

## Prisoner education: creating opportunities for success

*“We must accept the reality that to confine offenders behind walls without trying to change them is an expensive folly with short term benefits— a ‘winning of battles while losing the war.’”*

Former U.S. Supreme Court Chief Justice Warren Burger, 1981

*“We have to do a better job of turning people’s lives around. Ensuring that prisoners have the resources to improve while in prison is imperative.”*

MDOC Director Daniel H. Heyns, 2011

One way to address both the high cost of corrections and the need for public safety is to increase the educational opportunities for our incarcerated population. Numerous research studies have shown that prisoner education programs significantly reduce crime and re-incarceration rates. Studies that take into account and control for factors that are known to predict recidivism, such as age, race and length of sentence, have established that the overall effect of correctional education on reductions in recidivism falls somewhere between 10% and 20%.

A 2004 analysis by Audrey Bazos and Jessica Hausman at the UCLA School of Public Policy and Social Research reviewed research from several states on the impact of post-secondary education programs on recidivism and found that for each re-incarceration prevented by education, states save approximately \$20,000. They found that the cost of correctional education breaks even with a 6% reduction in recidivism and confirmed from the research that correctional education participants are 10% to 20% less likely to re-offend than the average released

prisoner. They concluded that every \$1 million spent on correctional education yields a savings of \$1.6 million in a state’s re-incarceration costs.

Other researchers have determined that every dollar spent on prison-based education and vocational programs yields \$3 to \$5 in savings to the tax-paying public. The state of Texas, for example, provides post-secondary education for its prisoners through the state’s community colleges. In fact, the Texas Department of Criminal Justice has demonstrated that Texas prisoners who earn an associate’s degree while in prison at an annual cost of slightly over \$3,000 per prisoner will return to prison at a rate of 27%, compared to a 43% recidivism rate for all Texas prisoners.

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Correctional education programs work against recidivism because they help prisoners break the cycle of poor literacy skills and criminal activity by providing them with the knowledge and skills necessary to succeed when they are released. Education programs help prisoners to develop a level of self-esteem and decision-making skills that many didn't possess on their way to prison.

**"When I was attending college in Jackson Prison south yard and at the Michigan Reformatory, it gave me a true feeling of self-worth and a sense of accomplishment."**

**Bobby Fisher, 221991**

In a 1995 study by Miles D. Harer entitled *Prison Education Program Participation and Recidivism: A Test of the Normalization Hypothesis*, it was shown that correctional education programs have a "normalizing" effect on prisoners that increases prison safety, reduces recidivism, nurtures pro-social norms, and negates the effects of "inmate subcultures that favor criminal behaviors post-release." Harer found that correctional educators provide prisoners with role models of pro-social behavior and with the opportunity to engage in pro-social behavior themselves. Correctional education reinforces law-abiding norms while providing offenders with social niches where they can practice the skill of "mature coping." Offenders "who learn mature coping in prison will also cope more maturely with life in the community after release" thus facilitating a more successful reentry.

Educational programs have also been shown to positively impact prisoners' attitudes and behavior while in prison, resulting in safer facilities. Corrections officers interviewed for a study of a prison college program in a maximum security prison for women in New York reported that college classes in the facility both reduced disciplinary problems and enhanced prisoners' self-esteem and ability to communicate effectively. (Fine, Michelle, et al. 2001. *Changing Minds: The Impact of College in a Maximum Security Prison*)

The United States Department of Justice reports that "the typical offender is undereducated, unemployed and living in poverty before incarceration." Nationwide, 19% percent of adult prisoners are illiterate and up to 60% are functionally illiterate. The average reading level of prisoners nationwide is below the fifth grade. In a 2003 study of Michigan prisoners, the Urban Institute's Justice Policy Center found that just over half (54%) reported having at least completed high school or obtained a GED at the time of their admission. Only 20% of these had a high school diploma. Overall, 18% had gone no further than the ninth grade.

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## Retired MDOC policy expert joins CAPPS

Richard Stapleton, who retired after 34 years as a corrections professional with the Michigan Department of Corrections (MDOC), has taken the post of associate director for CAPPS. He succeeds Peter O’Toole who left CAPPS to enter the private practice of law.

Stapleton’s last post in the MDOC was as administrator of the Office of Legal Affairs where he managed litigation, prisoner grievances, prisoner discipline, freedom of information and policy development operations. He created policy development and organizational changes in the Michigan prison system in response to several major class action prison lawsuits. He chaired internal executive policy review committees and designed and put into place Michigan’s prisoner reentry initiative, as well as the state’s recently revised prisoner disciplinary process.

He holds an undergraduate degree in Criminal Justice from Wayne State University and a Juris Doctorate from Michigan State University College of Law (Detroit College of Law).



Stapleton

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Despite the obvious advantages of education in rehabilitating offenders and reducing recidivism, Michigan invests relatively little in creating opportunities for prisoners to succeed through

**“College for prisoners as part of a comprehensive rehabilitation program continues to be the ‘elephant in the room’ few want to discuss, despite its enormous potential for success.”**

**Scott Wynne, 247226**

post-secondary education while incarcerated. And the trend is downward. Funding for prisoner education programs declined by \$3.6 million between 2011 and 2012. The current fiscal year appropriation for education is \$31,279,600. This amounts to allocating only 1.6% of the department’s overall budget to prisoner education, including post-secondary vocational programs. The state is thus investing only \$727 per prisoner for education programs, the majority of which goes to prepare prisoners for a GED.

There are currently 192 department teach-

ers for academic, vocational, and special education instruction in Michigan’s prisons. In 2008, there were 304 teachers. This amounts to a 37% reduction in three years, a number that far outpaces the 12% reduction in the prisoner population between 2008 and 2011. The department’s appropriation for this year provides for one staff for every 170 prisoners. Ten years ago the ratio was one education staff member for every 105 prisoners.

### Educational Programming

According to the MDOC’s Education Action Plan, it is the mission of the Educational Services Section to offer incarcerated individuals an opportunity to gain academic, social and work skills to become productive citizens while in prison and when released to the community. The programs that are provided aim toward increasing reading, math, writing, and critical thinking skills at least to the level of the General Educational Development (GED) certificate level. Vocational programs provide prisoners with specific trades instruction, technical skills and “soft” skills critical

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to finding and maintaining employment.

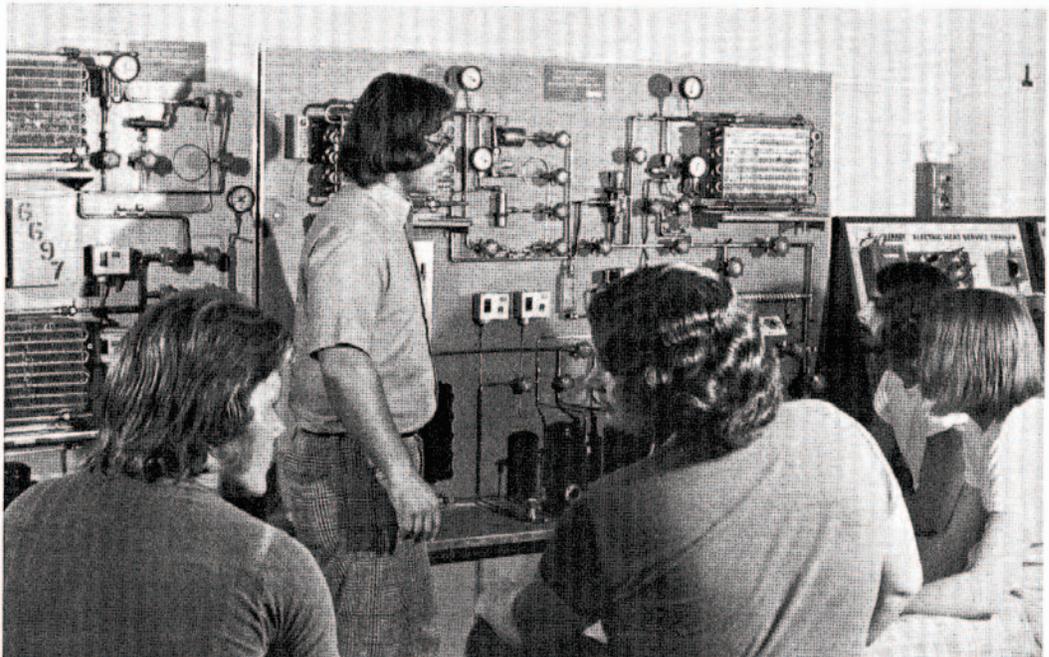
### Academic

Upon arrival at a reception facility for the intake process, all prisoners' educational experiences are verified. Prisoners must provide documentation as to high school or GED certification. If a prisoner does not have a high school diploma or GED certificate, they are enrolled in academic education.

The intake process includes a Test of Adult Basic Education (TABE) to determine placement of prisoners without a high school diploma or a GED into adult basic education (ABE) or GED classes. Prisoners who are not proficient in the English language are provided instruction in English as a Second Language (ESL). Approximately 200 prisoners at any time receive ESL instruction at one of 13 facilities with trained ESL teachers. Foreign language speaking prisoners may receive ESL instruction until they reach a fifth grade reading level, at which time they will progress through the department's academic or vocation programs depending on their academic credentials.

State law requires that a prisoner serving a minimum sentence of two years or more for an offense committed after December 15, 1998 may not be released on parole unless s/he has either a high school diploma or a GED. There are excep-

tions to this requirement under MCL 791.233 that may be granted by a warden with the recommendation of the school principal. These include when a prisoner: is 65 years of age or older; was gainfully employed immediately before committing the crime for which he or she is incarcerated; does not have the necessary proficiency in English to attain a GED certificate; has learning impairments; is a special education student; has documented medical problems which preclude participation in the education program; or is unable to successfully complete the



*Vocational class at the old Cassidy Lake Technical School in Chelsea from the MDOC's 1977 Annual Report, Dimensions.*

requirements for a GED certificate through no fault of their own.

The MDOC reports that 729 prisoners were granted exceptions in the 2011 fiscal year and paroled without a GED. Nine prisoners were denied parole at their earliest release date because they had failed to obtain their GED and were not granted an exception.

Each of the department's facilities provides academic programming for ABE and GED. In fiscal year 2011, the average enrollment for academic

programs was approximately 5,300 prisoners, about 12% of the total population. There were 1,679 prisoners who completed their GED.

## Career and Technical Education

For those prisoners who have a high school diploma or GED, a vocational interest and aptitude test is administered. The test is used to help prisoners decide on career goals and to choose a vocational trade program offered through Career and Technical Education (CTE). Based on research compiled by the Department of Labor and Economic Growth, the MDOC reports that over 80% of Michigan's prisoners need vocational training.

In a global technological society where college credentials or vocational trade skills are increasingly necessary to gain access to a job, formerly incarcerated persons often experience great difficulties in finding employment. Many will find they are not equipped for the technology changes that have occurred since they were first incarcerated. Some have never used the internet or a personal computer.

It is the policy of the department to at-

**Table 1. Prisoners in Vocational Programs, July - Sept. 2011**

Program	# of Facilities	# Enrolled
Auto Body Repair	1	0
Auto Mechanics	3	73
Building Trades	11	217
Business Education Technology	11	342
Computer Refurbishing	1	0
Custodial Maintenance Technology	15	328
Electronics	4	0
Food Service/Hospitality Management	11	286
Horticulture	11	256
Machine Tool	1	21
Optical Lens Technology	1	12
Visual Graphic Technology	1	0
Welding	2	47

courses are offered at only one facility each. The most frequently offered course is custodial maintenance, available at 15 facilities.

**Table 2. Vocational Program Enrollment**

	# Facilities	# Programs	# Prisoners Enrolled	Population	% Population
1985	14	21*	1,850	17,744	10.4
2011	25	13*	1,870	43,041	4.3

\* Includes program if offered at any time during the period

tempt to transfer each student to a facility that best matches his or her educational needs. However, that is often not the case. The need for vocational programming and waiting lists for specific programs far outweigh the availability of programs. Vocational offerings and curricula are not standardized across facilities and waiting lists can be very long.

During FY 2011, the department offered 13 vocational courses at 25 facilities. However, as Table 1 shows, not all facilities offer courses and not all courses are offered at each facility. Some programs are offered more than others. For example, auto body repair, computer refurbishing, optical technology, visual graphics, and machine tool

The number of prisoners enrolled in vocational programs has averaged less than 5% of the prisoner population each year

over the past 20 years. In 1990, for example, there were 1,520 prisoners (4.4%) enrolled in vocational courses when the total prisoner population was 34,209. In 2011, the average number of prisoners enrolled in vocational programming was 1,870 (4.3% of the population).

Table 2 shows that before prison expansion took hold in the mid-1980s, there were greater investments made in providing more prisoners with an opportunity for vocational training. In 1985, for example, the MDOC offered 21 voca-

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## The News from CAPPS

Since we missed publishing our usual summer edition of Consensus, you may be wondering what CAPPS has been doing lately. The answer is: quite a lot!

As always, our primary focus is on reducing corrections spending by reducing the number of people who are incarcerated. The good news is that a combination of factors (less crime, drug law reform, fewer technical parole violators being returned to prison, increased parole grant rates, the effect of community re-entry programs) has brought the prisoner population down by nearly 8,000 from its high in 2006. Seven prisons and the entire camp system have closed. This is not mere tinkering at the margins. It represents a genuine shift in philosophy. We're gratified that changes for which CAPPS has advocated for over a decade have begun to take hold. It is particularly noteworthy

**Even with people serving less time, crime rates are declining.**

that reforms that mean people serve less time have been achieved simultaneously with declining crime rates. Michigan is showing the nation that longer prison terms don't make us safer, just poorer.

But the job is far from done. We still have more than 43,000 people in prison, including about 8,000 who are currently eligible for parole. Our prisons are badly overcrowded, access to programming is limited and staying connected to family and loved ones is getting even harder. Moreover, while the population decline has kept the budget from growing, costs have not decreased in proportion to the drop in population. The MDOC appropriation for FY 2012 was still \$1.9 billion – 26% of the entire General Fund.

Many legislators have concluded that the problem is not with the number of prisoners but with how much we pay to keep them. They are focused on bringing down the “cost per prisoner” by using four methods:

- Privatization

- Reducing public employee benefits
- “Operational efficiencies” – like reducing the quality and quantity of prisoner meals and cutting visiting hours (see article, pg. 7)
- Extracting payments from prisoners and their families – like the new surcharge on telephone calls. (see article, pg. 12)

Based on Michigan's own experience with the privately operated former Michigan Youth Facility, the experience of other states and the growing body of academic research, we are concerned that privatization of entire prisons would be neither cheaper nor better. Successfully privatizing particular services, like medical and mental health care, would depend on the terms of the contracts and how closely the providers are monitored. We are in the process of examining the evidence and preparing an issue paper on privatization.

We will continue to advocate for strategies that would reduce the population long-term. These include establishing a presumption of parole at the earliest release date (for people who are not currently high risk) and releasing hundreds of parolable lifers who have been passed over for decades. We are currently working with potential sponsors on a draft of a bill that would place basic due process protections on the exercise of objections by judges to lifer paroles. We are also supporting a growing interest by policymakers in reinstating a sentencing commission. Unfortunately, there still seems to be no political will to adopt the strategy that is most obvious and widely used around the country – awarding sentencing credits for in-prison conduct and program participation.

We are also concerned about what is being done to help people prepare for the future while they are still incarcerated. The MDOC acknowledges that “Phase I” of the Prisoner Re-entry Initiative, which was supposed to be a range of programs tailored to individual needs, was never implemented as planned. CAPPS has been explor-

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## Overcrowding and budget take precedence

# Housing, visiting policies thwart prisoner families

*With more than 43,000 people in Michigan prisons, on any given day the effects of incarceration touch hundreds of thousands of family members. Over the years, staying connected with imprisoned loved ones has gotten harder and harder as facilities were sited far from urban areas and visiting rules were tightened. The latest examples are a 21 % decrease in visiting hours and the closing of the Mound facility in Detroit.*

There is no dispute about the importance of keeping prisoners and their families as connected as possible. As the MDOC's Russ Marlan said in an October 2011, Detroit Free Press guest editorial:

"We certainly recognize and understand the importance of prisoners maintaining a relationship with family, friends and supporters in the community. In addition to generally assisting in the rehabilitative process, having a support system in place when prisoners return home greatly increases their chances for success following release from prison."

The evidence supports Marlan's assertion.

## Research shows preserving families reduces recidivism

A new study of 16,420 former prisoners by the Minnesota Department of Corrections found that those who received visitors were significantly less likely to return for either new convictions or parole violations. The more visits someone received and the larger the number of different visitors, the bigger the impact. (See details on pg. 14.)

Grant Duwe, leader of the research team told the Huffington Post: "I think visitation has been largely viewed as a concession that's given to inmates. I don't know if there has been a great deal of thought given to the public safety benefits that visitation might have."

The Minnesota study is the most sophisticated and current in a long line of research that has consistently found positive correlations between the strength of family/social bonds and parole success across diverse offender populations and in different locations.

The classic 1972 study by Donald Miller and Norman Holt followed 412 California men who had been paroled for at least one year. It compared

reimprisonment rates among groups who differed in the number of visitors they had during their final year of incarceration. It found that strong ties between prisoners and their families and close friends during incarceration led to better post-release outcomes. The authors concluded that: "family should be viewed as a prime treatment agent and family contacts as a major correctional technique." They suggested that prisoners should be placed closer to home and that restrictions on visits and mail be reviewed.

A 2005 analysis of Canadian data by Prof. Marion Vacheret of the University of Montreal reached a similar conclusion:

"The maintenance of an active family interest while incarcerated and the establishment of a mutually satisfying relationship after release were associated with recidivism decreases."

**. . . the Minnesota Department of Corrections found that those who received visitors were significantly less likely to return for either new convictions or parole violations.**

On a very practical level, Jeremy Travis and Michelle Waul of the Urban Institute have noted the powerful role that families can play in the lives of prisoners who are returning home. "A family member may provide an immediate source of support by offering a place to stay, a meal, a little money, a connection to a job opportunity, and a listening ear. The most critical time for this support is in the hours and days immediately following release when

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## Housing, visiting policies thwart prisoner families

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anxiety levels and the risk of recidivism are particularly high.”

Prisoners are not, of course, the only family members who are affected by incarceration. The parents and siblings of prisoners must deal with worry, loss, stigma and, perhaps, feelings of guilt and anger. Spouses and partners may, in addition, have to deal with loss of financial support, new living arrangements and increased family responsibilities, as well as the loss of companionship.

The estimated 1.7 million American children of incarcerated parents experience unique difficulties which are becoming the subject of increased public concern. As the Vera Institute of Justice has observed:

“Children of incarcerated parents are more likely to exhibit low self-esteem, troubled behavior at school and at home, and isolation or withdrawal. Incarceration can weaken or even end important relationships.”

Prof. Creasie Finney Hairston of the Jane Addams College of Social work at the University of Illinois at Chicago explained in 2001 how visits, phone calls and letters help address the needs of all family members.

“These contacts allow adults and parents and children to share family experiences and participate in family rituals, e.g., birth celebrations, religious observances etc. and help them to remain emotionally attached. They help assure incarcerated parents that their children have not forgotten them and children that their parents love and care about them. They allow prisoners to see themselves, and to function, in socially acceptable roles rather than as prison numbers and institutionalized dependents.”

Despite all this evidence, incarceration continues to work against maintaining family relationships in multiple ways. Prisoners are routinely housed hundreds of miles away from home and are transferred frequently. The time and cost involved in travel make it difficult for prisoner families, who are disproportionately low income, to visit. Telephone calls are expensive and are limited in duration. Letters are not adequate for small children

and for many adults who are not literate. In addition, phone calls are monitored and letters may be read at any time, leaving family members with no ability to have private conversations except during visits.

The Vera Institute notes that corrections agencies may offset some of these collateral consequences of imprisonment “by developing and instituting policies that help incarcerated people to maintain positive social ties.” Yet, as Hairston has observed, corrections policies and practices that govern contact between prisoners and their families often impede, rather than support, the maintenance of family ties.

“The security and safety rationale that dominates the prison environment is obvious in some policies. The primary intent of others, e.g. the rate structure for prisoner telephone systems, seem to be to subsidize prison budgets and generate profits and/or to exert social control, not only over prisoners, but over their kin as well. Rules frequently bear little relevance to correctional goals and are insensitive to prisoners’ family structure, cultural differences and children’s needs. Many rules appear to be arbitrary; others are inconsistently interpreted and applied by different staff members and with different visitors.”

MDOC policies and practices that affect prisoners and their families have changed greatly over the years. Unfortunately, as the population has increased, the impact on families has worsened.

### Housing decisions put prisoners hundreds of miles from home

Face-to-face visits are by far the most effective means of contact for prisoners and their family members. They allow people to assess their loved ones’ well-being first-hand, and create the chance for limited physical contact, private conversation and a level of relatively normal interaction. However, the opportunity for visits depends heavily on how far from home the prisoner is located.

Michigan’s 32 prisons are located in 21 dif-

ferent counties. Jackson and Ionia each have four; Gratiot has three; seven are located in the Upper Peninsula. The farthest from urban centers is Ojibway Correctional Facility, a minimum security facility in Gogebic County that houses nearly 1,200 men. The distance from Detroit is more than 600 miles.

Overall, 21% of prisoners are housed in the Upper Peninsula, although the region accounts for only 2.1% of prison commitments. Conversely, as



*Visits under the old rules: Prisoner with son in outdoor visiting area at the Handlon Michigan Training Unit in Ionia from the MDOC's 1977 annual report, Dimensions.*

of Dec. 1, 2011, 10.3% of prisoners were housed in Wayne, Oakland, Macomb and Washtenaw Counties, although these counties accounted for 41.0% of 2010 commitments.

In the mid-1980s, when the first big wave of prison construction began, the MDOC set the goal of creating a series of regional prisons. These

were to be 500 or 600-bed multi-level facilities located around the state. The dual goals were to keep the facilities down to a manageable size, so that staff could get to know individual prisoners and track their progress, and to house prisoners close to their homes, so that they would have a better chance of maintaining family and community support.

Today those goals are just memories. The eight facilities designed to be regionals have all been double-bunked and, in some cases, expanded; they now house from roughly 1,000 to more than 2,500. Only the two Detroit facilities – Ryan and Mound – ever approached the concept of primarily housing prisoners who were from the local area. With the closing of Mound, there will be 1,000 fewer beds in Wayne County and the prisoners from Mound will be dispersed around the state. People are routinely transferred all over the state for reasons that commonly have as much to do with the MDOC's need to juggle bedspace as with the prisoner's security classification or need for programming. Whether the prisoner has elderly parents, young children or a spouse in ill health is irrelevant. There is no MDOC policy that requires or even encourages taking the distance from family into account in determining where a person is to be housed.

## Visiting rules keep tightening

Even when loved ones can manage the trip, visiting a prisoner involves multiple hurdles. The MDOC's visiting policy used to expressly state that visits are important to rehabilitation and should be encouraged. Prior to 1995, anyone who was not individually restricted because of prior behavior could visit a prisoner. Even former prisoners were allowed to visit, subject to the warden's approval. There were no special prohibitions on minors. Weather permitting, visiting used to be allowed in outdoor areas that had picnic tables or chairs on the grass. Small children could play with each other in designated play areas. Visitors could bring in photographs to share with their loved one. In 1994, there were approximately 800,000 visits to Michigan prisons.

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## Housing, visiting policies thwart prisoner families

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In 1995, the situation changed dramatically. Prisoners are now permitted to receive visits only from people on their approved visiting lists. These lists are limited to “immediate family members”, as defined by the MDOC, and no more than 10 other people. “Immediate family” does not include aunts and uncles unless there is verification that they served as the prisoner’s surrogate parents. It also does not include brothers and sisters-in-law, sons and daughters-in-law, nieces, nephews and first cousins. Those not defined as immediate family must fit within the prisoner’s list of 10 “others.” No one can be on more than one prisoner’s list of 10. No one under 18 is allowed to visit unless s/he is the prisoner’s child, grandchild or sibling. Former prisoners cannot visit unless they are immediate family or an exempt professional (lawyer, clergy, public official).

The total number of visits allowed per month, the number of weekend visits each prisoner can receive and visiting times and conditions were standardized at all institutions according to security level. Visitors may now leave the visiting room to use the restroom only once. An additional restroom trip terminates the visit; a return to the visiting room is counted as a new visit. Outdoor visiting areas were closed. Children must stay in assigned seating areas so children visiting different prisoners can no longer play together. Visitors are not permitted to bring photos into the visiting room. Despite constant surveillance by an in-room officer and cameras, searches of visitors were made much more intrusive.

The stated purpose of the changes was to reduce the number of visits in order to ease the burden on staff and resources and to better control smuggling. As the prison population exploded in the late 1980’s and early ‘90’s, double-bunking became the norm. Facility populations doubled but the size of common areas, like chow halls, bathrooms and visiting rooms did not. Visiting rooms at facilities in the southern part of the state were overcrowded, waits to be processed were long and visits were sometimes terminated to make room for others. The problem was exacerbated by the tendency of some women visiting male prisoners to

bring their children with them – children not related to the prisoners.

Rather than expand the visiting rooms or prohibit visits by unrelated minors, the MDOC implemented rules that made visiting by all family members more difficult and unpleasant. The consequences to family relationships were substantial. The prohibition on visits by minor nieces and nephews means that prisoners’ adult siblings visit less often because they cannot bring their own children. Relationships between prisoners and their nieces and nephews, no matter how close, are undercut. Teenaged prisoners cannot see cousins their own age. If two brothers are both incarcerated, their aunts, uncles, cousins and in-laws must choose whose list of ten they will join. The reduction in permitted days and hours made arranging visits around work schedules and other commitments much harder, especially if the prisoner is located far from home and the trip requires substantial planning.

In the 12 months from July 2010 through June 2011, there were 240,370 visits. Although the population was 9% larger than it had been in 1994, the visits had dropped by 70%

Still another major change that occurred in 1995 was the use of visiting restrictions as punishment. Prisoners who are found guilty of two major misconducts for substance abuse can have all their visits (except attorneys, clergy and Ombudsman’s staff) taken away permanently. Substance abuse misconducts include a wide range of behavior unconnected to visiting, such as possessing restricted medication, marijuana or homemade alcohol, failing or refusing a drug test, and possessing narcotics paraphernalia. Quantity is not an element of the misconduct charge; a prisoner may be found guilty for possessing one pill or one marijuana cigarette. Since the prisons went smoke-free in 2011, cigarettes have also become contraband and two guilty findings for cigarette possession can also result in a complete loss of visits. Ironically, prisoners who present so few management problems that they are housed in minimum security may be denied visitation for years, solely on the basis of two substance abuse misconducts, while prisoners who accumulate so many or such serious miscon-

ducts that they are classified to maximum security or placed in segregation are permitted to have visits with anyone on their approved lists, though the visits must be non-contact.

In mid-June, 2011, the MDOC made yet another change that diminished visiting opportunities. In order to save money by reducing the number of officers needed to staff visiting rooms, it eliminated all Tuesday and Wednesday visits and made numerous other adjustments to the days and hours when visits are allowed at each facility. Overall, it reduced the number of hours per week during which visiting is permitted by nearly 21%.

The issue is not that individual Level II prisoners can no longer see family members for 39 hours a week. Few prisoners receive anywhere near the total number of visits they are allowed for the total number of hours that visiting rooms are open. The problem is that all prisoners at the facility only have access to visiting during the same hours. Thus more visitors must compete for fewer spaces in the visiting room.

Take, for instance, Lakeland Correctional Facility which houses 1,400 Level II prisoners. The visiting room holds only 49 people, just as it did when the facility's population was 650. The total visiting hours went from 56.5 to 43.5. However, visits are conducted on an odd-even basis. Monday visiting is open to all prisoners, but only those whose ID number ends in an even digit can visit on Thursday and Saturday and only those whose number ends in an odd digit can visit on Friday and Sunday. Thus, family members visiting at Lakeland can actually choose from a total of 20 hours – one weekend day from 9 a.m.-9 p.m. and two weekdays from 2:30-9:00 -- depending on their work and school schedules and the myriad other obligations they must juggle.

While Tuesday and Wednesday were presumably the days least used, eliminating them means some people will be less able to visit and all visitors will face more crowding and more risk of termination on other days. In fact, the total number of visits during the months of Aug.-Oct. 2011 declined by nearly 10% compared to the same period last year. Prisoners report that it is increasingly common for their loved ones to travel many hours in

**. . . incarceration places a heavy burden on even the strongest families and may completely overwhelm those that are fragile.**

each direction only to be limited to a few hours for a visit before they are required to leave. The MDOC does not track how many visits are terminated.

## Conclusion

The nature of prisoner family relationships runs the gamut. At one extreme are parents, partners and children who do everything possible to support their imprisoned loved ones. At the other extreme are the prisoners who have no family or who have burned all bridges to the family they do have. The structure of prisoner families also varies from small and traditional to large and extended to nontraditional arrangements that don't fit readily into official definitions. The one truism is that prisoners' families are disproportionately urban and poor. Many have problems related to poverty that contributed to their loved one's conduct or, at least, made them unable to help.

The Michigan Department of Corrections did not create the circumstances in which prisoners grew up or the problems that many families face. But incarceration places a heavy burden on even the strongest families and may completely overwhelm those that are fragile. The MDOC policies and practices that affect family contact are the same for all prisoners – no matter what their gender, age, ethnicity, medical condition, mental health or family circumstances.

The average minimum sentence for a person incarcerated in Michigan is 8.4 years. That is a very long time in the life of a child, of aging parents, of a marriage. Since the strength of prisoner-family relationships can be critical to how a person manages in prison, how successful he or she is upon returning home and how other family members fare, it is critical to strike a reasonable balance between institutional concerns like security, budget, staffing, and facility convenience and the needs of prisoner families.

## 80% increase in rates = 26% decrease in calls

### **Higher telephone charges burden prisoner families**

Because distance and MDOC regulations make visiting prisoners difficult (see article, pg 7) telephone calls are critical to keeping families connected. Loved ones who cannot see each other face-to-face can at least seek assurance from the sound of a voice that someone is alright and that bonds of affection remain intact. Phone calls are particularly important to young children and to adults who struggle with literacy. Yet a contract the MDOC recently entered with a new phone service provider increases the cost of prisoner telephone calls by roughly 80%. As a result, from August-October, 2011, call volume declined by 26.4% over the same period in 2010.

Until 1995, a prisoner could call anyone who would accept his or her collect call. No one listened in, so prisoners and their loved ones could speak freely. Unless other prisoners were waiting in line, people could generally use the phone for as long as they chose. At the same time that numerous restrictions were placed on who could visit prisoners, multiple restrictions were also placed on prisoner telephone calls.

Now prisoners can only place calls to a list of 20 numbers. The connection is terminated automatically after 15 minutes. Voiceover messages interrupt to remind the recipient that the call originated at a correctional facility. And all calls are recorded so that they can be listened to by MDOC staff.

Repeated changes have occurred in the cost of calls. It is well-documented that prisoner families have a finite amount of money available to spend on phone services. When the rates go down, usage goes up. Conversely, when rates increase, phone usage drops. Until August 2008, Michigan prisoners and their families paid extremely high rates for telephone calls because the price included a substantial surcharge that yielded millions of dollars for the MDOC budget. A 15-minute in-state collect call cost \$7.12. Prisoner debit cards for deducting charges directly from prisoner accounts were not permitted. In 2007, \$11.8 million from prisoners'

family members and supporters (including their lawyers) was appropriated for community corrections.

After much effort by prisoner advocacy groups, then-corrections appropriations subcommittee chairs Sen. Alan Cropsey and Rep. Alma Wheeler Smith agreed to prohibit the surcharge. Rates plummeted and the use of debit cards was established. (Although the debit card draws from the prisoner's account, the money is still generally placed there by family, since prisoners earn far too little to be able to pay for phone calls.) A 15-minute in-state call cost \$1.50 or \$0.10/minute when made by a prisoner using a debit card. Phone usage by prisoners attempting to maintain contact with their loved ones went up greatly. From 2008 forward, boilerplate in the MDOC budget bills, including those for 2011 and 2012, has stated:

"Any contract for prisoner telephone services entered into after the effective date of this act shall include a condition that fee schedules for prisoner telephone calls, including rates and any surcharges other than those necessary to meet special equipment costs, be the same as fee schedules for calls placed from outside of correctional facilities."

Unfortunately, this hard-won victory has begun to erode. As the result of a five-year contract awarded to Public Communications Services, Inc. or PCS, beginning on Feb. 9, 2011, phone rates nearly doubled. An in-state debit call now costs \$0.18/minute, or \$2.70 for 15 minutes. There are similar increases for collect and interstate calls. These increases are not due to a rise in the cost of actually making calls. On the contrary, the base rate under the new contract is less than \$0.04/minute. Less than \$0.01/minute is also added for a feature that allows the MDOC to search recorded calls for "key words." However, the bulk of the increase – which ranges from \$0.14 to \$0.18/minute, depending on the call type – goes to a "special equipment fund."

It is estimated that the minimum amount this increase will generate is \$11.2 million. (That assumes a nearly 40% drop in call volume. If call

volume stayed constant, the increase would yield \$18.4 million.) The proceeds are to be split between the MDOC and PCS, with the department's share increasing as the volume of calls goes up. At a minimum, 70% (\$7.8 million) will go into a "special equipment fund" controlled by the MDOC. The other 30% (\$3.4 million) will go to PCS. Since no services beyond those covered by the base rate for phone calls are specified in the contract, PCS's portion of the surcharge appears to be pure profit.

Although prisoners and their families pay the entire cost of their actual phone usage, they have no say in choosing the vendor or setting the terms of the contract. Their only choice is to pay the rates the MDOC has negotiated or not use the phone. The impact of that choice is apparent from a letter a woman prisoner recently wrote to CAPPS:

"I have two children in separate households. It costs me close to \$8.00 for those two phone calls. I have a fixed income and it's hard to keep a solid foundation with my children with a lack of communication. Writing is very different than calling because my child isn't hearing my voice. I need the phone rates to be reduced."

### The special equipment fund: a closer look

The rationale initially offered for the special equipment fund was that it would be used for cell phone detection equipment. However, after a great many questions were raised about the need for and cost-effectiveness of spending nearly \$8 million a year on cell phone detection, the MDOC no longer maintains that the money will be used for that purpose. It now says the special equipment fund will allow the MDOC "to set aside funds to purchase equipment that will enhance the safety and security of our correctional facilities." That equipment could include such items as handcuffs, radios, weapons and vehicles for patrolling facility perimeters – all routine expenditures historically purchased from the General Fund appropriation. Thus prisoners and family members are being permitted to maintain their relationships through telephone calls only if they make a contribution to the MDOC operating budget. Their option is to not use the phone.

Since the equipment to be purchased has nothing to do with telephone service, it is difficult to distinguish the special equipment fund from the statutorily prohibited surcharge. It also appears that using such a surcharge to supplement the MDOC budget was contemplated in the bid process that led to PCS receiving the contract. The Executive Summary to PCS's Telephone Pricing Clarification states:

"Understanding that budgets are shrinking for all State agencies, as part of our Best and Final Offer, PCS is also willing to work with the MDOC to create a Special Equipment Fund to help bridge any potential budget shortfalls. The amount of this fund can be set at the discretion of the MDOC."

At least four major concerns arise from this surcharge.

1. The surcharge appears to violate the legislative intent expressed in the boilerplate of past and current appropriations bills.
2. The surcharge may violate the constitutional right to intimate association of prisoners and their family members since conditioning phone usage on an involuntary contribution to the MDOC operating budget burdens their ability to maintain family relationships.
3. There is no evidence whatsoever of benefit to prisoners, their families, the MDOC or taxpayers from the payment of 30% of the "special equipment fund" to the private vendor, PCS.
4. In addition to the rates described above, all prisoner phone calls have state and federal taxes added. (This is unlike the previous contract in which taxes were included in the per minute phone rate.) These taxes are being assessed on the entire amount charged, even though less than \$0.04/minute of that amount is actually for phone services. Thus, "phone taxes" are being paid on the special equipment fund portion of every call.

## The effects of prison visitation on offender recidivism

*The following summary of a study conducted by the Minnesota Department of Corrections is reprinted from that department's website. The full report can be found at: <http://www.doc.state.mn.us/publications/documents/11-11MNPrisonVisitationStudy.pdf>*

November 2011

The Minnesota Department of Corrections (DOC) recently completed a study that examined the effects of prison visitation on offender recidivism. Using an average follow-up period of nearly five years, the study evaluated the relationship between prison visitation and recidivism among 16,420 offenders released from Minnesota prisons between 2003 and 2007.

### Key Findings

- Offenders who were visited in prison were significantly less likely to recidivate. The reductions in recidivism were:
  - 13 percent for a felony reconviction
  - 25 for reincarceration for a technical violation revocation
- Nearly 40 percent of the offenders were not visited once while in prison.
- Visits from siblings, in-laws, fathers and clergy were the most beneficial in lowering recidivism.
- The frequency with which inmates were visited had a significant effect on recidivism.
  - Inmates visited more often were less likely to recidivate.
- Visits closer to an offender's release date had a greater impact on reducing recidivism.
- The larger an offender's social support system, the lower the risk for recidivism.
  - The total number of different individual visitors an offender had was significantly associated with less recidivism.

The results from recent studies on prisoners in Florida and Canada suggest that both the presence and frequency of prison visits during the last year of confinement were associated with reduced recidivism. Rather than focusing on the impact of visitation during the last year of imprisonment, this study extended research on prison visitation and recidivism by using multiple measures of visitation over the entire confinement period to assess the effects of the number, timing, and type of visits (e.g., friend, sibling, mentor, etc.) on reoffending. It also examined whether the size of an offender's social support network, as reflected by the number of individual visitors, is associated with recidivism. Further, given that offenders in the sample were tracked through June 2010, a relatively lengthy follow-up period (an average of nearly five years) was used for recidivism, which was measured two different ways.

### Recidivism Results

The findings suggest that prison visitation can significantly improve the transition offenders make from the institution to the community. Any visit reduced the risk of recidivism by 13 percent for felony reconvictions and 25 percent for technical violation revocations. The findings further showed that more frequent and recent visits were associated with a decreased risk of recidivism. The results also suggest that the more sources of social support an offender has, the lower the risk of recidivism.

While visits in general reduced recidivism, visits from some individuals (fathers, siblings, in-laws, and clergy) were more beneficial than others. The significant effects found for visits from fathers may reflect the fact that, compared to growing up with a single parent (usually the mother), a two-parent

household is generally a protective factor against criminal offending. In offering more of a peer perspective, siblings may help offenders remain accountable by providing them with more honest support and feedback. For those who are married, visits with either spouses or children may be difficult because they create more stress and are often reminders of how their incarceration is preventing them from raising their children or helping provide for their families. In-laws, on the other hand, may be able to provide offenders with supportive visits from family members that are generally free of the difficulties that may accompany visits with spouses or children. Finally, considering that clergy often receive training in helping individuals through difficult life circumstances, they may be able to give offenders effective counsel and support.

## Summary

The results indicate that prison visitation can improve recidivism outcomes by helping offenders not only maintain social ties with both nuclear and extended family members (especially fathers, siblings, and in-laws) while incarcerated, but also by developing new bonds such as those with clergy or mentors. In doing so, offenders can sustain or broaden their networks of social support, which was important in lowering recidivism. Revising existing visitation policies to make them more “visitor friendly” may represent a relatively low cost-potentially high benefit measure that correctional systems could take to help ease the burden of prison overcrowding and budget deficits.

While policies that are more visitor friendly would likely help increase visitation overall, it is anticipated that these types of policy changes would not necessarily increase visitation to a significant extent among inmates who have little or no social support. To encourage the development of social bonds among unvisited inmates, who comprised nearly 40 percent of the sample, it may be helpful to consider allocating greater resources towards identifying sources of social support for high-risk offenders who are less likely to be visited. Given that correctional programming tends to be more effective when there is a continuum of care, or service delivery, from the institution to the community, efforts should also be made in the community to help to preserve the social ties that were established or maintained in prison so as to further strengthen the beneficial effects of prison visitation.

## The News from CAPPS

*(Continued from page 6)*

ing ways in which private resources, like foundation grants and volunteers, might be used to supplement the department’s efforts. We are focusing on post-secondary education, strengthening families and systematically recruiting and training volunteers to deliver a range of enrichment programs. Our new associate director, Richard Stapleton, has spent much of his time working with a diverse group of stakeholders – former prisoners, prisoner advocates and family members, current and former MDOC staff, educators and social service providers and members of the faith community. Three program committees have developed concepts that we must now refine into grant proposals. We also plan to recommend policy changes that will increase program access without compromising security.

While we are determined to meet the ever-evolving challenges of our mission, the other constant challenge we face is keeping CAPPS afloat. Although the quantity and quality of corrections spending has an enormous impact on public services and public safety, corrections policy work does not draw broad financial support. We are grateful for the recent donations of many supporters and want to say a special thank you to the men at Lakeland Correctional Facility, who gave generously through their Prisoner Benefit Fund. However, we still have a large hole in our budget to fill. We ask that those who share CAPPS’ goals but have not contributed recently consider giving what they can. Every amount helps stretch our shoestring budget a little farther.

## Programs for sex, assaultive offenders: an update

In the Spring 2011 edition of *Consensus*, we provided an overview of the MDOC's recent efforts to revise its longstanding sex and assaultive offender programming. As we reported in "Prison Treatment Programs; Rehabilitating the System", the delivery of these programs has long been fraught with problems, particularly the long waiting lists that resulted in many prisoners not being able to complete the programs before they became eligible for parole. Since our report, there have been further changes in the department's plans for implementing new treatment programs for sex offenders and prisoners with assaultive histories.

The MDOC's administrative rule on the factors that must be considered by the parole board in granting a parole requires that a prisoner being considered for parole must receive a psychological or psychiatric evaluation before the release decision is made if the prisoner has a history of a hospitalization for mental illness within the past 2 years, a history of predatory or assaultive sexual offenses, or a history of serious or persistent assaultiveness within the institution [R 791.7715(5)]. Traditionally, the evaluation was completed by the psychologist who conducted group therapy with the prisoner in either a Sex Offender Program (SOP) or Assaultive Offender Program (AOP).

The new protocols for treatment to replace the old SOP and AOP has resulted in some prisoners no longer being assigned to treatment that culminates in a psychological evaluation for the Parole Board. The MDOC has therefore created new processes for referral for psychological evaluation of those cases that will no longer be assigned to SOP or AOP.

### Sex Offenders

The department has drafted, but not yet implemented, a redesign of its programming for sex offenders. Ultimately, the department hopes to have all sex offenders who are within five years of their earliest release dates (ERD) placed in housing units at six to eight selected "hub" facilities where self-help groups are created and specialized materials are made available in the libraries. They will

begin treatment as they approach their ERD. The intensity of that treatment will depend on their risk levels as determined by risk assessments. Prisoners who are assessed as high risk for re-offending will receive 300 hours of treatment over twelve to eighteen months. Moderate risk offenders will require 200 hours over six to nine months. Both models are identified as Sex Offender Treatment (SOT) and are designed to be 10-member therapy groups run by psychologists.

The department no longer plans to require low risk sex offenders to complete an educational, non-therapeutic program entitled, Sex Offender Didactic (SOD). It was anticipated that 15 SOD groups with 25 members each would be run at six facilities. The MDOC revisited these plans and decided that sex offenders who are low risk for committing another sex offense and low risk on a COMPAS violence scale will not be required to participate in treatment. Offenders who are low risk for committing another sex offense, but moderate risk on the COMPAS violence scale will be required to complete "*Thinking for Change*" to address their risk for violence.

The department reports there are currently 584 low risk sex offenders who will not be enrolled in SOP, but who will still require a psychological evaluation prior to parole consideration. Although there has been no announcement of a date for completing all of these evaluations, the department has identified the offenders requiring evaluations and directed that regional health care directors develop plans for completing the referrals.

The department reports that it is still in the planning stages for training staff on the new SOT program. There is no date set for implementation. In the meantime, moderate and high risk sex offenders will be assigned to complete the traditional SOP. There are currently 399 prisoners who are past their earliest release date and waiting for placement in an SOP group. Almost half of this number (216 cases), are moderate or low risk cases who were referred for SOP following psychological evaluation. The current structure of programming for sex offenders is summarized below:

VASOR Reoffense Score and STATIC - 99	COMPAS Violence Risk Score	Type of Program
Low	Low	Psychological Evaluation
Low	Moderate	Psychological Evaluation Thinking 4 Change
Low	High	AOP
Moderate or High	Low/Moderate/High	SOP

The MDOC discontinued its facility-based Residential Sex Offender Program (RSOP) in September 2011 based on lack of funding. The community-based program in which parolees are placed by special condition of the parole board is continuing. The department has indicated that the facility-based part of the program will be returned to the Cooper Street Correctional Facility sometime in 2012, but no date has been set.

## Assaultive Offenders

The MDOC has continued with its plan to replace AOP with the Violence Prevention Program (VPP) developed by the Canadian prison system, Correctional Service of Canada. VPP will have two treatment tracks depending on the level of assaultiveness predicted by the COMPAS violence scale.

Prisoners who began serving their sentences prior to Oct. 22, 2009 are screened for AOP based on whether they are currently serving for an assaultive offense. A prisoner who began serving for only a non-assaultive offense prior to Oct. 22, 2009, may be referred for AOP through an override process.

All prisoners with a commitment date after October 22, 2009 are screened for placement into VPP based on the results of the COMPAS assessment, specifically the violence risk scale, and their criminal history. Prisoners who score low risk will not be placed in VPP. Prisoners who score medium or high risk but have no current or prior

assaultive convictions will also not be placed in VPP. All cases are subject to an override process.

Prisoners who score medium violence risk and have one or more adult convictions (felony or misdemeanor) for an offense involving harm or the threat of harm to a person (other than a sexual assault or domestic violence) will be placed in three-month moderate intensity VPP. Those who are high violence risk and have one such conviction will also be placed in moderate intensity VPP. Those who score high risk for violence and have two or more convictions will be placed in high intensity, five-month

VPP. Juvenile offenses are not counted, but may be considered as a basis for an override for program placement. The MDOC is working on implementing domestic violence programs for both male and female prisoners, but do not yet have a starting date.

The MDOC reports that VPP will be implemented department-wide early in 2012. Pilot training programs were conducted at the Handlon, St. Louis and Macomb correctional facilities in July 2011. The current plan is to begin rolling out VPP starting with 10 facilities in February 2012. The department says that the rollout process will include “master training certification, hiring additional programming staff at the facility level, curriculum reviews and revisions, training facility staff (ReEntry Processors and Classification Directors) on the referral and documentation process, and regularly meeting with master trainers to develop a VPP MDOC staff training plan.” The department is hiring 32 additional staff for assignment to designated facilities to assist in the delivery of VPP and other, as yet unidentified, Phase I reentry programs.

In the meantime, MDOC continues to use interim measures to address the prisoner population requiring treatment for assaultive behavior. High risk cases, based on the COMPAS assessment, and prisoners who are referred by staff or the parole board through an override process, are receiving AOP. Moderate risk cases are being assigned to a *Thinking for Change* program until VPP is

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## Programs for sex, assaultive offenders: an update

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available. Low risk cases are not assigned for treatment, unless referred by the parole board. Prisoners with a history of serious or persistent assaultive behavior while in the institution will be referred for psychological evaluation during the Parole Eligibility Report process.

There are currently 162 prisoners who are past their earliest release date and waiting for assignment to an AOP group compared to 714 in April 2011. The department is in the process of placing 153 more in groups.

The MDOC is certainly doing better at providing programs for prisoners who are required to complete treatment prior to parole release. There

are significantly fewer prisoners waiting for program placement beyond their earliest release dates. It is still not clear, however, whether the parole board will concur that low-risk prisoners do not need programming. If not, the people referred back by the board for treatment will continue to be held beyond their earliest release dates in order to participate in programming. Thus far, the parole board has referred 208 cases for AOP and 121 cases for SOP. It remains to be seen whether the Board will develop a comfort level with the new programs and screening criteria. If all goes as planned that will be evident in the coming months as the department replaces AOP with VPP and implements a new SOT program.

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## Prisoner education: creating opportunities for success

(Continued from page 5)

tional programs, including television production, appliance repair, meat processing, air conditioning, and others that are no longer available. Over 10% of the population of 17,744 prisoners was enrolled in vocational training.

It is clear from Table 2 that prison programming has continued to lag behind the increased rate of incarceration in Michigan. The unfortunate result has been that proportionately fewer persons are returned to the community with vocational training. Also unfortunate is the fact that with additional investment in education funding, the state may have been able to reduce the number that were ultimately returned to prison for new criminal behavior.

The waiting lists for vocational programs have consistently been approximately twice the number of actual enrollment. In 2011, for example, there was an average of over 3,700 prisoners waiting for program placement. More than 4,100 prisoners were on waiting lists for vocational programming in 2008. Prisoners are enrolled as space becomes available at the facility in which they are housed. Although prisoners are not routinely transferred *for* placement in a vocational program, they are frequently transferred *from* facilities at which they are enrolled in courses, resulting in their

failure to complete the program.

The MDOC is required to report quarterly to the legislature on the number of prisoners on waiting lists and the number who fail to complete programs. It is unknown, however, how many prisoners are ultimately never able to enroll in a program due to space and program limitations.

The MDOC's plans for reducing waiting lists include the use of eligibility priorities for placing students. Prisoners within three years of their earliest release date who have not previously completed a vocational program are given priority, for example, over a prisoner who is beyond three years from release. Prisoners serving long prison sentences are therefore unlikely to be able to enroll in programs until they have neared their minimum sentences. A 20 year-old offender with a 20-year minimum sentence, for example, would serve 17 years and be almost 40 years old by the time she or he could be placed in a class.

Waiting until prisoners are near their release dates on their minimum sentences before offering vocational programming results in missed opportunities to rehabilitate offenders and to more safely manage the facilities. Excessively long waiting lists and established priorities for enrollment are the result of underfunding. Excluding prisoners

with long minimum sentences, or those who have already taken a course, from vocational training is shortsighted because it could cost the prisoner and the state much more in the long term for re-incarceration.

Studies sponsored by the Federal Bureau of Prisons have found that recidivism rates are inversely related to educational program participation while in prison. The more educational programs

boost in 1972 with the creation of the federal Pell Grant program, a needs-based funding source for attending college. Although the program was created to assist citizens in general to attend college, prisoners were also eligible for grants if they met the needs-based criteria. The program ultimately provided a source for higher education funding for many prisoners. In 1988, for example, Michigan had 2,271 prisoners engaged in community college

courses and 116 prisoners were involved in Bachelor's degree programs. Thus, more than 8% of the prisoner population at that time were enrolled in college programs.

In response to public sentiment in the 1990s that providing prisoners the opportunity to earn a college degree amounted to rewarding individuals who were undeserving, elected officials began introducing legislation to prohibit tuition assistance to prisoners. Despite the position of policy experts within the federal and state governments that there were sufficient funds in the program and that other eligible applicants were not denied grants as a result of those given to prisoners, provisions of the Violent Crime Control and Law Enforcement Act enacted in 1994 disqualified prisoners from obtaining Pell grants.

In 1992, there were 2,476 prisoners enrolled and participating in college classes at seven correctional facilities. By 1996 there were only 385 prisoners in college classes, these only at the facilities that were required by courts to provide college programming as a result of litigation. Community colleges and universities that had previously presented college courses inside the prisons discontinued doing so due to lack of funding.

In an informal survey conducted in January 2011, CAPPS asked prisoners what additional programs they would like to see and how those programs would help in their return to the community. Prisoners overwhelmingly responded with recommendations that the department offer more programming that would provide marketable skills and college degrees. The survey responses reflect a common desire among prisoners to improve their

completed for each six-month period a prisoner is confined, the lower the recidivism rates. Harer's study found there is approximately a 15% greater rate of recidivism among prisoners with no educational participation than those who participated in educational courses during each six-month period of their incarceration. The study confirmed that the greater the rate of participation the lower recidivism rates drop. Michigan is missing out on the chance to truly impact the likelihood of its released prisoners coming back.

The vocational courses offered as part of the Career and Technical Education Program are delivered by MDOC employees. There is no collaboration between the department's oversight of volunteer programs and the Educational Services Section. Thus, volunteers with backgrounds in recognized trades and professions are not utilized for the services they could provide within facilities to increase the type and numbers of programs that could be made available for prisoner education. Encouraging and developing participation by volunteers from the local community could create a wealth of opportunities for prisoners without any additional cost to the state.

## Higher Education

Higher education opportunities for prisoners across the nation experienced a significant

**“Programming needs to begin when women enter prison and continue as long and as often until they’re released, instead of waiting until the way out the door. Make it a way of life instead of an afterthought.”**

**Heather F. Robinson, 309247**

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## Prisoner education: creating opportunities for success

*(Continued from page 19)*

chances when they are released and a recognition that college courses leading to a degree would increase their likelihood of being successful.

Although the MDOC's policy on education permits colleges to offer programs to prisoners, subject to approval by the Deputy Director, very few programs actually exist. The MDOC currently participates with Montcalm Community College, for example, in providing college credit courses in business enterprises for offenders under 35 years of age at three correctional facilities. Funding has been provided through a federal Incarcerated Youth Offender (IYO) block grant. State funds are not used for program tuition or supplies.

Despite the absence of state funding for college courses in prisons, there are a few promising examples of college level offerings brought by volunteers to individual Michigan facilities. It has typically been the dedication of the volunteer faculty members and the leadership of specific wardens and their staff that create the success of the limited programs that currently exist. Examples include faculty that have volunteered from Adrian College, Grand Valley State University, Saginaw Valley State University, and the University of Michigan-Dearborn. In some cases, professors have brought their university students to learn alongside prisoners. The Prison Creative Arts Project (PCAP) at the University of Michigan uses students to teach classes in creative arts and writing.

A number of other state correctional systems have found innovative ways to partner with colleges or universities to provide access to college programming for prisoners. A few have found ways to provide funding for such programs as well. In a 2005 study, the Institute for Higher Education Policy found that 14 states had over 1,000 prisoners each enrolled in college credit courses as part of their post-secondary correctional education programs. Texas, North Carolina and Washington each reported having more than 5,000 prisoners enrolled in college credit courses.

### Correspondence Courses

The MDOC permits prisoners to participate, at their own expense, in college programming through correspondence courses offered by colleges and universities. The department does not maintain statistics on the number of prisoners who take correspondence courses, nor does it approve or endorse specific colleges or programs. The programs are selected by the participating prisoners. These may include, for example, the College Program for the Incarcerated through Ohio University and the Pathways Program for Incarcerated Students through St. Cloud State University.

Although the MDOC indicates that prisoners are encouraged to pursue college degrees through correspondence, in practice prisoners are frequently hindered in doing so by the department's own policies. MDOC policy (PD 05.02.119) prohibits the use of department resources, including money and staff, to "assist a prisoner with enrolling in or completing a correspondence course." Staff may not assist a prisoner in completing assignments, but may, with the warden's approval, volunteer to proctor examinations while they are on duty. It is dependent on the individual warden's philosophy towards higher education and correspondence courses whether staff members are in fact encouraged to volunteer for proctoring. Prisoners are not allowed to use any department equipment that has been purchased with state appropriated funds (e.g., computers, typewriters) for completion of class assignments.

Although prisoners pay for correspondence schools from their own funds, they must first obtain a recommendation from the facility's school principal and then the approval of the warden to participate. The approval process must be repeated for each semester that they are enrolled. Prisoners in segregation are prohibited by policy from taking correspondence courses.

### Technology

Until recently, prisoners were barred by

legislative prohibitions and department policy from participating in internet-based classes. Appropriations bills had required that “Funds ... shall not be expended to provide prisoners with access or use of the internet or any similar system.” Of course, in addition to the obvious inappropriate possibilities that the ban was intended to protect against, such an overly broad ban on internet access restricts

prisoners from productive and rehabilitative uses of the internet. Fortunately, the restrictions on internet

use have been loosened. Legislative boilerplate now says: “Under adequate supervision and with security precautions that ensure appropriate computer use by prisoners, the department may allow a prisoner access to or use of the Internet for the purposes of educational programming, employment training, job searches, or other Internet-based programs and services consistent with programming objectives, efficient operations, and the safety and security of the institution.” (2011 PA 62, Sec. 903)

Correctional facilities are equipped with computers for use by prisoners in educational programming which could also be used for internet based courses. MDOC policy now provides that the Deputy Director may grant access to internet-based programs and services that are consistent with programming objectives (e.g., educational programming; job training) and efficient operations, and which do not pose a threat to the safety and security of the facility. Nonetheless, CAPPs is advised that prisoner requests for access to internet-based college courses have been routinely denied.

to prisoners. The systems are not routinely used for educational programming. Additionally, most facilities have computer equipment that is used in the education program. However, prisoners are not allowed to use the equipment outside of a regular scheduled class. Pre-recorded academic and other self-help life skills programming should be made available through the closed circuit television

**“The MDOC can store tutorials in the Kiosk systems prisoners use for their MP3’s. Instead of music we can buy classes from places like ‘The Learning Company’ whose classes are priced within prisoners’ reach.”**

**Larry Conic, 210021**

system and on computer equipment. There are currently no specific policies in place, nor are staff assigned at the facility level, for education programming on existing computer systems or over television and audio equipment, including MP3 players. The MDOC administration should encourage the use of existing technology to advance education endeavors within the facilities.

## Conclusion

Research has clearly demonstrated that prisoners who participate in post-secondary education have lower recidivism rates than those who do not. In addition to their impact on recidivism, educational programs provide added state savings from reduced reliance on welfare and increased taxes paid when the formerly incarcerated have higher wage jobs. Thus, academic and vocational programming for prisoners is a wise and cost-effective investment of taxpayer dollars. Michigan should look to the future by allocating funds for correctional education now to better serve all of its citizens.

**“We as inmates need to be in tune with all the new technology today because the workforce is not the same as yesteryears.”**

**Cleo E. Mallory, Jr., 179267**

Many of Michigan’s correctional facilities have closed circuit television systems with more than one channel available for broadcasting

## Some states continue college classes

Despite the lack of Pell grants for prisoners, there are still corrections systems that have continued college programming through creative strategies and partnerships with colleges, foundations and individual donors as well as through government funding. These include:

### Indiana

The Indiana State University's *Correction Education Program*, which began in 1988, includes five facilities. Coursework for an Associate degree is delivered on-site, with classroom space provided by and within the facilities. The Bachelor degree coursework is delivered offsite via the internet. A proctor serves as the classroom monitor as the students interact with the instructor via two-way video conferencing. The Indiana Department of Corrections reports there were 3,301 prisoners enrolled in college courses in Indiana during the 2008-2009 school year. Although a recent study of the program conducted by the University has demonstrated that education programs within Indiana's correctional facilities produced a 34% reduction in recidivism, the program is in jeopardy next year as result of recent amendments to Indiana law which will exclude prisoners from eligibility for state aid to attend college. The program has been paid for by financial aid grants to students through the university.

### California

The *College Program* at San Quentin is an extension site of Patten University, an accredited independent university in Oakland, California. It provides intensive college preparatory courses in math and English, as well as, 20 courses each semester in the humanities, social sciences, math and science to over 300 students each semester at the San Quentin facility. All faculty in the program work as volunteers. The program is supported entirely by the Prison University Project through donations from individuals and foundations. Students in the program pay no fees or tuition. All textbooks and school supplies are provided by the Prison University Project; the bulk of all textbooks are donated by the publishers. It takes students, who hold regular prison work assignments in addition to taking college courses, approximately 3½ years to complete an Associate degree.

### North Carolina

Classes funded by the state are offered by community colleges in North Carolina's correctional facilities. The North Carolina Legislature appropriates funding for each full-time student attending a college within the statewide community college system and does not differentiate between incarcerated and non-incarcerated students. The Department of Corrections has also contracted with the University of North Carolina to use federal "Incarcerated Youth Offender" grants to fund four-year degree courses taught by UNC faculty to prisoners under 35 years of age.

### Texas

Prisoners in Texas may pursue post-secondary studies through the Windham School District (WSD), a legally recognized entity that receives funding from the Texas Department of Education. WSD offers several levels of education, including post-secondary programs through contracts

with colleges and universities in the same geographic regions as correctional facilities. Prisoners under the age of 35 and within five years of release are eligible to receive financial aid for tuition and materials associated with postsecondary education classes from an “Incarcerated Youth Offender” grant. WSD uses the money to cover the cost of the first three courses taken by eligible inmates. For inmates over the age of 35, WSD will pay for one class each semester; if a prisoner chooses to take additional classes, s/he is required to pay for the cost of those classes upon release from prison as a condition of parole.

## Massachusetts

The *Prison Education Program* offered by Boston University holds college courses at two Massachusetts correctional facilities. Since its inception in 1972, the program has conferred 284 Bachelor’s degrees of Liberal Studies. The program is supported entirely by Boston University, a privately funded institution.

## New York

There are a number of college programs serving different institutions within the state of New York, including the following three well-known examples.

*Hudson Link* was founded when state and federal funding for college education in prisons was stopped. Prisoners reached out to religious and academic volunteers to bring college education into Sing Sing Correctional Facility. *Hudson Link* began offering courses in June 2000 with faculty from Nyack College. The program now includes a partnership with Mercy College. The students at Sing Sing take the same curriculum as other Mercy College students to earn college degrees. Hudson Link relies on the support of individual donors, congregations and foundations to support its programs.

The *Bard Prison Initiative* began in 1999 with student volunteers from Bard College as tutors in local New York prisons. In 2001, BPI outgrew its role as a student organization and became an academic program of the College. In 2005, BPI awarded the first Bard College degrees to prisoners. It now operates a network of 5 satellite campuses across New York. The Initiative is funded by private donors and foundations.

The *College Bound* program at Bedford Hills Correctional Facility, a maximum security prison for women in Bedford Hills, New York is a consortium of five schools led by Marymount Manhattan College that awards Associate’s and Bachelor’s degrees to its students. The consortium contributes the faculty, resources, and other support to maintain the program. *College Bound* was the subject of a 2001 study, *Changing Minds*, which found that women in the program had a 7.7 percent rate of recidivism compared to a rate of 29 percent for non-participants.

## Illinois

The *Education Justice Project (EJP)* of the University of Illinois is a “college-in-prison” program for prisoners at Danville Correctional Center. The project began in 2006 with volunteer faculty offering reading groups and college level classes. The project now consists of 50 volunteers who provide a constant, positive presence at the facility. In 2011, there were 80 prisoners enrolled as students in University of Illinois college classes through EJP. Volunteers also manned EJP Resource Rooms, providing course and computer tutoring services. Math, science, writing and publishing workshops were added in 2011 as part of the EJP. Funding comes entirely from foundation grants and private donors.

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CITIZENS ALLIANCE ON  
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My tax deductible contribution, payable to "CAPPS," is enclosed.

My membership category is:

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