

Testimony of Sol Rodriguez
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Hearing before the Senate Judiciary Committee

The views expressed are those of the author and should not be attributed to OpenDoors, its trustees, or its funders.

Senator Leahy and distinguished members of the committee:

Thank you for the opportunity to submit testimony today on the issue of prisoner re-entry. My name is Sol Rodriguez and I am the Executive Director of OpenDoors, a non-profit community-based organization in Providence, Rhode Island. The mission of OpenDoors is to strengthen communities by supporting the formerly incarcerated. We were one of the recipients of the 2009 Second Chance Act Mentoring awards for our peer and one-on-one mentoring programs.

OpenDoors was originally created in 2002 out of the shared vision of churches, community-based organizations, and officials at the Rhode Island Department of Corrections to address the disproportionate impact of incarceration on certain neighborhoods in Providence, Rhode Island. We have since expanded to work with individuals all over the state and to serve as a one-stop center for formerly incarcerated individuals and their families.

Throughout our long history of supporting this population, we have become intimately familiar with the many challenges of this work. While formerly incarcerated people consist of a diverse group of individuals with experiences, education levels, and histories all over the map, the population is disproportionately low-skilled with little or no work experience or formal education. Individuals returning to Rhode Island from prison reflect national trends: more than half are parents, they are disproportionately people of color, and the median education level is less than high school. Many returning individuals have mental health and substance abuse issues, lack stable housing, and possess crippling debt.

Successful re-entry can be profoundly difficult, even for those individuals deeply committed to the process. In Rhode Island, inmates are given no more than a bus ticket when they are released from the prison facilities. They often return to fractured relationships, little or no financial resources, few job prospects, and other mounting barriers. There is legal discrimination in employment and in housing. Our clients are frequently barred from gainful employment by their criminal record, and are ineligible for subsidized housing for 10 years following a felony conviction—often even longer. Individuals released from prison often have terrible credit and astronomic levels of debt - one study in Massachusetts found that, on average, individuals leaving prison owe more than \$10,000 in unpaid child support.

Accessing resources that are designed to aid people in transition requires extensive knowledge navigating the bureaucracies, many of which have strong incentives to exclude this population due to their multi-layered needs. Additionally, there is a tremendous cultural stigma associated

with having a criminal record, and serving individuals who are formerly incarcerated is often the last on the list of causes a charitable or philanthropic individual might support. There are very few resources designated to serve this population despite the overwhelming evidence of the need.

Meanwhile, incarceration rates continue to escalate at an alarming pace. The United States has the highest incarceration rate in the world. There are nearly 2.4 million Americans behind bars in this country – or one in every 100 adults – and one in every 31 individuals are under some kind of criminal justice supervision. In some communities, as many as one in every eight adult males is incarcerated. Over 600,000 individuals will be released to our communities each year, and most people in prison will someday be released. The repercussions of the tough on crime movements of the last several decades will be felt for years to come, which is why it is critical that we create solutions to deal with this issue now.

Our collective failure to provide support for individuals returning from prison is reflected in our recidivism rates. In Rhode Island, over 62% of individuals will return to prison within three years of release. In some states, this number is as high as 70%.

This has a gigantic social and economic cost. As a country, we spend about \$69 billion on corrections each year. In Rhode Island, we spend an average of \$40,000 a year *for each individual who is incarcerated*. States spend an average of 7% of their budgets on incarceration, and the cost of medical care for inmates is increasing 10% annually. This amount is clearly a reflection of our priorities – in many states, including Rhode Island, we spend more on prisons than we do on higher education. In tighter financial times, investing financial resources in this way becomes harder and harder to justify.

Not only does this reflect a drain on state and federal budgets, it also reflects a loss of millions of dollars in potential taxpayer revenue. In Rhode Island, as in other parts of the country, we have an aging workforce that will need to be replaced. We cannot afford to have such a high proportion of our young people de facto excluded from the workforce during the peak of their earning potential. Individuals who are formerly incarcerated, unable to obtain employment, and cycling through the prison system will be unable to pay into social security funds. Unpaid child support and the loss of the stability of a two-parent household also produce huge financial and human costs for families.

The consequences of these factors, when taken together, represent a significant future public safety threat to our society. Formerly incarcerated individuals must surmount incredible obstacles to avoid returning to the streets or prison. If we do not take steps to solve this issue now, we will be spending much more in the future to support these individuals and their families once they are past the age of employability with no social safety net to fall back on. As a society, we will bear the burden of this mistake for decades to come in services we provide for the homeless, urgent medical care, victims' services, public assistance, and the costs of children in state custody.

It does not have to be this way. Programs that help the formerly incarcerated secure jobs, ease the transition from prison to the community, and provide relationship-based support have been proven to lower recidivism costs and transform individuals from tax burdens to tax payers. In

Michigan, the Michigan Prisoner Re-Entry Initiative was recently able to cut recidivism rates statewide from 55% to 38% because of deliberate and significant state investments in re-entry programming. There is reason to believe that this kind of success can and will continue if the resources are made available.

At OpenDoors, we attempt to provide solutions to these issues holistically, addressing each barrier in connection to the others, and providing our clients with the best possible chance of success post-release. We begin by preparing inmates for release from state facilities. OpenDoors continues to provide strong support during the post-release period, and assists families of offenders through counseling and programming that builds on individual and family strengths. Our walk-in resource center offers monthly programming specifically designed for individuals with criminal records that includes housing preparedness, job readiness and job placement, one-on-one and peer mentoring, civic participation, financial literacy, computer skills, recovery services, and more. The agency is also currently in the process of developing the first re-entry housing project in the state, which upon completion in May 2011 will provide 19 units of permanent supportive housing for formerly incarcerated individuals, expanding access to Section 8 vouchers previously unavailable to them.

It has been our experience that direct service is not enough to curb this rising tide. Too often, individuals with criminal records are wholesale barred from access to the very services ostensibly designed to serve disadvantaged populations. Because ex-offenders face barriers related to their incarceration above and beyond those faced by other poor people – including but not limited to legal restrictions, the time and geographic limitations placed on them by probation and parole, and debt related to incarceration costs – they are much harder to serve. Government and non-profit agencies alike frequently exclude this population from their services because of the difficulty of meeting performance metrics that are designed without taking a realistic appraisal of these barriers into account. This issue has been well-documented in the implementation of programs like the Workforce Investment Act, but cuts far and wide in the service provision field.

In an effort to more holistically serve our clients, we began engaging in policy and advocacy work on behalf of this population in 2003, and have celebrated multiple successes. In 2004, we successfully lobbied Rhode Island to opt out of the federal ban on food stamps for individuals convicted of felonies, thus increasing access to this critical safety net. In 2006, we were able to restore the right to vote for individuals on probation and parole through a ballot initiative that amended the state constitution, and have since registered over 6,300 formerly disenfranchised Rhode Islanders. Over 3,000 individuals on probation or parole in the state voted in the 2008 election and, based on national data, are not expected to have voted significantly differently from the rest of the population. Our successful court debt reform advocacy has increased flexibility in the state, allowing individuals to create payment plans and pay down their debt incrementally, instead of simply being re-incarcerated for unpaid debt at a financial cost to the state.

A large part of our re-entry support has always centered on building relationships and creating a safe haven for formerly incarcerated individuals—a place where they can engage in positive activities and obtain needed services instead of returning to the destructive, unsafe, and triggering environments in which they were initially arrested. By providing a walk-in community

space that is welcoming to this population and holding regular community events and activities, we have been able to strengthen families and encourage healthy and supportive environments for our clients. Our peer mentoring program was established as part of this effort, and has been sustained and expanded under funding from the Second Chance Act.

Our Second Chance Mentoring Program, launched this spring, aims to provide peer and one-on-one mentorship opportunities for the formerly incarcerated. This program has been paired with our transitional jobs and advanced employment program, offering individuals hard skills and pre-requisite training that will help to ensure their success in the workforce. Mentors and mentees both go through extensive training and assessment to ensure successful matches, which are made prior to their release from prison and continue for a year after their release. This program is bolstered by ongoing community-building activities at our center, and the collaborative relationships we have developed with churches, businesses, and other organizations.

Our one-on-one mentoring program has increased our capacity to build networking opportunities for our clients. A recent survey of over 900 Rhode Island employers found that a referral from a trusted source was the single greatest reason why someone would hire an individual with a criminal record--findings which mirror other national studies. Toward this end, we seek to create mentor-mentee matches that not only provide an opportunity for alternative social interaction and role modeling but increased access to services, networks, and eventually, jobs.

The testimonies of our clients confirm the importance of this type of program for facilitating a smooth transition out of prison. A recent mentee stated, "This program sounds like it is exactly what I need. I have been on my own for many years. Without guidance and support I ended up in jail. A positive role model would do me a world of good." Another said, "I have struggled with positive male role models in my life. I am excited to find that support to help me get my second chance."

The experience has been a positive one for our volunteer mentors, too. One reports, "I want to be part of the community that welcomes people back in." Another said, "After working with clients from OpenDoors, I realized that these are regular men who just got the short end of the stick. Everyone deserves a second chance and everyone deserves someone who cares." We believe that these testimonials speak to the strength of the potential for the Second Chance Act to help curb the recidivism rates of incarcerated individuals in this country, and encourage the kind of cultural transformation required for our nation to embrace this issue as their own.

The goal of our Second Chance Mentoring program is ultimately to reduce recidivism for the target population by 50% within five years. While we believe that our mentoring activities are a key component to ensuring that we can meet this goal, we believe that the combination of our mentoring activities with the holistic care offered through our organization that will ultimately produce the best results. Battling cycles of incarceration requires a multi-pronged approach and the collaborative efforts of numerous stakeholders.

With all of this in mind, I would like to sincerely thank you for giving this important issue your attention and investment, and urge that you continue to provide this necessary support.

We would like to make the following recommendations regarding the re-appropriation of funding for the Second Chance Act:

1) **Continue allocating funding specifically to serve formerly incarcerated individuals.** As stated above, there are multiple reasons why this population is frequently denied access to other resources designed for disadvantaged populations, despite previous attempts to address this issue through programs focused more generally on disadvantaged populations. Continuing to provide a separate funding stream for this population will allow this issue a direct stream of resources that will not have to unfairly compete with more sympathetic and advantaged populations.

2) **Commit to this issue long-term.** Because incarceration rates continue to escalate, we will be facing this problem for decades to come. There is no easy solution, and solving this problem will require the long-term investment of Congress. We realize that there are many competing issues that Congress needs to tackle in these tough economic times, and many law-abiding citizens deserving of your attention and support. But if we do not act now to curb this growing problem, we will be paying exponentially in the future.

3) **Allow direct service providers to apply for all types of Second Chance Act funding directly.** Mentoring is but one small piece involved in a commitment to reducing recidivism rates. Numerous studies have found, for example, that a good job is the single largest factor in an individual's ability not to recidivate. We urge you to expand the scope of the Second Chance Act to allow non-profits and community-based organizations to provide job readiness activities, housing services, financial literacy, and other essential and tested techniques as part of a comprehensive re-entry strategy. It is our educated opinion that making more flexible funding accessible only to city and state governments detracts from the efficiency and effectiveness of re-entry programming by placing control over funding in the hands of organizations that are not as familiar with the needs of the population, nor as experienced and capable at running effective programming.

4) **Connect re-entry programming to other smart-on-crime initiatives.** Direct service that is isolated and siloed from the systems that create such large recidivism rates will not sufficiently address this issue in the long-term. Curbing our over-reliance on incarceration requires solutions at all levels of intervention, beginning with services provided prior to conviction. To produce the best possible results in the long term, we must increase treatment and diversion options, increase access to the social safety net and other programs designed to transform tax burdens to tax payers, and invest in rehabilitative services at every level of corrections.