we can draw is that the current makeup of the inmate population is different than the composition when the building spree began. Two decades ago, federal prisons held almost twice as many violent offenders as drug offenders; today, those serving time for drug violations outnumber violent criminals by three to one in federal penitentiaries.

A recent study of New York state drug inmates showed that 78 percent had prior convictions for violent felonies and that almost half had never even been arrested on a charge of violence. (The New Republic, April 26, 1999) In 1986 Congress passed the "Rockefeller" drug laws, enacting statutes that allow drug crimes to be prosecuted in federal as well as state courts, and imposing brutal sentences. Most attention has been given to the 100 to one" clause, which treats crack 100 times more harshly than powder cocaine. For example, possession of five grams of crack cocaine triggers a five-year sentence, while 500 grams of powder cocaine is necessary to invoke the same sentence threshold. This rule affects blacks disproportionately: most crack defendants are black; most powder cocaine defendants are white.

But the more basic bias in the law is class-based: crack cocaine is cheaper than powder cocaine. By jailing people for possession of small crack amounts but not small powder amounts, the law now inherently targets the working class and poor at the expense of the moneyed. (New Republic)

More generally, the 1986 law simply imposes too much time for small offenses, applying the same no-punishment-is-too-harsh ethic to all crimes, horrific or piddling. A 1994 Department of Justice study showed that 36 percent of federal drug inmates are "low-level offenders" with "minimal criminal histories" but serve an average of almost six years in prison. In recent years, state and federal crimes have also come under the aegis of mandatory-minimum sentencing, which means a fixed minimum jail time regardless of extenuating circumstances. Mandatory minimums are not the same thing as guideline sentences, but the two interact in nefarious ways, sometimes making sentencing disproportionate to the severity of crimes. Today, under New York law, conviction for selling two ounces of cocaine will bring at least 15 years in prison; rape may bring as little as five. (See Appendix A for trends in new admissions to prison in California)

Another reason for the burgeoning prison population is the state's "three strikes" law, which is capable of sending citizens away for life when they commit a small offense after two prior crimes. On January 20, 1999 the US Supreme Court upheld the California three strikes law even though four of the nine justices voiced concerns about its constitutionality. The justices rejected the appeal of Michael Riggs, who was sentenced to 25 years to life in prison after he stole a bottle of vitamins from a supermarket. California has used its 1994 three strikes law to put away more than 40,000 people for second and third strikes - a quarter of the state's prison population (AP Wire, January 20, 1999). About 4,400 of them were sentenced to 25 years to life. Meanwhile, the law has been used to varying degrees throughout the state (which clearly raises questions of equity). Los Angeles and Sacramento counties invoked the law seven times as often as Alameda and San Francisco counties, but did not show a greater reduction in crime (AP Wire, March 2, 1999).

The budgetary impact of these prisons has been huge. Nationwide, prisons now cost society about \$35 billion per year, or roughly double the national welfare budget. According to the New Republic, California alone holds more inmates in its jails and prisons than do France, Great Britain, Germany, Japan, Singapore, and the Netherlands combined, though those nations combined have ten times California's population.

The question that these factors raise for us concerns the effectiveness of the California criminal justice system. The new policy seems to be to lock up prisoners, particularly drug offenders, for long amounts of time, thereby allowing politicians to look "tough on crime". One has to wonder, however, what would happen if resources were devoted to education and work programs before youths got involved with drugs and crime.

Case Study of Selected California Bay Area Counties

In order to justify some of our assumptions and verify some of the articles that are referenced throughout this report, we have done a statistical analysis of crime amongst juveniles in selected Bay Area counties. We decided to look at four counties - Alameda and San Francisco represent less affluent, urban areas - Mann and Santa Clara represent more affluent, suburb areas. The goal is to look for trends in juvenile crime as well as look for differences in juvenile crime between different areas (i.e. suburban vs. urban, affluent vs. poor). Unfortunately, our group was unable to find any data sources that track juvenile crime by race. A detailed spreadsheet is attached as Appendix B - the data is yearly from 1990-1995.

Trends in Juvenile Crime

- Growth in Arrests - The number of juvenile arrests has been rising faster than the juvenile population - 1.5% and 0.7% annually, respectively. This suggests one of two things, either more juveniles are getting into trouble or the arrest rate has been increased (i.e. police are cracking down on juvenile crime). Interestingly, the growth rate has been lower in the more urban, less affluent counties of Alameda and San Francisco (-1.5% and -3.2%, respectively) than the more affluent, suburban counties of Mann and Santa Clara (3.6% and 6.3%, respectively). Our group's thesis is that police in the suburban areas have begun to crack down on crime more than in the past.
- Violent Crimes have been rising dramatically over this 6-year period - violent crimes on average have increased 8.8% per year (5 1 4% over the 6-year period) vs. 1.5% per year for all crimes (7.0% over the 6-year period). Violent crimes now represent 8.9% of all arrests vs. 6.3% in 1990).

Trends in Juvenile Drug Violations

- Drug violations are growing at a much faster rate than other offenses and comprise a higher % of all arrests. Total drug violations rose on average 5.8% per year (28.1% over 6-year period) vs. 1.5% per year growth in total juvenile arrests (7.0% over 6-year period). Drug violations now represent 10.0% of all arrests vs. 8.3% in 1990. Interestingly, the increase in drug violations is due to an increase in drug possession, not drug sale, offenses. Drug possession arrests increased 108% over the 6-year period whereas drug sale arrests declined 43% over the same period.
- Another interesting trend in juvenile drug crime is that drug violations have grown much faster in wealthy suburbs. For instance, drug violations in Mann and Santa Clara counties increased 26% and 25% annually, respectively. In contrast, drug violations in Alameda and San Francisco counties declined 6% and -1% annually, respectively.
- Numbers suggest that law enforcement has increased its focus on busting drug users rather than drug pushers. Our group found this interesting since most politicians state that they are focused on busting the drug pushers in order to get drugs off the street. We would argue that law enforcement needs to shift its focus from busting drug users and instead focus on drug sellers.

Closing Thoughts

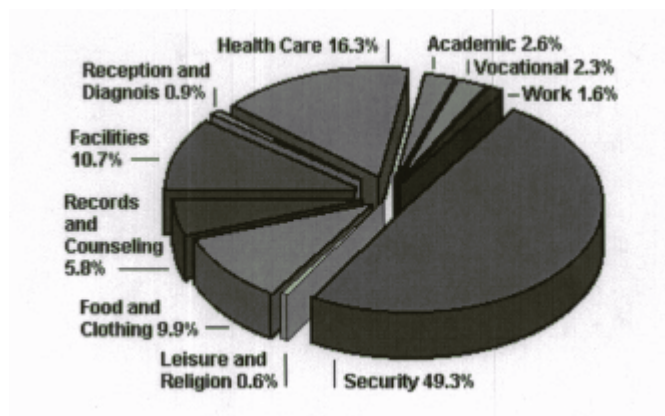
It is clear that juvenile crime is on the rise. It is up to lawmakers to ensure that these juvenile criminals are given a chance to re-enter society and become law-abiding citizens. We strongly believe that education and rehabilitation are critical to ensuring that these young criminals are given skills and confidence to succeed in society.

Current State of Rehabilitation and Education

In order to make a general assessment regarding the effectiveness of the current prison rehabilitation system, it is important to first look at all the facts. The prison and rehabilitation system in the state of California is monitored by the California Department of Corrections (CDC). The CDC is in charge of operating and administering the 33 state prisons, 38 prison camps and 6 prisoner mother facilities. In addition, the department oversees a multitude of community correctional facilities (16) as well as monitoring a parolee when he or she is released from incarceration and re-enters the community.

The 1998-1999 Budget Act provides the CDC for an annual budget of \$3.9 billion and allows the agency to allocate it as it may choose. The following pie chart details the allocation of funds from the previous year (1997-1998), based on an average cost per inmate of \$21,470 for that period.

Chart A



Current Educational Spending

Overall, it seems as though educational spending, at all levels, does not receive the priority it deserves. It is staggering to think that the state over an eleven year period allowed educational spending to decrease while correctional spending ballooned (*Table A* below). In addition, since 1984, the California Department of Corrections added 25,864 employees while there was a workforce reduction of 8,083 in higher education.

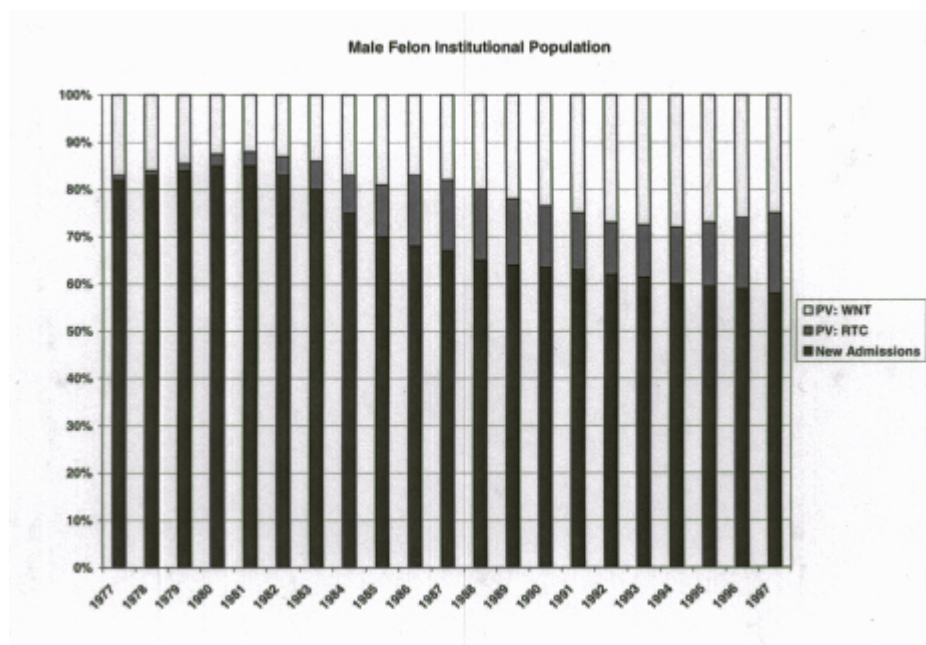
Table A: Trends in State Spending

Spending Category	Percent Change
Medicaid	76.5
Corrections	30.0%
Elementary/Secondary Education	(1.2)
All Other	(10.2)
Public Welfare	(13.2)
Higher Education	(18.2)

Source: General Fund Expenditures

It should come as no surprise then that the CDC does not place an important emphasis in providing educational resources to its inmates. As seen in Chart A above, the academic sliver represents only 2.6% of the entire budget, or approximately \$558 of the educational allocation per inmate per year. This may be one of the reasons that the average reading level of an inmate in California is at the seventh grade level. The paltry amount spent on education not only does nothing in the way of educating inmates, but it also has had a deleterious effect on repeat offenses. As *Chart B* shows, parole violators, as a percentage of total admissions, has drastically increased. In 1977, Parole violators represented just 18% of total admissions to California prisons, as opposed to 42% in 1997. These statistics send alarming messages that the current prison structure is simply not getting the job done.

Chart B



Current Post-Prisons Programs

To its credit, the CDC has established two extremely innovative programs to aid the rehabilitation of prisoners. The first one focuses on educating parolees about substance abuse and is called the Substance Abuse Treatment and Recovery (STAR) program. The program is designed to be interventional with counselors coming into contact with chronic addicts on a daily basis. Research has indicated that the percentage of parolees committing criminal acts drops by over 79% after they have successfully completed a substance abuse program. Secondly, and more important to this paper, is the joint partnership between the CDC, the Contra Costa County Office of Education and the Hacienda La Puente Unified School District to form INVEST. INVEST is a computer assisted instructional program that helps parolees overcome specific learning deficiencies or obstacles. During its first two years of operation, the program delivered astounding results. Of the almost 3,300 participants, the average increase in Math and Reading skills was two full levels.

Prison population

The recent trends in prison sentences resulting from drug violations have led to a ballooning prison population. In 1998, the US locked up more than a million *nonviolent* offenders. As mentioned earlier, such offenders now make up the

majority of all prisoners, a major shift from two decades ago when 57% of prisoners were being held for violent offenses. This level of incarceration, *not* the crime rate, has exacerbated state budgets.

California leads the nation with 160,000 prisoners. Not only do new prisoners line the cells, repeat offenders have become a huge problem for the justice system. According to *Education as Crime Prevention: Providing Education to Prisoners*, rates of recidivism for adult offenders in the US ranges from 41% to 60%.' This is an outstanding figure. It seems that as soon as inmates are released, they are back doing time; the "revolving door" persists. State Corrections officers estimate that the state will need as many as six new facilities by 2004 to accommodate the growing prison population. 2 Assemblyman Bill Leonard has introduced a bill asking for \$4 billion in new prison construction. And recently elected Governor Davis plans to spend \$335 million on a new 4500-inmate maximum-security prison in Delano and \$20 million to plan construction of a new prison in San Diego. Does California need more prisons or must it handle prisoners differently?

When considering the issues, it is important to focus on the larger, addressable factors that appear to be contributing to the boom in prison populations. The goal is to address these directly so as to decrease inmate populations and consequently diminish the financial burden on states. After looking at evidence of studies and programs, we have found that drug treatment programs and education directly affect the prison populations and therefore lead to lower costs when implemented. Therefore, we propose that drug abuse programs and distance learning education programs be implemented in California prisons.

The Current State

In California, half of all prisoners read at a level below the sixth grade.³ The 1992 National Adult Literacy Survey found that two-thirds of adult prisoners were unable to write a letter explaining a billing error or extract information from the average sports page story.⁴ These prisoners have grown up without an education and quite often, without much of an upbringing. With so few skills, they are without many prospects for future employment. In addition, as noted above, many of the prisoners enter with drug abuse problems. Compounding these pre-prison social problems is prison life itself which can be a devastating experience. Prisoners are separated from friends, family and community and life is extremely regimented with physical and mental activities restricted. When prisoners are freed, they return to society in much the same state that they began their sentences.

Results of current programs

Numerous studies have been published documenting the positive results from education and drug treatment programs undertaken within the prison system. With regards to education, it has been shown to be extremely effective in preventing prisoner release and returns to jail. Wilmington (Ohio) College reports that recidivism rates for inmates who took degrees through their programs in two Ohio prisons were 18% versus a state average of 40%.~ A Boston University program tracked inmates in its program over a 25-year period and found that for those who earned BU degrees while in prison, recidivism rates dropped to less than 5 percent, compared with the 65% national rate. Therefore, one may conclude that the education programs are working - prisoners are taking these skills into the real world and applying them successfully.

Drug treatment programs have also had profound effects on recidivism rates. Arizona has been the first state to divert all of its non-violent drug offenders into probation and treatment instead of prison. Arizona reported that of 2,622 people on probation diverted into treatment, 77.5% have since tested free of drugs, a rate that is significantly higher than that for offenders on probation in most other states. And 77.1 % of drug users on probation, who are expected to help pay for treatment, made at least one payment.⁷ This has cut down on the "revolving door" phenomenon. Prisoners are cleaning up and staying outside of prison post sentencing.

Should prisons really provide education?

Many question whether or not prisons should provide an education to its inmates. How can we as a society and as taxpayers offer an education to criminals when we have difficulty finding the funds to provide an education to our own children? Opponents argue that California should not be spending more money on its prisoners than on its public school children - especially when the states sits at the bottom of national school rankings.

Proponents, on the other hand, believe that education and programs like drug rehabilitation in prisons is critical in decreasing the prison population and releasing more positive citizens into the community. First, these programs improve a prisoner's ability to find a job post-prison. With a secure job, he/she is less likely to commit crimes and return to prison. Second the programs increase self-esteem, something that may be missing from the lives of many of these individuals. Finally, education provides prisoners with a sense of contact with the outside world. "Help people get an education and you'll help people get better jobs, reduce substance abuse, lessen the drain, on public housing stock and reduce crime," stated Circuit Judge Lynn Tepper. Former US Supreme Court Justice Warren Burger said, "We must accept the reality that to confine offenders behind walls without trying to change them is an expensive folly with short-term benefits. ~

How do these programs pay off? First, it pays in reduced recidivism rates. A report from the Center on Crime, Communities and Culture states that education is the key to keeping offenders from returning to jail and they write that it is very inexpensive compared to lengthy incarceration. In New York, it costs \$25,000 to incarcerate a prisoner for one year; educating a prisoner for one year costs only \$2,500. Educating inmates adds only 10% to the costs and could potentially save the state millions of dollars in the future by preventing recidivism. In addition to saving money on prison stays, there are additional benefits as well of the individual obtaining work: contributed tax money, contributing to the general economy, etc.

A recent study by the Arizona Supreme Court showed that the state saved \$2.5 million in its first year of operation and predicted greater savings going forward. It costs \$16 a day to subject someone on probation to intensive supervision, including drug treatment and counseling, compared with \$50 a day to keep an inmate in prison.⁹ The treatment option in Arizona was an element of Proposition 200, the Drug Medicalization, Prevention and Control Act which voters approved November 1998. As part of it, the treatment is finance through a luxury tax on alcohol sold in the state, with half of the revenue going to a parent's commission to run drug prevention and treatment programs. The \$3.1 million in alcohol tax revenue used to treat offenders is in addition to the \$3.2 million a year previously allotted by the Legislature.

Controller Kathleen Connell reported that the Department of Corrections *Academic Education Program* spends approximately \$5,234 per inmate a year (others argue that the figure was more like \$4700 adjusted), 30 percent more than comparable costs spent per pupil in California schools. In 1997, of the 151,000 inmates incarcerated in California prisons, 24,000 entered the *Academic Education Program* in either literacy or vocational training. Many suggested that there must be a more cost-effective way to educate these people.

Overview of a Successful Rehabilitation Program - Delancey Street

There are a number of rehabilitation programs that cater, for lack of a better term, to the ex-con population. A majority of offenders who are paroled are required to attend criminal and/or drug rehabilitation programs as part of their parole agreement. As can be seen through analysis of the repeat offender statistics these programs are often considered to be ineffectual.

Although there have been a number of organization that have attempted to solve these issues, none have been as successful, especially in California, as the Delancey Street Foundation. This organization was founded by Mimi Silbert and her later-husband John Maher, a former convict himself. Mimi established an organization that has taken a much different approach to rehabilitation; one which effectively pushes the responsibility for rehabilitation on the felons themselves. An ardent critic of many of the rehabilitation programs funded by the State, Mimi often explains her views with the following:

"The people who wind up (in prison) are given everything, all paid for by the taxpayers, and they are responsible for nothing. And then we wonder why, when they come out, they return to the same behavior."

Delancey Street creates a much different rehabilitation environment from the more "classic" models. This organization provides self-help residential education centers for former substance abusers and ex-convicts. The organization is self-funded, operating several for-profit businesses, with over 1,000 residents located in five facilities

throughout the country: New Mexico New York, North Carolina, Los Angeles and headquartered in San Francisco. The residents live in self-contained campuses, the largest of which is located locally in a new facility in San Francisco.

Its population ranges in age from 18-68 of which approximately _ are women, 1/3 African-American, 1/3 Hispanic and 1/3 Anglo. The average resident has been a hardcore drug addict for ten years and has been in prison four times. Many of the residents have been gang members and most have been trapped in poverty for several generations. Approximately seventy percent (70%) of the residents come from the courts, either probated, paroled or sentenced as an alternative to prison. The other thirty percent (30%) have been homeless prior to entering. The average resident is functionally illiterate and unskilled. The minimum stay is set at two years, however, the average stay is closer to four. Since its founding over 10,000 men and women have graduated into society as taxpaying citizens leading successful lives, including lawyers, truck drivers, sales people, medical professionals, realtors, mechanics and contractors, among others.

Delancey Street operates with an acceptance policy where potential residents undergo an acceptance regime that includes letter writing, written/oral examination and interview process. Though the acceptance process is more of a formality, new residents must take an oath to remain at Delancey Street for a minimum of two years, during which time they are to receive a high school equivalency and are trained in three different marketable skills before graduating. Besides academic and vocational training, residents are also taught interpersonal and social survival skills that include embracing new attitudes, values, sense of responsibility and self-reliance necessary to be a contributing member of society. One of the more important features of the program is that Delancey Street is drug and alcohol free. There is no policing of this policy other than by the residents themselves. People who break it are usually asked to leave.

The organization functions on an "each one teach one" principle where older residents help newer ones. The establishment of the mentoring system creates an hierarchical structure. New arrivals are given maintenance chores at the bottom of a long, intricate chain of command that includes every resident. As attitudes change and acceptance of the organization's principles become embraced, a resident "graduates" to new, less "mind-numbing" tasks and eventually obtains mentees of one's own. The idea behind this system is to build on establishing a new image for the residents. New residents have to cut their hair, get into a suit and even change the way they walk. They are asked to act as if they are upstanding citizens or successful executives, even though they oftentimes feel the opposite. The hope is to internalize some feelings of pride in oneself through external imitation and initiate lessons about accepting responsibility.

Background on Delancey Street

Delancey Street was founded by Mimi Silbert and John Maher in 1971. The founders had ample experience in the correctional business prior to founding Delancey Street. Mimi, a native of Boston, majored in English and psychology at the University of Massachusetts and received a doctorate in criminology from the University of California at Berkeley.

While at Berkeley, Mimi interned as a prison psychologist where she became familiar with the often-tragic effects of an ineffectual "system of punishment". In 1971, she was approached by John Maher, a former felon who invited her to join him in creating a center for criminal rehabilitation and vocational training. The idea was to make a facility that was for ex-cons and run by ex-cons. They agreed to create a system of total self-sufficiency where all residents would work to support the group, with no outside funds.

It started with four addicts in a San Francisco apartment. By late 1972, about 100 former felons were jammed into that same single space. By pooling their incomes and helping one another, they were soon able to buy an old mansion in

Pacific Heights. The organization was housed there until they moved into its current headquarters south of Market Street in the Embarcadero triangle. Silbert and Maher eventually married, however, due to sudden complications, John was forced to give up his responsibilities and died four years later of a heart attack.

Rehabilitation Structure

Delancey Street offers a number of programs designed for effective rehabilitation. The first is skill training where residents are offered the ability to choose a set of skills they wish to pursue in addition to fulfilling their high school equivalency requirement. These skills can be acquired in mechanics, typing, data processing, cooking, as well as others.

Residents are also able to develop interpersonal skills. On the grounds themselves, residents can play basketball or other sport, attend regular "outings" and barbecues. The idea is to help the residents interact, develop friendships and become more open about their situation. At the end of the first year, residents attend marathon sessions called "dissipations" to help them get rid of the tremendous guilt over what they did in the past. Finally, residents are involved in volunteer community or social work with other residents who are engaged in a wide variety of projects from helping the elderly to working with young people in poor neighborhoods.

The most interesting aspect of Delancey Street is its ability to remain self-funded. The organization operates a number of businesses that are used to pay resident wages and maintain the housing project. Delancey Street operates a restaurant, a moving business, a print shop, a Christmas tree retail service and other businesses that earn over \$10 million a year nationwide and net close to \$3 million. Everything from the building, to the doors to the furniture is either built, purchased or donated costing the taxpayers nothing. One testament to the foundation's ability to strive on its own is the complex built in San Francisco. The building, because it was constructed almost entirely by the residents, cost only \$15 million to build, despite an assessed value of over \$30 million. The 370,000 square foot property contains 177 apartments, along with meeting rooms, a movie theater, a swimming pool and space for new and existing businesses.

The results of the Delancey Street program have been tremendous. Over 80% of the residents stay in the program for the full two years, the majority stay 4 years. In the history of the program there has never been an act of violence or criminal behavior and the success in rehabilitating drug addicts has been outstanding. Graduates of the program have become up-standing members of society. By any measure, graduates of Delancey Street by their numbers and successes have far exceeded any expectations that were set and it remains a testament to the idea that rehabilitation of felons is attainable.

The future of Delancey Street remains bright. In addition to the continuation of its past activities, the Foundation has begun to discover new ways to increase its funding and reach. One of the initiatives has been to approach "big business" in the hopes of opening more retail shops around their centers. They hope to attract major names to set up discount retail stores, which residents will learn to run. The idea is to further the scope of the curriculum and allow residents the opportunity to run a business of their own in the outside world. Also, the Foundation has become more proactive than ever in its recruitment of new residents. They have formed a new alliance with the California Department of Corrections, through which Delancey Street people are interviewing San Quentin prisoners before their release. The idea is to give them alternatives to going directly back out on the street, including the option of entering Delancey Street itself before, instead of after, they "hit rock bottom".

Recommendations/Options for Future

The next section of the paper offers suggestions and recommendations on how to improve educational and rehabilitation programs in the prison system. Our group has analyzed and evaluated a number of leading technologies and programs

that could enhance the effectiveness of providing education and rehabilitation to prisoners. The end goal is to reduce recidivism and reduce overcrowding in prisons.

In order to educate prisoners, correctional facilities need two basic ingredients: course material and human capital. The main logistical concern with providing education to prisoners is the cost associated with the effort. However, education can be provided to prisoners at zero incremental cost. Distance learning is a potentially cheaper alternative to the current education model in prisons and can be delivered through some very cost-effective mediums. At its most basic level, distance learning can be delivered via standard TV and video technology that is already available in prisons. Prisoners currently watch movies and have access to VCRs and/or DVD devices for such activities. This same equipment can be used to offer video courses as part of a distance learning effort.

In traditional thinking, specialized course material is expensive to create and requires human capital to administer. The use of distance learning removes the human capital requirement in terms of an instructor with a high level of proficiency. Now, only a mentor who has completed a previous course in the past is needed to offer guidance and answer questions throughout the course. Course material can also be obtained at zero incremental cost to the state. State universities and colleges currently offer many of their extremely large and/or popular courses on videotape. This course material is owned by the state and could be used by the correctional facilities to educate prisoners on a wide variety of topics. No longer must a prisoner be limited to vocation training. He/she can have access to courses that eventually lead up to certificates of completion and degrees and well as to skills that will open up more opportunities for jobs in the future. A typical junior college in California, the Santa Rosa Junior College, offers certificates in a variety of subjects ranging from Small Business Management to Web Graphic Design (see Appendix C). These courses could also be available to prisoners.

North Carolina has been a model state in terms of partnering its correctional institutions with the state college and university system. Last year alone, more than 3000 inmates received diplomas and certificates after successfully completing education and vocation programs in prisons across the state, inmates attended classes five days a week and studied everything from basic literacy skills to computer repair and welding. Though most of the courses were provided through university on-site instructors and correspondence courses, North Carolina is beginning to branch out into distance learning as well. Two state correctional facilities received courses in 1998 through the University of North Carolina Kenan-Flagler School of Business and the North Carolina School of Science and Math for the first time (see Appendix D - North Carolina Case Study). The students at the facilities receiving the video-broadcast were enthusiastic.

A trend has begun to form that prisons and other correctional institutions will become more "wired" to the information superhighway. Several clear benefits exist with providing prisoner access to well-designed computer systems. The benefits occur when prisons save on correctional labor, expedite the transmission of information, and improve the scheduling and logistical management of correctional operations. Prisoners can email staff, family and lawyers. Touch screen computers can be made available to disseminate and obtain information to and from prisoners with little risk of abuse by the prisoners. Communication and security devices can streamline record keeping and minimize paperwork for reports and logs.¹⁰ With investment in computerization, distance learning education can be offered via other technologies as well. Distance learning technologies will only decrease in price as they proliferate.

As the distance learning industry grows, more and more courses from traditional educational institutions and corporations are being offered via new delivery mechanisms such as the Internet (see below for a more detailed overview of distance learning technologies). Once these technologies are deployed within prisons, the existing digital courses can be easily transferred and utilized.

One example of subject matter that is currently available is the online offering the Extension program of the UC University system. The California State school system has an extensive on-line curriculum that is currently available through every major UC campus. As previously mentioned, California also has courses available for its parole computer-based education program - INVEST. These courses are specially designed for adult education and have been extremely successful. As the correctional facilities' technological infrastructure matures, computer based courses available for this program can be transferred and used by the current prisoners.

Overview of new distance learning technologies?

Today, technology is driving the booming distance learning industry. In recent years, there have been major changes in the delivery of education. With these changes, one can understand the opportunities for prisoners. With distance learning, the instructor and the students are separated physically and courses are offered electronically via videotape, Internet, video conferencing and satellite. The Internet and Web technologies in particular have led to a proliferation of distance learning courses.

In particular, the industry can be broken down into three segments:

- VideoTapes
- Internet
- Video conferencing
- Satellite

Video Tapes

According to our research, most prisons are equipped with conventional televisions and VCRs. As a result, it would be easy for prisons to leverage the existing educational content on videotapes as discussed earlier. There would be little incremental cost to the prison. Although video does not offer interactive capabilities that the Internet does, it represents the most cost effective delivery mechanism.

Internet

Hundreds of colleges and corporations now conduct courses throughout the Web. There are now numerous online campuses with a wide variety of programs. The web has become an affordable, convenient way to acquire skills and credentials. Web-based instruction is accessible anywhere there is a computer connected to the Internet. Online courses may be free or fee-based. Some lead to a traditional academic degree or professional certification; others are designed to teach a specific skill.

There are numerous different catalogs listing all of the different resources available. "Teaching and Learning on the Web" is one such resource. America's Learning Exchange lists online courses from colleges, universities and commercial training facilities. With resources like the Wisconsin Technical College System there are a number of different modules - some encourage off-line sources like books and online articles.

To earn a degree or enroll in an academic program, one must apply for admission. The California Virtual University gateway offers tours of online courses from several participating campuses, answers questions and directs one to library catalogs. The University of Phoenix also offers a variety of undergraduate and graduate degree programs online and a student can choose the style of education - online group classroom or one-to-one mentored instruction. There are also workplace training opportunities online. Companies like Digital Think, a technical training program created for the Web, offers courses for computer skills.

The Internet obviously offers a rich and dynamic educational experience, however, there are costs associated with using the Internet. Most importantly, web-based training requires a computer, Internet connection and individuals with computing expertise. Although it is likely that computers will be used in the prisons, currently few prisons have these critical resources. As a result, the Internet does not represent an attractive vehicle in the short term for educating prisoners. However, as computers proliferate, web-based education could prove to be a successful and inexpensive training vehicle in the future.

Video Conferencing

Video conferencing can be seen as a bridge between colleges/universities and students. Companies like Educational Video Conferencing (EVC) are providing the infrastructure or network over which the video conferencing course are delivered. The company delivers accredited college courses as well as professional development, corporate training and other programs. EVC has a number of contracts to provide communities with access to a wide variety of courses from several educational providers via their interactive video conferencing and computer-based distance learning network.

Similar to the Internet, video conferencing requires additional resources to provide education. As a result, in the short term, video conferencing does not represent an attractive delivery mechanism.

Satellite

Satellite technology has improved tremendously over the past decade. Satellites offer an immense amount of additional bandwidth that can be used to transmit video in a cost-effective manner. Educational institutions can lease a portion of the bandwidth of the satellite to deliver video to remote locations in a real-time manner. The problem with satellite for prisons is that it requires building a satellite receiver on the prison site. Therefore, we do not believe that satellite offers an attractive delivery mechanisms for prisons.

Planning for distance learning

If prisons decide to offer distance learning to its prisoners, there are a number of issues that they need to address.

- 1) Time. Determine how much time is required for each course and where to fit that time into a schedule. Set realistic goals for each study session and stick to them. Stop at logical divisions of material: the end of a lesson or the end of a main point.
- 2) Space. Choose a study area that is comfortable, that offers a minimum of distractions. Schedule study times to coincide with quieter household times. Be sure there is available workspace to spread out books, study guides, notebooks, and other materials.
- 3) Resources-The basic resources include workbooks, textbooks, paper, dictionary and pencil or pen. Additionally, courses may require a tape player, VCR, computer or online service.

In addition, distance education requires support from a teacher or trainer. This support obviously is not as significant as a teacher-student relationship. However, someone must be on hand to explain concepts and offer assistance. At a minimum, this person can be another inmate who has completed the material at some point in the past and does not have to have additional training or expertise. Due to the lack of accountability with distance learning, teachers and assistants serve this role as well, helping prisoners to remain focused and engaged in the material.

Conclusion

California's prison system has to date been ineffective in resolving the State's criminal issues. A number of the factors contributing to this have been outlined in this paper. Contradictory political agendas and lack of effective resource planning are conspiring to create a system where economic prejudice persists and criminals are not rehabilitated. However, progress on a number of fronts continues. Rehabilitation programs such as Delancey Street have demonstrated that inexpensive and extremely effective solutions do exist. Above all else, the results of our research demonstrate that solutions do not require more funding, but rather better decisions on how to distribute it. Many of the solutions involving educational initiatives, while politically undesirable, offer sustainable longterm benefits that need to receive more focus.

Many of the resources that are needed to begin such programs already exist, and could be implemented at little to no additional cost to the taxpayer. However, as long as such initiatives remain unfavorable in the public eye, the push required could take some time to take hold. Until then, the need for an entrepreneurial spirit such as that of Mimi Silbert or the resolve of a group that is dedicated to finding a long-term solution offer the best vehicles for change.

Appendix A(1) - Juvenile Crime Statistics for Selected California Bay Area Counties

Appendix A(2) - Male Felon New Admissions from Court Person, Property, and Drug Offenses Rate per 100,000 California Population

Appendix B(1) - Juvenile Crime Statistics for Selected California Bay Area Counties

Appendix B(2) - Juvenile Crime Statistics for Selected California Bay Area Counties (cont'd)

Appendix C: Sample Curriculum Requirements

Certificate in Small Business Management

Description	Units
Small Business Management Series	6
Written Communication	3
Quantitative Skills/Math	3
Solving Business Problems w/ Spreadsheets	1.5
Accounting for Business Decisions OR	3
Financial Accounting	4
Marketing	3
Principles of Selling OR	3
Advertising	3

Certificate for Web Graphic Designer

Description	Units
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CORE: Introduction to Photoshop	1.5
CORE: Intermediate Photoshop	1.5
CORE: Designing Graphics for the Web	1.5
CORE: Advanced Web Graphics	1.5
CORE: Principles of Screen Design	1.5
CORE: Business of Web Design	3.0
CORE: Electronic Portfolio	1.5
Plus 6 units from the following electives	
Computer Graphics Concepts	3.0
Fractal Painter	1.5
Graphics with Illustrator	1.5
Online Art Using the WWW	3.0
Digital Photography	1.5
Introduction to Typography	3.0
Production Techniques in Illustrator	3.0

Appendix D: North Carolina Case Study11

ON-SITE POST-SECONDARY EDUCATION

There are three sources of post-secondary educational opportunities for inmates; The North Carolina Community College System, the University of North Carolina at Chapel Hill Correctional Education Program, and Shaw University's Center for Alternative Programs of Education (CAPE).

THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

For over thirty years, the North Carolina Department of Correction and the North Carolina Community College System (NCCCS) have engaged in a collaborative effort to provide educational opportunities to inmates. Course offerings are selected from Basic Skills, Curriculum, or Continuing Education at each facility, consistent with the mission of that

facility and the inmate population's expected length-of-stay in that facility. The Prison Matrix System requires a classification of all prisons into a category that best reflects the inmate length-of-stay at each facility. A chart defining the categories is found in Appendix C, along with a listing of facilities and their assigned Matrix category.

Basic Skills instruction is designed to prepare an inmate to achieve his or her certificate of high school equivalency by passing the tests for the General Education Development (GED). Instruction is geared to the student's beginning level of achievement and is graduated to allow him or her to sequentially master competencies required for successful GED completion.

The Human Resource Development (HRD) program is designed to improve employability by helping the student orient him or herself to the world of work, appreciate the effects of his or her behaviors on others, and develop the basic academic and communication skills prerequisite to obtaining and maintaining employment. One of the greatest strengths of the HRD program is its follow-up policy, which allows graduates to receive follow-up at three-month, six-month, and twelve-month intervals.

Vocational training is provided through Curriculum or Continuing Education offerings, or a combination of both. Curriculum programs award transferable semester hour credits for successful completion of training, and are utilized when a facility's length-of-stay allows for a stable curriculum program that can maintain acceptable completion rates. Continuing Education courses are shorter courses designed to teach specific vocational skills, and are utilized when a facility's length-of-stay makes these offerings a better fit for the needs of the population. Successful completion of Continuing Education courses results in a certificate of completion, which documents the skills obtained, but is non-transferable.

Community College course or program offerings for each facility are included in the 1998 Education Program Offerings section.

The Department of Correction/North Carolina Community College System Interagency Committee meets biannually to guide this statewide collaborative effort and to implement Legislative initiatives. Representatives from both agencies share information, discuss implementation obstacles, and effect resolutions to these obstacles.

Community College Educational Offerings - 1998 Highlights

- Twenty-one (21) prisons were identified as sites for serving the needs for English as a Second Language (ESL) students. This was a cooperative effort shared by the Division of Prisons (DOP) administration, individual prisons, and the community colleges that serve these prisons. Most sites are incorporating English as a Second Language students into existing basic skills classes, due to the low incidence of such students, while the Division of Prisons is providing supplemental instructional materials.
- Human Resource Development (HRD) initiatives were encouraged as part of an on-going effort by the Division of Prisons Educational Services Section to increase inmate opportunities for training in skills needed for transition from prison to the workforce. The North Carolina Community College System (NCCCS) conducted a one and one-half day workshop for instructors entitled, "Employability and Life Skills Training for the Offender Population" in February of 1998.
- The Division of Prisons Educational Services Director and the Liaison to the Community College System visited 30 prisons in 1998 to meet with prison and community college staff, to review current educational programs, plan for the future, and share innovative ideas from other prisons. Impressive hard work and commitment from prison education and program staff as well as community college staff, are clearly evident at these visits. While program quality initiatives will continue to be emphasized, it is gratifying to observe the quality programs currently operating across the state.
- Division of Prisons Educational Services and North Carolina Community College System staff engaged in a joint

effort to revise the new course approval process for curriculum courses. The State Board for Community Colleges approved the new application form in March of 1998. It requires prison and college personnel to document joint planning and to consider factors such as program need, availability of students, commitment of resources, and availability of related jobs in North Carolina.

- Impressive gains in course completions for community college sponsored prison education courses were documented by the North Carolina Community College System in 1998. When compared to 1991-1992 data, 1996-1997 completions rose 11 percent in curriculum courses and 45 percent in occupational extension courses.
- Division of Prisons Educational Services staff assisted North Carolina Community College System staff with decisions regarding allocation of grants for vocational education programs for criminal offenders under the Carl D. Perkins Vocational and Applied Technology Act of 1990. Educational Services staff also worked collaboratively with North Carolina Community College System staff to document the need for start-up funds in new prisons, aside from the grants currently available under Carl Perkins.
- Information was disseminated to encourage transition skills and workforce resources utilization, inclusion of handicapped students in educational programs, and development of an orientation manual for community college instructors working in prison facilities that was adapted for each prison facility.
- Modular laboratories were installed at six prison facilities to bring to fruition extensive modifications in the Foodservice Technology program. Similarly, one facility completed remodeling of existing space, which resulted in an attractive and functional laboratory kitchen and classroom area. Remodeling plans were approved for two existing sites, which will result in completion of two additional laboratory kitchens in 1999. These accomplishments reflect the excellent work of the Department of Correction's Engineering Section and the Facility Maintenance staff at the modular and remodeling sites. Educational Services is appreciative of their hard work and support.

THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL:

CORRECTIONAL EDUCATION PROGRAM

The Correctional Education Program offered through a contract with the University of North Carolina at Chapel Hill provides limited participation in full-credit, on-site classroom courses taught periodically at selected prisons by UNC-Chapel Hill instructors, university Independent Studies (correspondence) courses through the Outreach to Inmates program, and occasional non-credit enrichment activities, such as speed reading or a writing workshop, taught by UNC-Chapel Hill instructors.

The contract for Fiscal Year 1997-98, which was developed in the summer of 1997, provided for 700 Independent study courses for inmates. In the fall of 1997, a small proportion of these courses was eliminated in order to allow for the Introduction to Microeconomics course offered over the Information Highway to 40 inmates.

To qualify for correspondence instruction, an inmate must be a high school graduate or possess a GED and meet at least one of the following requirements:

- I. Have prior college-level academic credits.
2. Have obtained a GED certificate with a score of at least 250.
3. Have a Wide Range Achievement Test grade equivalent score in Reading of at least 10.0.

In 1997 a new eligibility clause was added to the requirements for participation. An inmate is ineligible for participation

if he or she is incarcerated for a Class A, B, Bi, or B2 felony: or if he or she is not within 10 years of a parole or a release date and is incarcerated for a Class C through I felony.

A total of 14 on-site courses was provided in 1997-98 at the following six facilities:

- Dan River Prison Work Farm
- Eastern Correctional Institution
- Harnett Correctional Institution
- JohnstQn Correctional Institution
- North Carolina Correctional Institution for Women
- Orange Correctional Center

Shaw University - Center for Alternative Programs of Education (CAPE)

The CAPE program, provided by Shaw University, requires that inmates have a GED or high school diploma, be eligible for parole or release within 10 years, and not have been convicted of certain felony classes. During 1998, this program was offered at Harnett Correctional Institution and the North Carolina Correctional Institution for Women. The program leads to a Bachelor of Arts Degree in Behavioral Sciences, and Shaw University assumes complete financial responsibility for all instructional costs through a university grant program.

Footnotes

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