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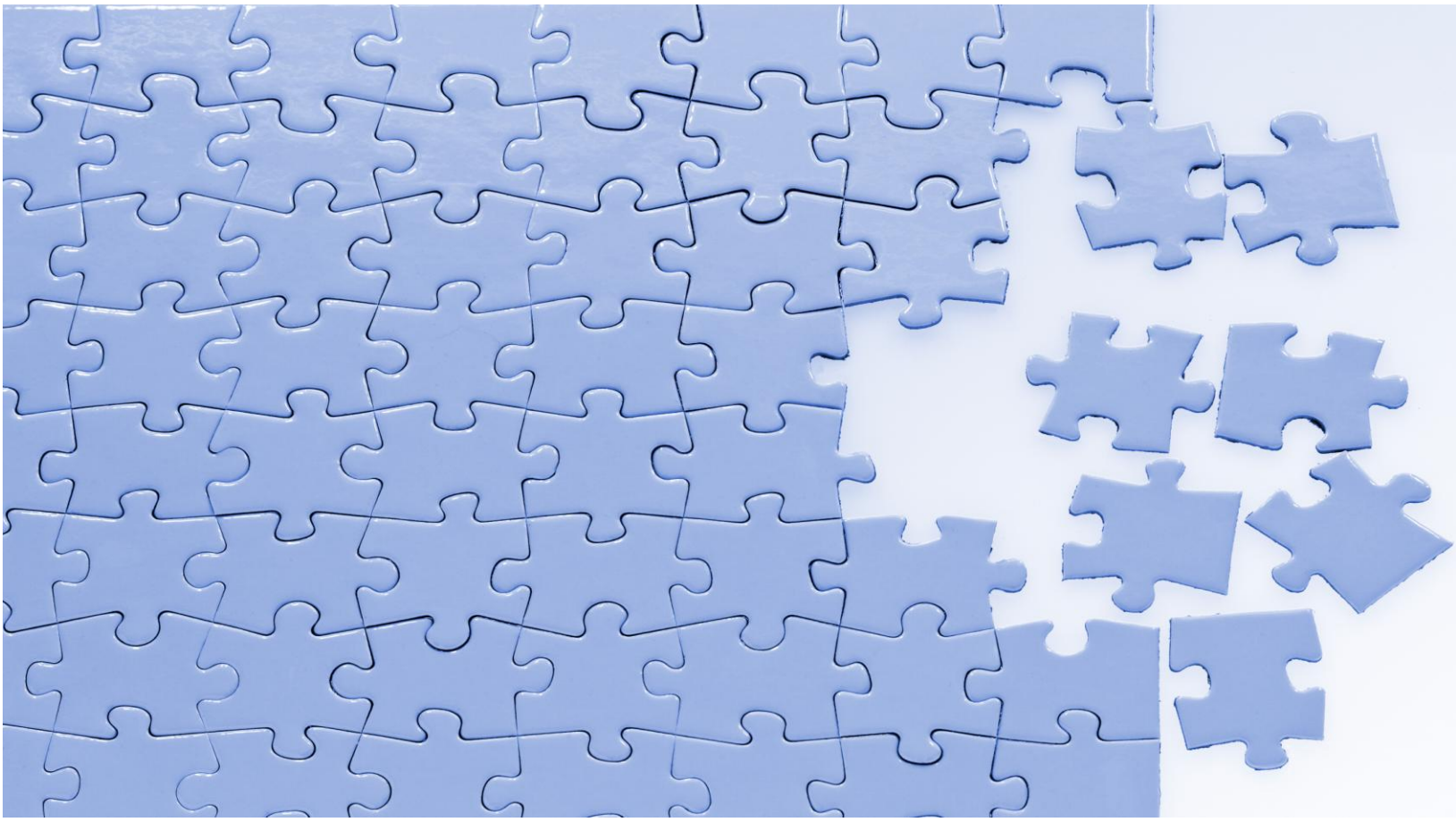


PAROLE PERSPECTIVES IN MARYLAND:

A Survey of People Who Returned to Prison from Parole and Community Supervision Agents

INTRODUCTION

Since 1977, the number of people in prison has grown by over 400 percent, increasing from slightly fewer than 300,000 people to nearly 1.6 million, nationally.[1] Despite continued decreases in crime and two years of modest decreases in the number of people in state prisons, states added 6,858 people to prison in 2013.[2]

Even with more public discussion about strategies to reduce reliance on incarceration, the United States continues to hold the distinction of having the world's highest incarceration rate and the largest prison

population. All levels of government combined spend more than $81 billion[3] a year to sustain the current corrections system.

Admissions of people returning to prison from parole, either for new offenses or technical violations, have significantly contributed to the number of people in prison. During a period of time the U.S. experienced its largest rise in the prison population, the number of people returning to prison from parole increased dramatically. In 1980, people returning to prison from parole represented 17 percent (27,000) of total prison admissions; but, by 2000, 35 percent (203,000) of the people in prison had returned to prison from parole.[4]

Despite a shift in the larger corrections field to adopt evidence-based community supervision strategies, too many people are failing on parole and returning to prison.

The most recent national data show:

- **More than one hundred thousand people will likely return to prison from parole:** Thirteen percent of the 853,000 people on parole in 2013 returned to prison;[5]

- **Recent prison population growth coincided with increased admissions of people to prison from parole:** After a couple of years of modest declines in the prison population, the 2013 increase in the number of people in prison also coincided with a five percentage point increase in returns to prison from parole;[6]

- **About 40 percent of people who leave prison will return to prison in three years:** The Pew Charitable Trusts reports that, nationally, roughly 40 percent of people released from prison to a community supervision program return within three years;[7]

- **Tens of thousands of people return to prison for technical violations:** Technical violations (e.g., missing appointments, failing a urinalysis, moving without notice, etc.), as opposed to new offenses, accounted for about 18 percent of the returns to prison for people on parole in 2013.[8]

States continue to wrestle with tight budgets, and prison is the most expensive correctional option available to the public safety system. Community supervision systems that help people on parole succeed can meet community safety goals, make better use of taxpayer dollars, and can reduce overreliance on incarceration.

Parole in Maryland

Maryland's prison population has grown with that of the nation. According to the Bureau of Justice Statistics, the number of people in Maryland's prisons grew more than 600 percent, from just over 8,000 in 1977 to more than 21,000 in 2013.[9] Maryland, like the rest of the country, has faced challenges reducing the number of people who leave prison only to return to custody.

The most recent Maryland data show:

- **Almost a third of Maryland prison admissions are people returning to prison from parole:** In 2013, Maryland released 6,232 people on mandatory supervision or parole.[10] That same year, 3,365 people returned to prison from parole, almost a third of all prison admissions;[11]

- **Four out of ten people released from prison returned to prison within three years.** Within three years of release from prison in 2009, 40.5 percent of people returned to prison.[12]

Including overhead and all the associated costs of the corrections system, Maryland taxpayers spend approximately $37,000 per year to lock up a single person. A gross cost estimate shows that Maryland taxpayers spend more than $100 million[13] a year confining people that returned to prison from parole.

Ensuring that people successfully and permanently transition from prison to their communities would save Maryland millions of dollars in corrections costs. Successfully reintegrating people after incarceration would also give people on parole a greater opportunity to contribute to the state economy, their community, and their families.

Summary of the report

Policymakers, corrections administrators, researchers, and advocates have examined the issue of returns to prison from parole from a variety of angles, but rarely have people who have returned to prison from parole been a part of the conversation. Community supervision agents also have important experiences and information related to the cycle of people returning to prison from parole. The Justice Policy Institute (JPI) engaged the people most directly impacted by and involved with Maryland's parole practices to determine the reasons people fail on parole and wind up back behind bars.

With advice from the Extra Legalese Group, a think tank comprised of incarcerated men in Jessup Correctional Institution, and cooperation with the Maryland Department of Public Safety and Correctional Services (DPSCS), JPI surveyed people who returned to prison from parole and community supervision agents about the cycle of returning to prison from parole in Maryland. Between 2013 and 2014, JPI surveyed 120 people returned to Maryland prisons from parole, held a focus group of approximately 20 community supervision agents, and used population data from DPSCS to provide a snapshot of the factors that might contribute to the revolving door of parole to prison.

Overwhelmingly, both the people who returned to prison and the community supervision agents who were surveyed identified the challenge of finding and keeping employment as a significant factor driving the return to prison cycle.

Other key findings include:

- Most of the people surveyed returned to prison within a year.
- Eighty percent of the people surveyed who returned to prison from parole were unemployed or underemployed at the time of their return.
- Unemployment, finding housing and the need for jobs skills were ranked as key issues for clients.
- Insufficient employment opportunities prevent many people on parole from succeeding.
- Structural barriers in community supervision impede the ability of people on parole to successfully attach to work.
- People that said their community supervision agent helped them find a job were more likely to have a full-time job.

- Community supervision agents seek to avoid needlessly revoking their clients.

Based on the feedback from survey participants and JPI's review of evidence-based practices and recent innovations, JPI recommends the following policy options to improve Maryland's parole system and promote employment for people released from prison:

1) Reduce statutory and systemic barriers to employment for people with convictions.

2) Provide community supervision agents with the tools and supports to link people on supervision to employment opportunities.

3) Build stronger partnerships with employers to help people on community supervision connect to work.

These policy options are being used in other jurisdictions facing similar challenges. This report offers examples of parole best-practices that are used in other jurisdictions to address unemployment issues for people on parole. DPSCS should consider these **new trainings, tools, partnerships,** and **legislative reforms** and adapt solutions to fit the context of Maryland communities.

METHODOLOGY

This project seeks to determine why people on parole in Maryland return to prison and what can be done at the state level to avert this cycle. The study's methodology is novel because primary data was gathered directly from people in Maryland's prisons who violated parole and the community supervision agents responsible for their supervision. By examining this cross-sectional data from multiple perspectives, this project creates a picture of the barriers to successful parole completion and points to ways to leverage community resources to help people on parole succeed.

The People Surveyed

JPI surveyed 120 men and women in Maryland's prisons. They are:

- Men (88 percent)
- Over the age of 35 (85 percent)
- From Baltimore City (46 percent) or Baltimore County (12 percent)
- Originally in prison for a violent (54 percent) or drug offense (22 percent)

With the generous support of the Abell Foundation and the Open Society Institute - Baltimore, the Justice Policy Institute developed a study including three components:

1) **DPSCS data**: DPSCS provided demographic information about the people included in the survey sample. The data included date of birth, race, gender, offense information, type of supervision, and jurisdiction of supervision, among other data. JPI matched this data to the survey results to provide a more complete picture of the participants.

2) **Survey of people returned to prison from parole:**[14] With advice from the Extra Legalese Group, a think tank comprised of men incarcerated in Jessup Correctional Institution, the Justice Policy Institute developed a survey asking a variety of questions about access and use of treatment or rehabilitation services inside and outside prison, circumstances concerning returns to prison from parole, fees and fines related to parole or the original offense, and community support systems. In

2013, JPI distributed surveys to a total of 400 men and women who returned to Maryland prisons after their parole or mandatory supervision was revoked for a new offense or technical violation. People supervised in the community under the Violence Prevention Initiative were not included in the survey sample. JPI received 120 surveys and accompanying informed consent forms.

3) **Focus group of community supervision agents:** In 2014, with the help of DPSCS, JPI convened a focus group of community supervision agents and supervisors from Baltimore City, matching the general demographic composition of the received surveys. The agents were supervisors and line staff, supervising people in the community on discretionary parole and mandatory supervision.

Surveying those most involved in the parole process—the supervisors and those who returned to prison—afforded JPI valuable insight into factors driving the parole to prison cycle in Maryland, and provided the foundation for policy recommendations and alternative measures for improving outcomes.

Study limitations: A snapshot of the problem

The findings from this analysis will enhance the discussion about the delivery of community supervision services and the barriers to the success of people on parole. However, it only offers a snapshot of the issues and experiences related to community supervision in Maryland.

Survey results may not have sufficiently included experiences of people on parole in all parts of Maryland because more than half of the surveys received were from people from Baltimore City or Baltimore County.[15] The focus group with community supervision agents and supervisors was intended to reflect the high proportion of survey participants from Baltimore City. As a result, the focus group provides a Baltimore-specific image of the challenges community supervision agents face. Delays in data collection may have affected some of the details about community supervision.

People who were on parole and in the community were not surveyed, therefore perspectives of people who were experiencing success in the community were not included. In addition, the survey did not include people who had been supervised under the Violence Prevention Initiative.[16]

The data only show whether an individual returned to prison on a new offense, a technical violation, or from an abscondence status. JPI did not have access to data showing the nature of the new offense, the kind of technical violation, or how quickly (for example, hours or days) in which the abscondence was resolved.

Despite any limitations related to timing or sampling, the overarching findings, especially related to employment, are applicable beyond the initial term of the research or the home jurisdiction of the people included in the research. By providing a snapshot of returns to prison from parole in Maryland, this project provides a look at factors contributing to violations from the perspectives of both the people who returned to prison from parole and community supervision agents. The findings and recommendations give policy makers and administrators guidance in directing scarce resources, offer corrections officials information they can use to improve facility programming, and show how incarcerated people can be partners in the creation of an effective and efficient criminal justice system.

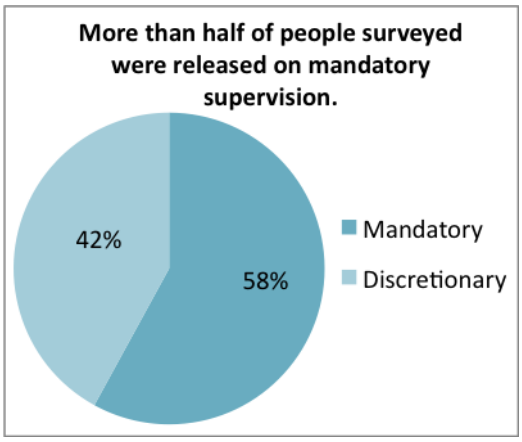
GENERAL FINDINGS

"[Terms of parole] need to be revealed before violating." – Survey participant

In 2013, Maryland released a total of 11,394 people from prison. Of those, 23 percent were released on parole and 32 percent were released on mandatory supervision.[17] According to Maryland's Re-Entry Stat, 40.5 percent of people released from prison in 2009 returned to prison in the next three years (by 2012), 28.7 percent of people released in 2010 returned in two years, and 16.6 percent released in 2011 returned in one year.[18] The results of JPI's survey are consistent with these statistics and with national data indicating that people are likely to return to prison within five years.

1) More than half of people in prison surveyed were released on mandatory supervision

Maryland releases people from prison in two ways: parole and mandatory supervision release.



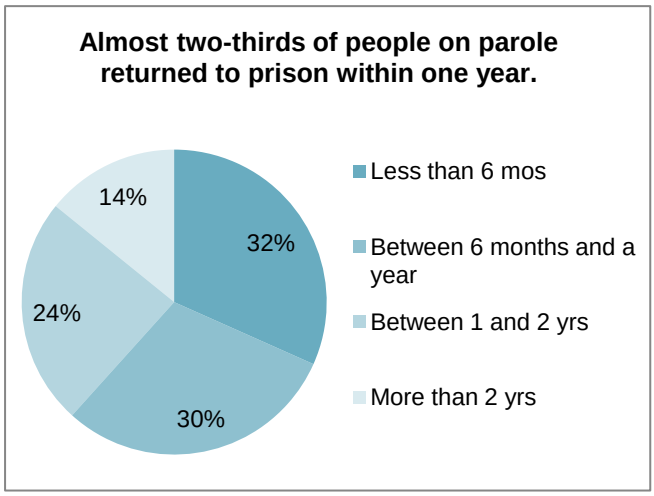
- **Parole** is the discretionary and conditional release of a person to the community prior to the end of their sentence. The Maryland Parole Commission or Hearing Officer uses information from the parole file and an interview with the person seeking release to decide whether or not to grant parole.[19] Eligibility is based on the original offense and the sentence. In 2013, 2,625 people were released on parole.[20] Forty-two percent of the people surveyed were released on parole.

- **Mandatory supervision** release is the release of a person from prison before the expiration of their sentence due to diminution credits earned or "good time" for good conduct, education, or participation in work.[21] According to the Maryland Parole Commission, the vast majority of people in prison do not serve the entirety of their sentence in a facility and anyone leaving prior to the expiration of a sentence is on mandatory parole.[22] In 2013, 3,607 people were released on mandatory supervision.[23] Fifty-eight percent of the people surveyed were released on mandatory supervision.

People released in both circumstances are subject to similar conditions that, if violated, could result in return to prison.

2) Of those surveyed, most returned to prison soon after their release.

The majority of the people surveyed returned to prison within a year. In addition, people on mandatory supervision spent less time in the community than people on parole. While those surveyed who were released as a result of a Parole Commission decision stayed in the community longer, it is important to remember



that the survey does not include people who remain in the community. In other words, conclusions about the effectiveness of mandatory parole and probation compared to parole cannot be determined from this survey.

Regardless of the type of supervision, the first year of parole was the most critical time for connecting people to the supports and services they needed to stay in the community, especially employment. Research indicates that the greatest infusion of services is needed at the point of transition to the community.[24]

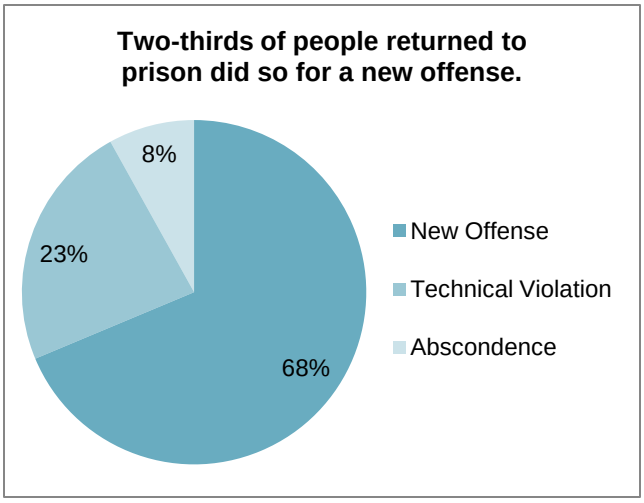
Specific findings related to length of stay in the community include:

- Approximately one in three people surveyed stayed in the community less than six months before they returned to prison;
- Sixty-two percent of the people surveyed stayed in the community for less than one year;
- Three out of four (74 percent) people on mandatory supervision were in the community less than a year. Comparatively, about half (46 percent) of the people on parole were in the community less than a year;
- Of the people in the community for more than two years, three quarters were on parole.

3) Of those surveyed, more reported returning for a new offense.

Even though technical violations play a role in returns to prison, new offenses were the most common reason that the people surveyed cited for their return to prison from parole. Research indicates that helping people on community supervision acquire the skills, tools, and resources to help them succeed reduces the chance they will commit a new offense.[25] People reported the following regarding their return to prison:

- More than half (58 percent) reported that they'd returned to prison once from community supervision. Almost a quarter (22 percent) reported returning to prison more than twice;
- Two-thirds (68 percent) were returned to prison for a new offense, while the remaining third (32 percent) returned to prison for abscondence or a technical violation;
- Half of the people returned to prison for a new offense were originally imprisoned for a non-violent offense.



4) Agents expressed interest in finding ways to keep clients from being revoked but noted systemic challenges.

Community supervision agents expressed a desire to avoid sending a client back to prison for a technical violation, but in some cases have limited discretion. Agents and their supervisors said the following during the focus group:

- *"If I wrote a report on everybody that doesn't pay their fees, I'd be writing a report every day on 200 cases."*
- *"If they miss a report day, I try to call. If they don't answer, I send a letter. If they don't come in when the letter says to come in, then my last thing to do is go do a home visit….if I have other addresses from the past or if I have the Mom's address …. I'm going to try to find him. The last thing I want to do is write a warrant."*
- *"You're not going to always get it right, but I like to think that most times I get it right. Because we are talking about people's lives. I don't want to be harsh and quick and fast to write a warrant."*
- *"He could have two full-time jobs and report to me every day, [but if the judge] gets wind that the person has changed their address without her permission, then he comes in. I have to lock up him because she has issued a warrant."* – Community Supervision Agent

The courts and the Parole Commission have ultimate authority over who returns to prison for what type of violation, and recent statutory changes offer the courts some flexibility when a new offense occurs. For example, House Bill 1174 gives the Parole Commission the discretion to not revoke a community placement but allows a conviction or violation to stand on the record

Parole approaches to reduce technical violations and new offenses are consistent with a growing consensus that community supervision agents should use tools and strategies to address the risks and needs of their clients and make sure supports and services are responsive to those risks and needs. This would include avoiding revocation wherever possible, using graduated rewards when a person does meet the terms of his or her supervision, and problem-solving to address behavior that is interfering with a person's ability to succeed on parole. Engaging people in work and other supportive services is more likely to ensure that they will refrain from committing new offenses and successfully stay in the community

KEY FINDINGS AS THEY RELATE TO EMPLOYMENT AND OTHER CHALLENGES

"…[I]f I didn't have housing, if I didn't have a place to go at the end of the day, if I don't have food, if I don't have people in my arena that care about me, support me financially, spiritually, emotionally…then I am subject to so much. So, you take a person who has multiple barriers, criminal history, lack of education, and you just multiply those things." – Supervising Community Supervision Agent

"…[Y]ou did find that those who were employed did a lot better. Because they had structure and that made the biggest difference." – Community Supervision Agent

Unemployment is a significant challenge for approximately 5.5 percent[26] of people in Maryland and 8.4 percent[27] of people in Baltimore City. But for people returning to the community from prison, the challenge of unemployment is multiplied exponentially. A recent report by the Washington Lawyers' Committee for Civil Rights and Urban Affairs points to important strides in Maryland that include a

limited "ban the box" law that prohibits public employers from asking about convictions until after an initial interview. The recent changes in statute still leaves many private sector jobs out of reach for people with a conviction and limits opportunities to earn licenses for occupations ranging from cosmetology to architecture.[28]

When surveyed, people who returned to prison from parole identified unemployment and finding housing as "important issues."

	Percent that said they still have the issue
Unemployment	54%
Finding Housing	47%
Need more job skills	42%
Drug Addiction	36%
Mental Health	32%
Family Problems	19%
Getting a GED	15%

Question: Many people in prison say they are dealing with the following issues. Please check the issues you feel are important to you.

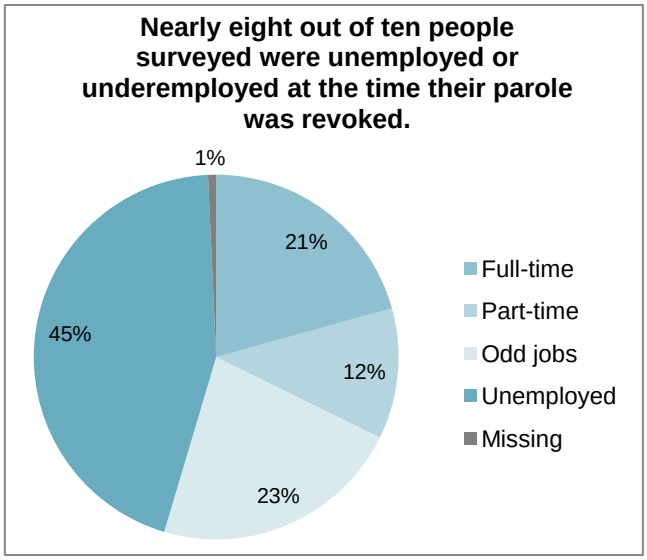
In addition, people with a conviction often face additional barriers to education, behavioral health treatment, housing, and other social supports that provide the foundation for getting and keeping a job. For example, Maryland law specifically permits landlords to refuse to rent to someone with a conviction of manufacturing or distributing a controlled substance.[29] Public housing is also regularly unavailable to people with past convictions.[30] A conviction can also prevent a person from taking out student loans.[31] A person with a drug-related felony must participate in treatment and testing for two years to receive public benefits such as Temporary Assistance for Needy Families.[32]

In short, along with obtaining and keeping a job, people with a criminal conviction face a series of statutory challenges to finding housing, schooling, and financial supports necessary for anyone to successfully navigate the job market. Statutory barriers to employment in Maryland undermine the ability of supervision agents to serve their clients and impede people on parole from getting work.

1) Most people on community supervision didn't have a job when they returned to prison.

Overwhelmingly, both the people surveyed and community supervision agents said that obtaining and keeping a job is a significant challenge. Both sets of participants pointed to a variety of factors that influence the ability of a person on community supervision to get a job, including housing, substance addiction, transportation, and family support.

Approximately eight out of 10 (80 percent) people surveyed were unemployed or underemployed at the time of their return to prison. People on mandatory supervision were slightly more likely (46 percent) to report being unemployed than people on parole (44 percent).



Agents indicated that even though people on parole are required to work, they often had trouble finding a job because of their conviction. For people convicted of certain offenses, finding and keeping a job is especially challenging:

- *"We require the individual to obtain employment, but because of their background they can't get adequate employment or are underpaid*." –Community Supervision Agent (Supervisor)

- *"And the biggest challenge I faced as an agent was trying to get employers who are willing to hire violent offenders."* – Community Supervision Agent

- *"If a sex offender can be gainfully employed, that is two-thirds of the battle. Because they are doing something that is out of their norm. They have a record. That [record is a barrier], they have to overcome that."* – Community Supervision Agent

2) Education, treatment, housing and family support are related to success in connecting to work.

Education, access to behavioral health treatment, housing, and family support are critical to getting and keeping a job. However, people coming out of prison may not have completed high school, find themselves struggling to access behavioral health treatment in the community,[33] are barred from certain types of housing,[34] and have damaged connections to family.[35] Without these valuable supports, people leaving prison are even less likely to find and keep a job.

The majority of people surveyed indicated that they continue to struggle with a variety of issues related to education, treatment, housing, and support in the community. At the same time, about eight in 10 mentioned that family was helpful to them while they were in the community.

Related to accessing treatment, people surveyed said that they struggled to afford medications, didn't have insurance, and had trouble enrolling in insurance:

- *"Couldn't afford medication;"*

- *"Bed space, finding a program;"*

- *"Lack of insurance;"*

- *"Lack of money to get to the programs."*

Community supervision agents believed that even though getting a job is the goal, people on supervision must overcome a variety of other challenges that directly relate to getting and keeping a job.

Agents mentioned challenges such as accessing appropriate education for people that may have a disability, treatment for people with substance abuse problems, and sufficient family involvement to provide support for people with convictions:

- *"Employment is a big issue. However, everyone is not employable at first…[I give them] a job readiness program; make sure all my guys have a resume. …because I had computer labs where I was at and teach them how to use a computer…"* – Community Supervision Agent

- *"I think family support is a big one. A lot of these people have burned their bridges so bad that family doesn't want to get involved anymore."* – Community Supervision Agent

- *"…[I]f you know how to read and write, you're going to be able to think. If you're able to think, then you will make better decisions. If you make better decisions, then you're less likely to offend or have to offend."* – Community Supervision Agent

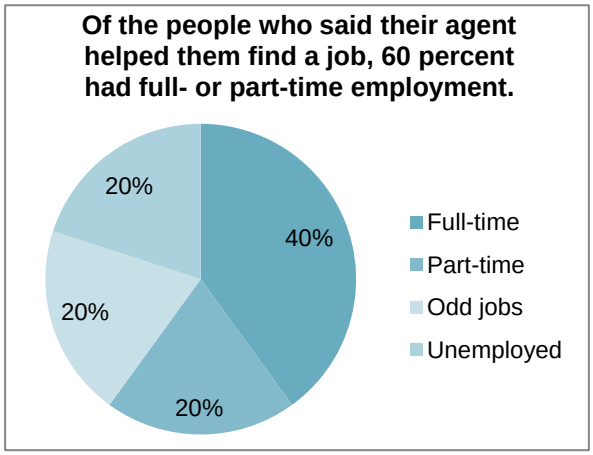
- *"Everybody can't work. If you got somebody getting high every single day, substance abuse has to come first because he may only work long enough to get the first paycheck."* – Community Supervision Agent

While obtaining and keeping employment is the overarching goal for agents and people on supervision, underlying issues related to education, training, substance abuse, housing, and community supports must be addressed to facilitate the work of community supervision agents and the employment of people under supervision.

3) Challenges in the supervision process make it harder for clients to connect to work.

"Having to report so much, it's next to impossible to work" – Survey participant

Community supervision agents are critical to connecting people coming out of prison with community supports and services. Research shows that a community supervision approach that takes into account a person's assessed risk and needs, and designs programs that are responsive to a person's capabilities—something more akin to a "social work" approach than a simple surveillance approach—yields lower rates of returns to prison than a strict supervision modality.[36]



At the same time, community supervision agents identified challenges with the expectation that they be both caseworkers and supervising agents. While some agents seemed to be equipped to do both, not everyone felt that they were prepared to meet all the needs of their clients. At the same time, there is a tension between strict supervision and case management. For example, the people surveyed described difficulty reconciling the demands of reporting to an agent and working.

Nearly everyone surveyed (96 percent) said that they had no help finding employment while they were on community supervision and 74 percent of people surveyed said that their agent did not help them find a job. However, of the people who *did* say that their agent helped them find a job, 60 percent had some kind of employment when they returned to prison.

Community supervision agents said that they often rely on their own resources and experience to help people on supervision prepare for work and find a job because they lack a shared, department-provided list of available employment opportunities.

- *"I was able to pass [job opportunities along] in my little network of my own people. …really having someone that is dedicated, being out there to see who is going to hire…"* – Community Supervision Agent

- *"I brought a lot of my resources with me. So these people were in communities. I reached out because I have been doing this kind of work for a long time. [If a colleague] came to me and she asked me….yeah, I will share it or I will give them the list I have."* – Community Supervision Agent

- *"You have to ask the right questions in order to get the right services to them."* – Community Supervision Agent

- *"Be in school, volunteer, I'm really big on volunteering. If you're unemployed, you're not going to be in your home all day doing nothing….They have to be doing something. Because if a person feels that there is no self-worth, there is no reason to be doing anything…"* – Community Supervision Agent

Some of the agents expressed concern that they aren't prepared to provide the kinds of services that they believe help people on supervision find a job.

- *"…I'm not a case manager. I wasn't a case manager before I came in. So these things are not here for me. This is for me to be an outreach worker to go find this stuff and be an agent, too."* – Community Supervision Agent

- *"We have a lot of policies and guidelines that we have to work with, but a lot of times we don't always have the necessary tools to carry out what is expected."* – Community Supervision Agent

Without the training and resources —a current list of community-based employment services, for example—community service agents are unable to help people returning to the community get a job.

Community supervision agents and people surveyed reported a variety of challenges related to the way community supervision is structured and the demands related to the institution as a whole.

Best practices in community supervision focus on risk, need, and responsivity. That is, using a validated risk assessment to determine a person's risk of committing a new offense, determine a person's needs specific to addressing underlying problems related to criminal behavior, and ensuring that the interventions are tailored to the person to maximize the chances they succeed.[37] People with higher risk levels or greater needs are provided more intensive services.

To move the community supervision field in this direction, probation and parole agencies are working to improve the way staff work with clients. This includes everything from changing caseloads so that people who need more (or are at higher risk of committing a new offense) receive more resources, to training agents to more effectively engage their clients.[38]

The agents who participated in the focus group and the people surveyed identified **consistency, caseload size, and supervision requirements as challenges in their work:**

Consistency
People under supervision are regularly shuffled between different agents. Community supervision agents said that people on supervision need to have a consistent agent for help. Frequent transfers from one agent to another impede relationships between clients and the agents.

- *"[Referring to a Baltimore City reentry program]…When they came out, there were services. Private services. Public services. Vendors. One agent for the duration of your parole….there were direct services all the time. It was consistent."* – Community Supervision Agent

- *"My thing is consistency. For someone that doesn't have a caseload change. I have people get… "attached at the hip." …[I get people] asking me what to do to be back on my caseload."* – Community Supervision Agent

Caseload size
Agents indicated that caseloads of 200 or so clients make it difficult to provide high quality service and support. They said the size of the caseload made it difficult to build relationships with their clients and figure out what to do help their clients get the services they need.

- *"If you have 80 people coming to see you on your report day, you work for eight hours a day, that's six minutes apiece. So, it's good to form that rapport, but we are not there with our caseload sizes."* – Community Supervision Agent

Supervision requirements
Agents and their clients also said that people on community supervision have a difficult time meeting certain expectations set by courts and community supervision agencies. People surveyed mentioned that frequent meetings at the parole office made it difficult to work:

- *"Couldn't keep a job, because of having to report;"*

- *"Have to stay home to meet with PO;"*

- *"What job is going to let me leave 3 times a week [to report to my agent]?"*

- *"They want you to come in 2-3 times /week, but want you to work;"*

- *"Trying to work and going to give urine twice a week;"*

- *"Urinalysis twice a week between 8am and 11am. How can I earn a living?"*

- *"Working and having to rush to here before 5 was crazy."*

People surveyed also indicated that lack of transportation and long travel times to the agent's office made it difficult to comply with the terms of release:

- *"[I] didn't have funds to travel to agents' office;"*

- *"From West Virginia to my PO was 70 miles one way."*

- *"Didn't have money to catch the bus or train."*

- *"Live in a rural area – office 15-20 miles away."*

In short, JPI heard from agents an interest in moving towards the kind of evidence-based supervision approach that field leaders urge community supervision agencies to adopt. When parole practices abide by risk-need-responsivity principles, and provide appropriate services and supports (such as assistance finding employment), people on parole will be more likely to succeed.

The pressures that community supervision agents experience translate directly to the barriers that people on supervision feel. A community supervision agent juggling a large and growing caseload may feel compelled to increase and tighten reporting requirements. Staffing community supervision agencies in such a way that agents can do their job and people on supervision can meet their requirements is an important part of the overall strategy to reduce the number of returns to prison.

BEST PRACTICES AND EVIDENCE-BASED APPROACHES IN PROBATION AND PAROLE SUPERVISION

Probation and parole leaders are shifting the landscape of the field. The latest science and best practices inform approaches that help people transition from prison or jail back to the community, and move past the behavior that landed them in the criminal justice system.

The U.S. Justice Department's National Institute of Correction (NIC) provides training, technical assistance, information services, and policy/program development assistance to federal, state, and local corrections agencies.

NIC is the sponsor of the Community Corrections Collaborative Network (CCCN), a network that includes the leading associations[39] in probation and parole representing more than 90,000 members. To reach "excellence," the CCCN Network supports the following changes, among others, in the field of probation and parole: [40]

- **Limiting the use of incarceration**: Creating a new awareness that incarceration needs to be used strategically and that community corrections play a key role in helping the system limit incarceration, the most expensive response to behavior. Community corrections represent alternatives to incarceration that can effectively hold people accountable while also enhancing public safety;

- **Keeping more people in the community whenever possible:** Generating greater understanding that individuals who can be safely supervised in the community are more capable of supporting themselves and their family when their employment and schooling are not disrupted, thereby reducing taxpayer expenses;

- **Shifting the system to a risk and needs approach:** Shifting from a system that bases decisions solely on a person's charges or offense to a system that considers the individual's risk level and treatment needs to determine sanctions, supervision level, and intervention;

- **Incentivizing behavior change:** Moving from a system that relies solely on punishment to one that offers incentives for behavioral change;

- **Expanding the role of victims**: Expanding the recognition that victims are an integral part of the justice process and that their involvement throughout the process is necessary;

- **Reducing bias and increasing fairness:** Reducing institutional bias and ensuring that individuals receive fair and equal access to the justice system; and that includes equal opportunities for diversion and alternatives to incarceration;

- **Focusing the system on what is proven to work:** Securing a commitment from all parts of the criminal justice system that replaces a punitive approach to justice with a science-based approach will yield better outcomes and will reduce the number of future crime victims.

CONCLUSION

The perspectives of 120 people who returned to prison from mandatory release or parole and the community supervision agents and supervisors of these clients echoed each other. Both groups said that challenges finding and keeping employment plays a role in whether or not a person will stay out of prison. Both agents and people who returned to prison from parole identified similar challenges connecting to and keeping a job when people return to the community from prison.

Key challenges identified by people surveyed and community supervision agents include:

- Laws that prevent people from taking certain jobs when someone has a criminal conviction;

- Lack of access to the kinds of housing, treatment and family support that any person might need to successfully navigate a tight job market;

- Agents' lack of tools to help people on community supervision connect to employment and other services;

- Specific challenges in the supervision process, including caseloads, supervision requirements and consistent points of contact within the community supervision system;

These challenges are exacerbated by the job market's recovery from a "Great Recession," which impacts all job seekers but particularly those leaving prison.

RECOMMENDATIONS AND POLICY OPTIONS

Despite some local and jurisdictional differences, DPSCS and other probation agencies face similar challenges helping people under their supervision connect to work. Federal, state and local criminal justice agencies are aligning systems with evidenced-based approaches to supervision. These approaches help people find jobs in a way that corresponds to their risk, needs, and ability to respond to services and supports.

Key policy options being advanced in other states include**:**

- **New training** approaches to help agencies shift away from simple surveillance towards a model of that engages people in problem-solving and behavior change, and involves families and communities in the process;

- Use of **new tools** that tie training to practice change;

- Building **new partnerships** with employers and government agencies charged with workforce development;

- **Changing laws** to eliminate barriers to people on supervision obtaining and keeping a job.

Maryland will have to navigate its own path to adopt and use new training, partnerships and law changes to shift the supervision approach, eliminate barriers to employment, and shore-up supports so that people on parole can best meet their workforce development goals.

Policy options recommended for DPSCS and other Maryland parole agencies:

Reduce statutory and systemic barriers to employment for people with a conviction

Efforts at the state and local level in Maryland to remove barriers to employment for people with a conviction should be expanded. For example, while the Maryland Second Chance Act of 2015 which allows people to petition the court to shield[41] them from having to reveal their record for a nonviolent misdemeanor conviction three years after satisfying any mandatory supervisory obligations passed in 2015, other legislative changes that could reduce barriers to employment for people returning to the community by expanding opportunities to expunge criminal records did not.

Such reforms would make it easier for people with convictions to find and keep a job. Policymakers should engage in these policy change efforts and parole professionals should advocate for changes that lift barriers to employment.

Provide community supervision agents with the tools and supports to connect people to employment opportunities

The probation field is shifting to evidence-based approaches that provide new tools, strategies and approaches to supervision to help people on supervision link to work and other services. These new mainstream community supervision models focus on assessing a person's **risk** for future offending, determining essential **needs** like housing and treatment, and ensuring that supports and services are individualized and **responsive** to an individual person's abilities. Best practices used in other supervision agencies address issues similar to those identified in the survey:

1. **Workforce development specialists:**[42] The agents that participated in the focus group identified the challenge of consistently accessing a list of available employment opportunities. In some other jurisdictions, supervision agencies have access to a workforce development specialist (or equivalent staff) whose sole job is to help connect people under supervision to employment opportunities. Workforce development specialists must have access to an information system that matches people on supervision with appropriate employment opportunities and any requisite training.

2. **Integrated case management tools with a workforce development focus:** As part of the Council of State Government's (CSG)[43] comprehensive examination of what works to link people on community supervision to appropriate employment services, they call on the field to embrace an integrated case management tool that specifically focuses on workforce development. This reformed supervision approach assesses an individual's risk for future reoffending, determines his or her needs, and uses a case management approach to ensure that the supports and services are responsive to a person's abilities. The integrated tools are designed to address workforce development gaps, as well as the other associated factors that can limit a person's ability to connect

to work (such as, housing, employment and treatment). With the support of the Annie E. Casey Foundation, the Bureau of Justice Assistance and the U.S. Department of Labor, CSG developed a framework for how these tools should be used by parole authorities, and provides technical assistance to agencies to develop and use them. Maryland should consider partnering with CSG's National Reentry Resource Center to either develop or enhance existing case management tools to create a similar integrated approach.

3. **Training on engagement and employment opportunities:** Community supervision agencies have identified training as a key issue in an agency's ability to shift from a surveillance model to a supportive model. Some of the agents that were convened in a focus group mentioned that they have been trained in the Proactive Community Supervision Initiative and the Violence Prevention Initiative, but did not mention any training in current best practices on ways to engage clients in their own behavior change.

   Effective Practice in Community Supervision, or EPICS, is a best-practice that could address some of Maryland's parole challenges. Created at the University of Cincinnati, the training program works with probation and parole agents to help them develop more effective relationships with the people they supervise. The process seeks to shift agent and client contact from one that merely focuses on compliances and conditions of supervision to one that builds a relationship. With stronger connections, agents and their clients are able to jointly solve problems that stand in the way of becoming and staying employed. One innovative practice of EPICS involves the recording of all contacts between supervision agents and clients so that a coach can review and work with the agent to improve their interactions. Research shows that a strong agent/client relationship that includes meaningful conversation is more important than compliance with conditions for preventing recidivism. EPICS has been shown to reduce recidivism in multiple jurisdictions around the country, and has been well received by line staff.[44]

   Another training approach, SOARING 2, is a computer-based, e-learning training module that is designed to help justice professionals use evidence-based practices. The topics covered in the SOARING 2 curriculum include: the risk/need/responsivity principles, motivation and engagement strategies, case planning tactics, problem-solving with clients, and desistance. The program allows agents to be more comfortable with evidence-based practices, which creates more effective interactions between agents and the people they supervise. Particularly relevant is the fact that SOARING 2 trains staff to identify community-based resources that support workforce development.

Build stronger partnerships with employers to bolster employment opportunities for people on community supervision.

Participants in the survey and the focus group agreed on the need for a renewed focus on overcoming significant barriers to employment and engaging private sector employers in hiring people with convictions. While there is no "silver bullet" in an economy that is not creating enough employment opportunities for many people (justice-involved or not), there are some strategies currently used in other places, that could address the challenges in Maryland.

1) **American Career Centers (ACC) that focus on community supervision clients.** The agents convened in a focus group said they lacked a consistent and institutionalized means of connecting the people they supervise to employment opportunities. Some said they kept a list of positions and

potential employers, but not one indicated a consistent process, point of contact, or resource for connecting people to work opportunities.

CSG notes that the American Career Centers model can be effective in helping people on community supervision attach to work if deliberate partnerships are forged with these centers and community supervision agencies. An example of one American Career Center that is functioning well exists in Montgomery County, Maryland. With funding from the U.S. Department of Justice Edward Byrne Grant Fund, Montgomery County established a "One-Stop Career Center" within the Montgomery County Correctional Facility. People in the jail have access to job training, workforce development opportunities, job databases, and volunteers to help them transition to the community. The One-Stop Career Center also builds relationships with potential employers to provide a candidate pool that is prepared and comes with independent support. In 2007, 41 percent of participants retained employment after 90 days.[45] While American Career Centers exist all over Maryland as well as all over the country, a critical feature of one that works most effectively for people who are justice-involved is that it is located somewhere that is easily accessible and that supervision agents know about the resources that exist there and have regular contact with the Centers. Creating stronger links between these job centers and correctional facilities could bolster employment opportunities for people on community supervision.

2) **Co-locating and dispersing supervision with employment services in the neighborhoods where people on community supervision live.** The risk/need/responsivity principles are advanced in some places by moving much of the community supervision infrastructure (for example, offices where agents and clients meet) into the communities where people on supervision live. Efforts to co-locate services into neighborhood offices that also include housing and treatment services can make it easier for people on supervision to obtain employment and other associated services in one place.. For example, the Neighborhood Opportunity Network, (NeON) is a New York probation program that connects people on parole with opportunities and resources in their neighborhoods. The network consists of community organizations, local government agencies, local businesses and residences in areas with high concentration of people on probation.[46] Because the offices are located in the communities of the people that use them and because they are often co-located with local non-profits, the officers have a good understanding of the community needs and opportunities. This understanding of the community allows for officers to be better equipped to provide the people they supervise with work. While the program is still new, preliminary analysis shows that the program is on track to make positive changes. In the first six months of the program, NeON clients showed a recidivism rate that was 23 percent lower than their non-NeON counterparts.

These options offer **new training** approaches and **tools** for supervision agencies to engage their clients in a process of change. Adopting evidence-based practices moves systems away from the surveillance model associated with a high level of revocations, abscondences, and new offenses. These policy options seek to build **new partnerships** with employers so that people on supervision have a better chance of obtaining employment in a tough economy. **Legislative reforms** could further support community supervision agents and their clients by reducing barriers to employment for people on parole.

Embracing policy reforms will improve the success of Maryland's parole system, help people return to communities from prison, and in turn enhance public safety and reduce the costs associated with incarceration

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[13] This figure is calculated using an estimate from the Maryland Department of Legislative Services indicating that it costs $37,200 per year to incarcerate one person, which includes overhead, health care and other costs. An underestimate of $37,000 is used for the purpose of this report. Taxpayers could pay as much as $124 million per year for the incarceration of 3,365 people returning to prison from parole and assuming incarceration for one year. To review the three different variations of costs used by the Department of Legislative Services in their analysis of House and Senate bills, see: Department of Legislative Services, Maryland General Assembly, 2014 Session, *HB 104 Fiscal and Social Policy Note: Contraband-Places of Confinement-Penalty*, http://mgaleg.maryland.gov/2014rs/fnotes/bil_0004/hb0084.pdf or Department of Legislative Services, Maryland General Assembly, 2014 Session, *SB 113 Fiscal and Policy Note: Criminal Law – Contraband – Telecommunication Devices – Penalty*, http://mgaleg.maryland.gov/2014RS/fnotes/bil_0003/sb0113.pdf

[14] JPI obtained Institutional Review Board approval from Chesapeake IRB to ensure that the research would not harm the survey participants. Accordingly, JPI obtained informed consent forms, relied on unique identifiers to organize the surveys, and encrypted all electronic data to protect the identities of the participants.

[15] Fifty-five percent of the 430 people surveyed were from Baltimore City or Baltimore County.

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