

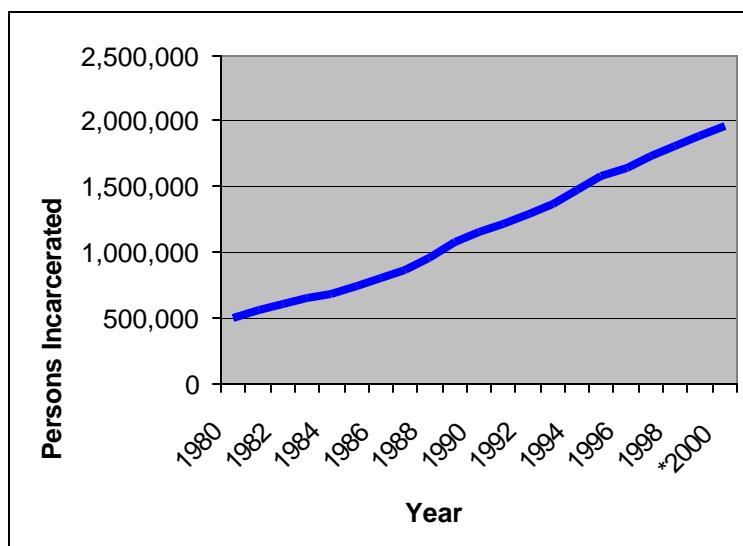


Technical Assistance Report to the District of Columbia Criminal Justice Coordinating Council by the Center on Juvenile and Criminal Justice

I. Introduction

After witnessing a 400% increase in the nation's jail and prison population over the past 20 years to its current level of two million inmates, the attention of criminal justice policy makers has now shifted to better planning for the half-million former inmates released from state and federal prisons each year. The level of increased attention to this issue is reflected in the federal budget for FY 2001, which includes \$145 million for innovative reentry programs aimed at addressing community safety concerns, lowering recidivism rates and fostering responsible parenting.

Graph I. Number of Persons Incarcerated in the U.S. 1980-2000



Source: *Correctional Populations in 1996, Prison and Jail Inmates at Midyear 1999*
*2000 Data are BJS estimates

In Washington, D.C., the passage of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Revitalization Act) has magnified the pressing nature of prisoner reentry. Among other things, the Revitalization Act has set in motion the closing of the Lorton prison complex, and the transfer of D.C. inmates to federal custody. Greater distances between inmates and their

families and social support systems have resulted from designation of D.C. inmates to Federal Bureau of Prisons' facilities. This reality has raised new concerns about how inmates can be reintegrated upon release and the availability of local programs to aid in that critical process.

This technical assistance report grew out of an effort, supported by the D.C. Criminal Justice Coordinating Council (CJCC) and the Open Society Institute's Center on Crime, Communities and Culture, to determine the extent to which D.C. residents and criminal justice policy makers favor deepening and expanding the pool of community-based services for the supervision and treatment of D.C. offenders. As part of its role to plan for the future of a restructured D.C. criminal justice system, the CJCC recognized the need to focus on the reentry of offenders returning from prison. By matching financial resources with the Center on Crime, Communities and Culture, the CJCC sought the assistance of the Center on Juvenile and Criminal Justice (CJCJ) to examine the extent of programmatic options, public support, and local capacity for managing the reentry of D.C. inmates in a balanced continuum of community-based programs.

Simultaneously, the Center on Crime, Communities and Culture funded the D.C. Prisoners' Legal Services Project to form a series of Study Circles as a vehicle to explore the community's suggestions for handling returning prisoners. While independent, the two efforts worked collaboratively and shared data and model programs gleaned by the CJCJ team with the Circles to inform their discussions.

CJCJ took a multi-dimensional approach to researching the issues central to this report. The work undertaken by project staff includes:

- The D.C. Prisoners' Legal Services Project, organized small groups of citizens to meet every week for five weeks to discuss perceptions of crime and prisoners, and to identify programs which support reentry of offenders to their home communities. CJCJ served in a consulting role, providing data on D.C. corrections and reviewing the recommendations that emanated from the Circles.
- Staff persons interviewed more than two-dozen senior criminal justice policy makers to gather their collective thoughts and experience on the issues being explored. Among those interviewed were Margret Kellems, Deputy Mayor of Public Safety; The Honorable Rufus King, Chief Judge of the D.C. Superior Court; Wilma Lewis, U.S. Attorney for the District of Columbia; John Clark, D.C. Corrections Trustee; and Jasper Ormond, Interim Director for Court Services and Offender Supervision Agency.¹

¹ For a complete listing of those interviewed as part of this project, see Appendix A.

- A review of available data was conducted on issues including the characteristics of the D.C. offender population, criminal justice system trends, geographic concentrations of crime and offenders across the city, poverty and public health indexes.²
- Staff persons conducted interviews with D.C. offenders at various stages of their transition back into the community from prison to bring a human context to the quantitative data. These interviews are presented in the form of case summaries throughout the report.
- Project staff disseminated surveys of community assets and individual skills were in two D.C. neighborhoods generally defined as Marshall Heights and Ivy City/Trinidad. The more than 300 assets identified through this effort are presented in the report in the form of geo-coded maps found in section IV.
- A search of model programs, both nationally and abroad, was completed to illuminate some of the most successful approaches that have been taken to address the many complex issues facing communities and inmates during the reentry process.
- A series of recommendations are offered, which grow directly from the conclusions of our research and that may assist D.C. and federal officials achieve safe reductions among select categories of offenders.

Through this research process, we identified a great deal of common ground among the many interested parties. D.C. criminal justice officials and members of the community generally agree that far greater depth in the existing continuum of community-based services is needed to adequately address the needs of prisoners returning to the community. “Front-end” options are also seen by many as the best method of providing both public safety for the community and rehabilitation to those offenders who could be safely managed in the community with the proper programmatic support, rather than sentenced to the Bureau of Prisons.

An Opportunity

The Revitalization Act created an opportunity for its supporters and critics alike to come together and fashion a more responsive and accountable system of justice for all of the citizens of Washington D.C. To help guide the evolution of D.C.’s criminal justice system and inform the development of community-based programs, this report examines a range of factors that drive criminal justice policy

² For a complete listing of all research and reports consulted in the development of this report, see Appendix B.

in D.C. and offers constructive ideas for how the District can best continue its move toward a local system of justice characterized by community input and control.

Much of the groundwork for reshaping the system in this fashion has already been laid.

- Under the leadership of Mayor Williams, crime in the District, and the government's response to it, are seen in increasingly broad, quality-of-life terms. Initiatives have been set in motion by the Mayor to focus the collective muscle of multiple city agencies on attacking systemic problems that contribute to crime at the neighborhood level. The Metropolitan Police Department (MPD), for instance, is seen less as the only weapon in the District's crime control arsenal. Rather, MPD is increasingly viewed as a partner which, with the community and other agencies such as the Department of Public Works, the Department of Consumer and Regulatory Affairs, the Health Department, Court Services and Offender Supervision, and Recreation Department, form collective strategies and solutions to such vexing problems as open air drug markets.
- The fiscal yoke of operating the equivalent of a state prison system, an obligation no other city in the country has had to bear, is being lifted. The D.C. Department of Corrections' budget, which has exceeded \$220 million a year, will shrink dramatically under the Revitalization Act. The costly litigation stemming in large part from the dangerous and decrepit facilities at Lorton will soon cease to exist. The costs of operating the D.C. Parole Board and staffing the functions of probation, parole and pretrial supervision have also been lifted.
- Finally, and perhaps most importantly, community support has blossomed for expanding local control of services central to the prevention of crime and key to the safe reintegration of those returning from prison. This report is informed by the collective wisdom of the more than 70 D.C. residents who shared their time, thoughts, emotion, and candor on the broad range of criminal justice issues in the Study Circles. The rich and passionate ideas articulated through the many D.C. citizens who participated in the Circles and in our community surveys are deserving of careful consideration.

The Time Is Now

Consistent with the mandates of the Revitalization Act, nearly 8,000 sentenced felons from D.C. were being transferred to the custody of the Federal Bureau of

Prisons (BOP) and to privately operated prisons around the country.³ Even before the full closure of Lorton, D.C. prisoners were housed all over the country. As of November 7, 2001, D.C.'s prison population was dispersed as follows:

- 963 were at the Rivers Correctional Center under contract with Wackenhut Corrections Company
- 1,212 were in Sussex II, a Virginia prison
- 976 were in Greenville, Virginia
- Approximately 3,500 additional inmates under the control of the BOP in 45 different prisons from California to Florida; primarily in Danbury, Connecticut; Petersburg, Virginia; Morgantown, West Virginia; Butner, North Carolina; Beaver, West Virginia; Allenwood, Pennsylvania; and Alderson, West Virginia.⁴

With the remaining Lorton facilities now closed, the relationship between D.C.'s corrections system and the BOP will come to resemble that of a county/state system. The housing of sentenced D.C. felons is the obligation of the BOP, while those convicted of lesser offenses will remain within the custody of the local D.C. Department of Corrections (DCDC). Although resembling a traditional county/state corrections relationship, it is unlike any other given that the "state" in this instance is the Federal Government, and its prisons located all over the country.

When a similar proposal was considered in the summer of 1995, former Attorney General Janet Reno stated:

Housing large numbers of inmates great distances from their families and attorneys is contrary to sound correctional principles and the value, if any, of the additional 'punishment' thereby imposed on inmates so separated is greatly outweighed by the increased security and other measures necessitated when inmates'

³ One of the most controversial requirements of the Revitalization Act mandates that half of all sentenced D.C. felons must be housed in private prisons under contract to the BOP.

⁴ D.C. Department of Corrections Daily Population Report, November 6, 2001.

*contact with their families on the outside is minimized.*⁵

In addition to closing Lorton, the supervision of D.C. offenders upon their return has also undergone significant changes pursuant to the Revitalization Act. Since August 1998, the U.S. Parole Commission has made parole release decisions, and in August 2000 the D.C. Parole Board was completely abolished. Parole, probation, and pretrial supervision were transferred to the Court Services and Offender Supervision Agency (CSOSA), a federal agency administered by a Trustee appointed by the President. In August 2000 CSOSA was certified as a federal agency with a director to be appointed by the president. CSOSA is charged with safely managing the transition and reentry of D.C. inmates back into their home communities from their increasingly distant places of confinement. It is estimated that between 2,800 and 3,000 D.C. felons, approximately 240 per month, are released from custody into the community each year.⁶ The bulk of these inmates presently transition through D.C. Department of Corrections and contracted halfway house facilities where they remain for an average of 90 to 120 days, and are then returned to their communities.

The transformation of the D.C. criminal justice system will dramatically affect the many thousands of D.C. residents whose lives it touches. Whether it be the inmates themselves, their families and loved ones, or their former neighbors, employers or friends, the increasing distance between D.C. inmates and their communities will be a difficult gap to bridge. This challenge must be addressed directly to minimize any negative consequences that could result for offenders and the communities to which they return.

The conclusions of our research point squarely to the need to strengthen the existing continuum of community-based services for D.C. offenders. Not only would a broader array of services ease the transition of inmates returning to the community, but such services could also be used to lessen the reliance on prison in the cases of many non-violent offenders who make-up the bulk of D.C.'s inmate population. Our research has also uncovered widespread support among criminal justice professionals and D.C. citizens for expanding community-based options for D.C. offenders. Our findings in this regard should be taken as a sign of encouragement to D.C. and federal criminal justice policy makers to pursue a goal of creating 1,000 additional community-based program slots for reentering

⁵ Letter from Janet Reno to Thomas Davis, March 16, 1995.

⁶ Joint Interagency Action Plan Regarding Release Processes and Community Correctional Resources, October 10, 2000, pg. 5.

and would-be D.C. inmates. What follows is a detailed description the factual basis and political wisdom upon which this recommendation was formulated.

Ronald

Ronald is a 30-year old African American male with a history of drug addiction and petty thefts completing preparation for parole at Hope Village. He committed two auto thefts as a juvenile, for which he spent time at Oak Hill. In 1991, he was sentenced to two years in prison and three on probation for distribution of cocaine. Upon release on probation in 1993, he was re-incarcerated after missing probation appointments (which he missed because he knew he would test positive for drugs). After release again in 1995, he was arrested for distribution of cocaine and robbery, and sentenced to probation provided he participated in drug treatment. On the 11th month of his 12-month probation, he was rearrested for possession of cocaine, and was sentenced to 18 months.

Ronald says that one thing that has helped him refocus on getting treatment were visits at Lorton from his family. "All of my family helped me to realize that I can overcome my problems," he says. "All of my family has helped me to build my self-esteem, and gave me the encouragement to do what is right, and change my habits." He has one 15-year-old daughter, who, in particular, helped him feel the need to change his own life.

II. Methodology

The methodology for this research was multi-dimensional. First, the Study Circles provided a nucleus of citizen input and a measure of public support. Second, traditional research was drawn upon and conducted into matters affecting the D.C. justice system. Third, more than two dozen local experts in criminal justice such as the Director of the Department of Corrections and the Chief Judge of the Superior Court were consulted. Fourth, assets were mapped in communities highly affected by crime and surveys were conducted of the skills possessed by residents of these neighborhoods. Fifth, model programs and polices were studied in other jurisdictions and assessed in terms of possible replication in D.C.

1. The Study Circles

The Study Circles were comprised of groups of citizens who met every week for five weeks to discuss matters of crime, prisoners, and peoples' return from prison. Circle participants were invited through a diversity of existing organizations. Many local places of worship such as churches, mosques and synagogues were invited to participate, as were schools such as American University and UDC Law School. Interested organizations reached out through their social networks to invite interested people. In the end, seven separate Circles of approximately ten people each were created. Each Circle operated

independently of the others, though they were invited to read minutes from each other's sessions.

To encourage diversity, circles were convened throughout the city and at various times of the day and week. The following locations hosted circles:

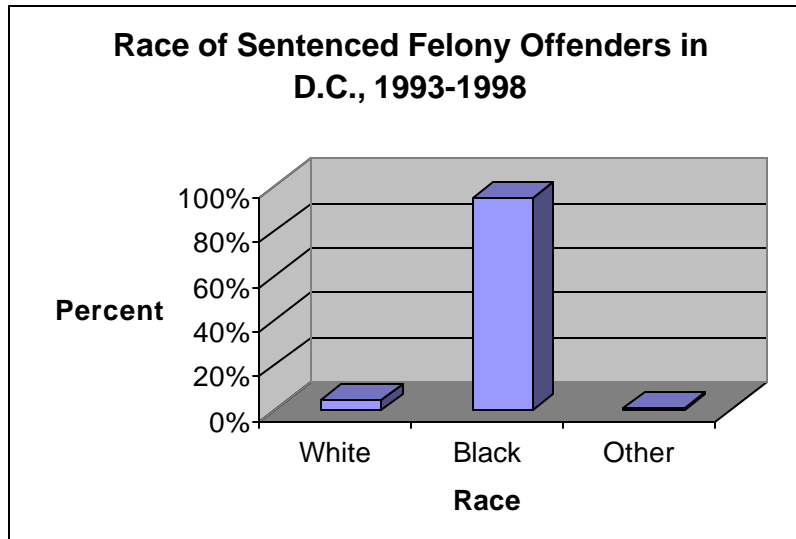
- St. Augustine Catholic Church, 1419 V Street, NW
- Visitors Services Center, 1422 Massachusetts Ave., SE
- Simpson-Hamline United Methodist Church, 4501 16th Street, N.W.
- CSOSA Branch Office 1230 Taylor Street, NW
- Southeast Ministry/AMEN, 3111 Martin Luther King Jr. Av., SE
- New Vision Baptist Church, 8 Craine Highway Bowie, MD
- Lutheran Church of the Reformation, 212 East Capitol Street, SE

Participants met at each location during the months of October and November 2000. For each session, participants were provided with readings and lists of questions to consider in advance. These questions became the core for each week's discussion. The Circle sessions culminated in summaries that served as input for this report.

2. Inmate Population and Community Characteristics

CJCJ consulted the available data relating to the D.C. offender population and the characteristics of this group. We also drew from existing research, and conducted much of our own research on the communities from which these inmates come, and to which they are most likely to return.

At the heart of this report are the D.C. neighborhoods and residents most directly affected by the criminal justice system. For many of them, criminal justice is inseparable and largely indistinguishable from a long list of other concerns that are woven into the fabric of daily life. Whether education, public health, employment, child abuse and neglect, mental health or affordable housing, these are the life domain issues that lay like a thick fog over these neighborhoods. The problems presented by these issues are firmly interconnected. The pursuit of solutions must be unencumbered by the traditional blinders of bureaucracy, and guided by the wisdom and strength that is the community. Thus, our efforts focus largely on the strengths and potential which exist within these communities. Data on community characteristics were drawn from sources well beyond the narrow reach of criminal justice research. In addition to information growing directly from the Study Circles and the community asset mapping, numerous studies and reports were consulted, a complete listing of which is contained in Appendix B.



Source: BJS, *Prisoners in 1999*

3. Voices of Reentry

Given the inevitable limitations of quantitative data to bring to life the stories behind the numbers, project staff interviewed several D.C. offenders. These interviews put flesh on the bones of the data and gave voice to the thousands of individuals these data represent. Interspersed throughout the sections of this report are profiles of these offenders. The interviews are designed to illustrate common contacts with the criminal justice system, document treatment experiences, and query former inmates about ways to improve the system.

The experience of those profiled speaks to key gaps in D.C.'s system of services and gaps in the treatment network for offenders and returning ex-offenders. Their drug abuse treatment needs set the context for the dilemma facing the corrections systems: the recycling of low level offenders through our prisons, jails, and halfway houses for continuing drug use, as reflected by the failure of conditions for parole. Some inmates return to prison and jail multiple times as a result of testing positive for drug use. Many of these people have lost years of their lives in prison and jail, and have remained in far more restrictive settings than their crimes might warrant, because of their drug use.

These stories are intended to serve as a "snapshot." While inmates in the pictures change, generally the scene does not. We should review these snapshots with an eye towards re-arranging the context of the scene, to better their chances of successful re-entry.

4. Asset Mapping

To assess the capacity of communities to play a more central role in building an infrastructure for inmate reentry, CJCJ partnered with the Alliance of Concerned

Men, a community-based group of individuals committed to reducing violence through the empowerment of individuals. Together they conducted detailed asset mapping in two D.C. communities. Four teams of two staff persons from CJCJ and the Alliance canvassed the streets of target neighborhoods to catalog the hidden strengths that lie beneath their surface. Much of what we learned about these communities can be applied to neighborhoods across the city.

The areas of D.C. selected are generally defined as Marshall Heights and Ivy City/Trinidad. Our survey, however, expanded beyond those traditional neighborhood boundaries to include a greater portion of the city where high concentrations of reentering inmates reside. These areas were selected in part because of the burden they share in absorbing among the highest concentrations of parolees in the city and because of their added value as neighborhoods in which several Mayoral and CJCC initiatives are underway.⁷

More than 300 community and government agencies, schools, places of worship and businesses were identified through this effort. These assets were fed into a database and displayed using geo mapping technology in the maps found in section IV of this report.

Additionally, to sample the human capital within these neighborhoods, surveyors from CJCJ and the Alliance administered skill surveys to 61 randomly selected residents of the two communities. The skill surveys uncovered considerable experience and ability among the residents of these two neighborhoods. From construction work to food service, those surveyed reported a high degree of skill that could be tapped and directed toward neighborhood-based initiatives intended to serve, either directly or indirectly, the returning offender population from those communities.

⁷ Mayoral and/or CJCC coordinated initiatives in these two regions of the city include the Capital Communities effort to eradicate open-air drug markets by coordinating multiple city agencies, Neighborhood Cluster projects designed to coordinate services to neighborhoods to achieve clean, safe, healthy and economically vibrant neighborhoods; and Drug Team initiatives to provide testing and treatment to parolees in targeted neighborhoods.

Taken together, these exercises help to illustrate the firm fabric that is often overlooked in these and other urban communities, while highlighting the ability of these communities' residents to contribute directly to offender reentry.

5. Insights of Criminal Justice Officials and Experts

Staff persons also conducted interviews with a wide range of criminal justice experts and key actors within the D.C. criminal justice system to factor their experience and thinking into this massive puzzle.

Interview protocols covered a range of topics relating to the D.C. criminal justice system, including perceptions of trends over time, the system's strengths and weaknesses, ideas for improving criminal justice system functioning, specific offender populations who might benefit from additional community-based programming, and effectiveness/ineffectiveness of available programming.

A consensus was shared among those interviewed that numerous of the current inmates would likely benefit more from appropriate programming in the community than from continued custody. From policy makers, researchers and agency heads, to service providers, case workers, and others who have made the successful operation of the D.C. criminal justice system their life's work, we were consistently assured that in their view the community can and should be empowered to do more in the area of building support for the safe reintegration of offenders to their communities.

6. Model Programs and Policies

Finally, staff persons conducted a search of model programs and policies that have demonstrated success in working productively with some of our most challenging populations. These program and policy models offer valuable experience for D.C. to follow in allocating resources to expand the existing community-based service continuum.

The identification of programs that could enhance existing services or fill in gaps in the District's continuum of care for offenders paralleled the work of the Study Circles and the project's companion research. Several sources were consulted to identify so-called "model programs." Foremost among these sources was private, grant making foundations, especially those with a history of providing grants to innovative, community-based criminal justice programs. Programs initially identified from foundations that appeared to have the potential to meet needs in the District of Columbia received follow-up. Secondly, a search was made of programs supported by government agencies. Lastly, because of their experience and ongoing involvement with the criminal justice system, the researchers were already familiar with some programs.

7. Conclusions/Recommendations

Those who participated in this process voiced strong opinions about public safety and drew attention to the broad range of issues that constitute public safety. They collectively recognized that prisons are just the backstop, not the backbone of public safety, that all too often prisons are forced by default to address the corrosive issues of unemployment, poor education, addiction, public health, child abuse and neglect, etc. A police officer that participated in the Study Circles captured the opinion of many when he said, “People think the justice system is supposed to fix people with problems. But the people aren’t broken, the system is.”

Community members did not call for less law enforcement. Rather, they called for a reordering of criminal justice priorities to reserve prison for those who pose a physical threat to public safety while placing greater emphasis on building capacity to safely address the needs of non-violent offenders in the community. Groups of offenders representing significant segments of the D.C. inmate population were identified by the Study Circles as potential targets for increased access to community-based programming and for swifter reintegration to their home communities.

Drawing on both the opinions and data described above, several distinct segments of the D.C. offender population were identified as targets for placement into supervised community based programs of the sort described in this report. The offenders identified currently fill jail and prison beds but could return home more swiftly and safely from custody, and in some cases could be diverted from locked custody entirely, with the benefit of the recommended programs and policies.

Support grew from within the Circles for a goal of creating community-based program capacity for offenders drawn from among the target categories. *Based on estimates of offenders in each category, CJCJ proposes that the District of Columbia establish a goal of creating community-based program capacity for 1,000 offenders drawn from the categories below:*

Chart I: Target Crime Categories in Washington, D.C.

Target Category	Annual	Target Reduction
Absconders	387	150
Minimum/Low Custody ⁸	2,400	500
Sentenced Misdemeanants	1,000	350
Parole Violators	1,000	250
Felons <1yr.	500	100
Drug Offenders	566	150
Halfway Houses (felons)	2,000	500

⁸ This represents a one-time count of inmates in these custody categories.

Special Populations	1,500	250
Total	9,353	2,250⁹

We believe this is an achievable goal that has support in the criminal justice system and in the community. Through our research, we have attempted to harness the enthusiasm expressed for moving in the direction of community alternatives to incarceration; and we have worked to ground that support in programmatic and policy recommendations that can contribute to the safe and sensible expansion of services to offenders in the communities where they reside.

III. Study Circles

In the autumn of 2000, a concerned group of citizens joined together in *Study Circles* to tackle one of the most persistent problems facing our city: the “revolving door” of crime and incarceration that frustrates law enforcement and threatens communities.

The Study Circles were comprised of small groups of private citizens who met once a week for five weeks to discuss the issue in a democratic, nonpartisan and collaborative way. The participants were diverse: they included former prisoners, police officers, business owners, religious leaders, senior citizens, college students, and more.

Tom

Tom is a 37-year old African American man serving a 90-day pre-parole term in a halfway house. He is currently being held on a drug possession with intent to distribute violation for which he served two years at Lorton (1998 to 2000). Prior to this, he was incarcerated for manslaughter and served three years (1990 to 1993). The manslaughter charge grew out of a domestic dispute with his male lover. He is HIV positive, and an army veteran.

⁹ Given the likelihood of considerable overlap among offenders in these groups, the actual number of “target” offenders is projected to be approximately 1,000. Indeed, the size of the overlap suggests one of the underlying problems: the same people are continually cycling in and out of the system.

On his first charge, Tom was directed by the judge to have a psychological evaluation and obtain counseling at Lorton. But due to shortages of mental health staff at Lorton, it took two years for him to finally see a psychologist, and then, it was only to rank him for release to a less secure institution, not to address his condition. Tom also failed to get admitted to Lorton's college program because he was "behind the wall" at the Maximum Security Facility on protective custody status.

Tom first tried heroin at Lorton, but did not become addicted until after his release on parole. He complained that program staff persons in an army drug treatment program were insensitive to his mental health needs, and his reports to staff that he was suicidal were ignored. He continued to abuse drugs, and returned to prison on the possession charge in 1998.

They were drawn from neighborhoods across the city; united as citizens of D.C. by their common concern over the problem and their willingness to devote two hours each week for five weeks to finding a solution.

The Circles' primary goal was to tap the collective wisdom of the community. In Circle sessions, former prisoners sat down with former prison guards to discuss what could have been done differently, and to design plans to do it differently in the future. The goal was to capitalize on the wisdom and experience of community members from all walks of life, and to discover meaningful new solutions to old problems.

The Circles were supported by a group of criminal justice practitioners and policy experts who worked with the participants to translate their ideas into specific plans of action. These professionals followed the Circles' lead in identifying gaps in the District's continuum of services, and then canvassed the city and the nation in search of model programs to fill those gaps. They supplied data about the inmate population, the local criminal justice system, and the treatment landscape, and offered examples of community-based service networks in other jurisdictions that have full participation and ownership by neighborhood entities. Through this contemplative process, the following observations and positions emerged:

1. The Goals of the Justice System as Seen through the Study Circles

Circle participants were asked to define the goals of the criminal justice system. With relative speed, people united behind the goals of protecting society, holding offenders accountable, and rehabilitation.

There was some disagreement about how to rank those priorities, although the majority of participants roughly supported the ranking of protecting society first and rehabilitation last. More importantly was the collective sense that these rankings did not conflict with each other; rather, they overlapped and re-affirmed each other. For instance, according to Circle participants, holding criminals

accountable for past acts and rehabilitating them so they will not commit similar acts in the future is best accomplished through public safety.

Consensus also developed that criminal justice decisions — especially at sentencing, release or revocation — should be based on threats of future harm, as informed by past actions, but not driven exclusively by past actions. The justice system should assess the risk, determine what can be done to reduce the risk, and do it. That often means drug treatment, job training, education, etc.

Initially, some Circle participants listed retribution as an important goal. However, as conversations moved on, they came to view revenge as a backward looking goal that might not improve matters in the future. In individual case studies or when people offered their own examples of how to handle individual cases, recommendations focused on preventing future harm. Indeed, for the most commonly encountered crimes, the most commonly recommended concrete actions were drug treatment and job training. In the words of one participant: “The justice system should focus on justice, not revenge.”

2. Perspectives From the Study Circles

Although the Circles represented various points of view, it quickly became clear that most people did not feel involved in the justice process. They felt that the people making decisions — at the political level and in individual cases — are quite disconnected from the people affected by the decisions. Law enforcement officers, former prisoners, and crime victims shared this sentiment. Collectively, they felt that the public does not even know what is being done in its name. The following is a list of some of the perspectives that formed the basis of discussion within the Circles. Although separating the perspectives highlights the contrasts between them, the various perspectives are not always mutually exclusive. Often they support and overlap each other.

FROM SOCIETY’S POINT OF VIEW

Circle participants expressed frustration by what they see as a “revolving door” in the criminal justice system. They also expressed concern that former prisoners are not ready to join the workforce or assume normal responsibilities. Prison was seen as wasteful, even harmful, for non-violent offenders—virtual colleges of crime. People wanted to explore other means to hold people accountable. There is significant bitterness at time in custody having been “wasted” by failing to prepare people for reentry.

Although there is recognition of the need for programs for people returning to the community, few want the programs in their backyard. They fear that programs will decrease property values and threaten their safety. In the end, however, people were willing to support local reentry programs if they are presented appropriately. Community groups want to be involved in the design, planning

and operation of the programs. Community members need to feel that they are part of the decision-making process, that they were not unfairly targeted, and that other neighborhoods are also accepting their fair share.

In addition, community members need to feel that the programs “contribute,” for example, by allowing offenders to perform local community service or by building the program in a formerly vacant nuisance property. One gentleman explained that a drug treatment center helped improve his marginal block because the recovering addicts chased away folks who offered temptations. On the whole, the “NIMBY” problem (“not in my back yard”) appeared real but solvable.

FROM THE INMATES’ POINT OF VIEW

Former prisoners who participated in the Study Circles provided an interesting and irreplaceable perspective. First, simply through their presence in the groups, the offenders allowed other participants to see that they were focusing on improving the lives of actual people who are not so different from themselves and their own family members. That realization alone, along with the recognition of the incredible number of former prisoners, was enlightening for many participants—some of whom may never have actually met someone that spent time in prison.

More importantly, former inmates told stories of inherently harmful, debilitating experiences. In addition to tales of random violence, they made it clear that prison fundamentally teaches dependence. Guards tell inmates when to wake up, when to go to sleep, when to shower and what to eat. Former prisoners made it clear that programming alone cannot help inmates to overcome the inherent institutional dependence resulting from custody.

Inmates consistently agreed that custody also teaches people that they do not count. Rarely does corrections staff treat them respectfully. As one former inmate said, “If nobody respects us, how can we respect other people?” A different former inmate observed that custody makes people powerless, and that impotence makes them bitter. They stressed that custody was inherently debilitating, and that problems generally grew worse the more time people spent in custody.

Finally, inmate participants confessed that they were not motivated to take low-income, dead-end jobs without benefits and little prospect for future growth. On the other hand, they recognized that they were not prepared for the kind of “good” job they wanted. Such jobs required skills and habits they had not cultivated. These participants stressed the importance of instilling a sense that trivial jobs can develop into good jobs. However, the disempowering prison environment made it difficult to instill that value, no matter how many programs were offered.

FROM THE JUSTICE SYSTEM'S POINT OF VIEW

The professionals in the justice system who participated in the Circles generally communicated that they were treated unfairly. They complained that too many things were broken: families, schools, religious institutions, employment opportunities, mental health systems, and much more. They felt as if they were unfairly called upon to fix all of society's problems.

The overwhelming sentiment was that the justice system lacks capacity: there are too few treatment slots, too few resources to divert the mentally ill, too little quality employment training programs, and too few housing services, etc. Each individual felt overwhelmed by the immense needs. They wanted to help, but didn't have the tools. They saw prison as unproductive, particularly for non-violent offenders, but could identify limited alternatives.

Underneath the frustration was a sense that the justice system lacks a focused mission. They felt that it is easy for justice professionals to simply lock up dangerous individuals, but it is impossible for them to solve the manifold problems presented by a non-dangerous, out-of-work, drug-addicted homeless man without family support.

The justice professionals presented an image of a system that is drowning in quicksand: the mission is unclear; nobody is in charge; nobody has responsibility for success. They said that the morass led to failure. The solution, in contrast, was to focus the mission, provide the resources to achieve it and make someone accountable for getting it done.

IV. D.C. Inmates and the Reliance on Prison

When great distances between inmates and their homes are combined with high rates of incarceration, as in D.C., the social ramifications can be dramatic. Indeed, if the goal of incarceration is to reduce crime, D.C.'s policies may be having the opposite effect. John Jay College of Criminal Justice researchers Dina Rose and Todd Clear have shown in several jurisdictions that when more than 1 to 1.5 percent of a community is incarcerated, any further incarceration will lead to a cycle producing more rather than less crime. When large concentrations of people from a handful of neighborhoods in the District are arrested and jailed, there is a risk of passing a "tipping point" of incarceration. This disruption of the social, family, and economic networks and relationships that normally reduce crime are subsequently shattered.¹⁰ One could argue that specific neighborhoods, if not the whole city, are at the threshold of its "tipping

¹⁰ Cose, Ellis. "The Prison Paradox." *Newsweek*, November 13, 2000.

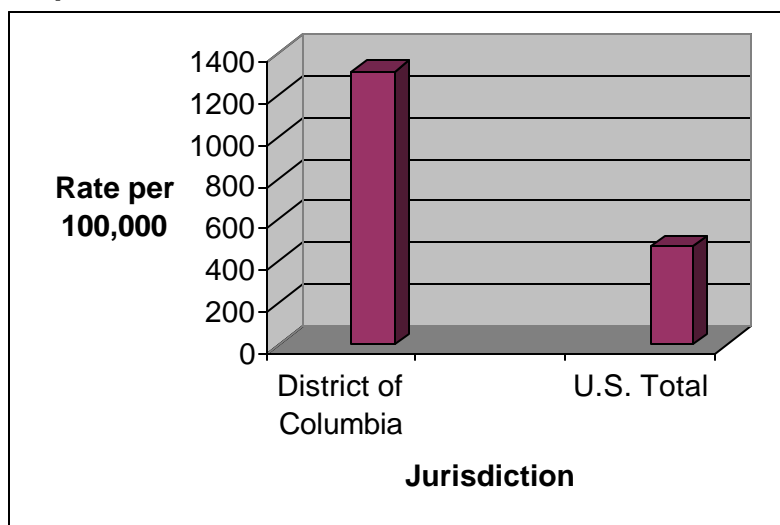
point”—or even beyond the point where incarcerating more citizens may actually contribute to increased crime in the city.

1. *The Inescapable Issue of Race*

There are many characteristics about the D.C. offender population that catch the eye of those who peruse the data. Perhaps the most striking fact, however, is the overwhelmingly black face of D.C.’s inmates. This was a theme immediately captured during Study Circle discussions and echoed by many of the individuals interviewed.

No D.C. criminal justice agency report in which its “clients” are described, escapes the fact that 97.3% of the inmate population is African American (NCCD, January 1996). In a city where 39% of the population is non-African American, this raises serious questions about the equity law enforcement, and of solutions to, crime.

Graph II: Rate of Incarceration for the District of Columbia



Source: BJS, *Prisoners in 1999*

Time and again during our work on this project the issue of race and the obvious imbalance in D.C.’s scales of justice were raised as historical symbols of division.

In 1997, half of all young African American male residents of the District of Columbia—almost 25,000 people (or 5% of the D.C. population) were in prison,

jail, parole, probation, awaiting trial, or being sought on warrant.¹¹ The D.C. incarceration rate for African Americans is 35 times greater than that of whites, and in the late 1990s, there were more D.C. residents in prison than in D.C.'s one public university.¹² In 1997, there were months where less than 100 white inmates passed through a D.C. correction system of 8,000 people.

Minority overrepresentation in the D.C. criminal justice system is stark indeed. But recognition of this fact and the willingness to address it directly offers a form of guidance to those who seek to correct the imbalance. Confronting this reality forces us to assess more broadly the issue of crime in D.C. and the solutions we employ to reduce it. It blurs the lines between offenders and non-offenders and trains our eyes on crime as a quality of life issue that cannot be disentangled and dealt with in isolation from the issues of poverty, education, employment, substance abuse, housing and other critical issues that face our communities.

Perhaps the single most resonant theme that emerged collectively from the Study Circle participants, criminal justice system officials, and the data, is the need to view crime and design solutions based on the context of the city's neighborhoods and based upon the strengths of those neighborhoods' residents and institutions.

2. Individual Prisoner Characteristics

Who then makes-up the D.C. inmate population and how might their level of risk best be addressed and mitigated in the community? As noted, the D.C. inmate population is overwhelmingly African American. D.C. inmates are also largely drug/alcohol involved, under-employed, under-educated, and increasingly in need of mental health services. These characteristics certainly contribute to the high failure rate of inmates released from prison. Today, parole failures now constitute a growing proportion of all new prison admissions. In 1980, parole violators constituted just 18% of all admissions, but recent years have seen a steady increase to the point where they represented 35% of all new admissions

¹¹ Lotke, Eric. *Hobbling a Generation: Five Years Later*. Washington, D.C.: The National Center for Institutions and Alternatives, 1997.

¹² Schiraldi, Vincent and Ambrosio, Tara-Jen. "Trading Classrooms for Cellblocks: Destructive Policies Eroding D.C. Communities." Washington, D.C.: The Justice Policy Institute, 1997.

in 1997 (Beck and Mumola 1999). With this trend, more than half of all offenders entering prison in the year 2001 will be parole failures.

3. The Prevalence of Substance Abuse

In addition to D.C. inmates possessing many of the debilitating characteristics named above, they overwhelmingly come from neighborhoods that embody the same characteristics. In 1999, Drug Strategies released its report entitled *Facing Facts: Drugs and the Future of Washington, D.C.* The report describes the degree to which drugs, alcohol and the related factors of public health, child abuse and neglect, and unemployment contribute to a depleted quality of life for many of the District's citizens. The Drug Strategies report underscores the impact of these issues in predominantly African American wards of the city, those same wards to which the largest number of offenders are returning from prison. Striking statistics and data fill the report and point to the need for community-wide solutions to the life domain issues that permeate many of D.C.'s neighborhoods:

- More than 70% of alcohol outlets in wards with predominantly African American residents are licensed for off-premise sale versus just over 20% in other wards;
- Heavy drinking is 50% more prevalent among D.C. adults than among adults nationwide;
- Out of 1.2 million emergency room visits in the Washington metropolitan area each year, an estimated 457,000 patients are under the influence of alcohol at the time of the visit;
- 85% of the District's child protective cases involve a parent who abuses alcohol or other drugs;

Mo

Mo is a 27-year old African American male, who came to Washington, D.C. in 1994 from Petersburg, Virginia. Mo's entire criminal history is related to his addiction to crack, which began when his parents introduced him to the drug in 1994. To feed his habit, Mo stole cars, received and sold stolen property, and committed a variety of other property crimes.

During the 1990s, Mo revolved in and out of the region's various corrections systems. In 1995, he was arrested for UUV, malicious destruction of property and theft, for which he served one month at Lorton. A year later, he was again arrested for theft and malicious destruction of property, and served 60 days at the Montgomery County Jail, and 90 days in the Prince George's County jail. In 1999, he was arrested in D.C. for receiving stolen merchandise, and sentenced to 1 to 3 years. After release from Lorton, Mo was sent to a D.C. halfway house and began a drug treatment program there. Mo only completed 2 1/2 weeks of the program. He then absconded from the halfway house for two days, before turning himself into police.

After a brief stint in jail for the escape he was sent to Hope Village in September 2000. A month and a half later, after a urine test revealed marijuana in his system, Mo was returned to jail. Mo has participated in a number of drug treatment programs but has completed none.

Data from criminal justice system agencies shed further light on the degree to which substance abuse drives the system. As noted in the D.C. Pretrial Services Agency (PSA) Strategic Plan for 2000-2005:

One cannot speak of the criminal justice system in the District of Columbia without addressing the proliferation of drug use within the defendant population. PSA participated in the national Arrestee Drug Abuse Monitoring program for the first quarter of 1999. Data from that period show that 69% of arrestees tested positive for cocaine, marijuana, opiates, methamphetamines or PCP at the time of arrest. Further, 25% of arrestees tested positive for more than one drug. A startling 100% of defendants arrested for burglary tested positive for some drug at the time of arrest. Over 85% of defendants arrested for either larceny or theft and over 90% of defendants accused of drug possession tested positive for some drug. PSA's own drug testing data for 1999 showed that for the entire year 46% of defendants tested positive at the time of arrest for cocaine, opiates or PCP.

CSOSA reports that 70% of all D.C. offenders have a history of drug/alcohol abuse; 69% of all males and 57% of all females arrested test positive for drugs at the time of arrest. Nationally, in 1997, 32% of sentenced prisoners who were returned for a parole violation were sent back for a drug offense.¹³

The Addiction Prevention and Recovery Administration (APRA) found in its citywide household survey on drug abuse that there are a total of approximately 60,000 addicts in D.C. This number is most definitely low considering the number of addicts that are incarcerated, homeless, or living in shelters or other public facilities. Presently, however, there are a combined total of only 7,000 inpatient and outpatient treatment slots, not including detox.

The efficacy of sending large numbers of drug offenders to prison has been a topic of considerable debate nationally during the past decade. The RAND Drug Policy Research Center reports that \$1 million spent on treatment will reduce cocaine consumption 3.5 times more than spending the same amount on enforcement. Additionally, RAND estimates that treatment reduces drug-related crime as much as 15 times more than mandatory sentences.

¹³ Correctional Populations in the United States. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 2000.

Across the nation, governments and voters, are proposing new ways to deal with the nation's drug problems that do not focus on prisons, and the two biggest states are leading the way:

- In August 2000, a statewide panel convened by New York State's Chief Judge Judith S. Kaye announced what it described as "sweeping new reforms to provide court-mandated substance abuse treatment to nonviolent drug-addicted offenders throughout the state." The reforms would make New York the "first state to require that nearly all non-violent criminals who are drug addicts be offered treatment instead of incarceration."¹⁴ New York Governor George Pataki announced in his State of the State Address that he would substantially revise the state's drug laws.
- In California, voters in the November 2000 elections overwhelmingly passed an initiative that will divert more than 35,000 drug offenders from prison and jail to community-based treatment beds. Campaigns in California and New York have shown that politicians, law enforcement and the public would rather spend \$20,000 a year on a residential drug treatment program, or \$2,700 a year on an outpatient program, than spend \$25,000 to \$30,000 a year incarcerating drug offenders.¹⁵

The data and the opinions of those represented in this report firmly support that solutions to crime, particularly drug-related crime, are not found exclusively in the removal and isolation of individual offenders, but rather through cultivating services within those very communities that are hit hardest by crime and other debilitating social factors.

4. *Inmates' Criminal Justice Histories*

¹⁴ Katherine E. Finkelstein, *New York to Offer Addicts Treatment Instead of Prison*, New York Times, June 23, 2000, page A1.

¹⁵ Source: for the drug treatment costs, Gangi, Robert, Schiraldi, Vincent, Ziedenberg, Jason. *New York State of Mind?: Higher Education vs. Prison Funding in the Empire State, 1988-1998*. Washington, D.C.: The Justice Policy Institute, 1998.

In order to ascertain what, if any, groups of D.C. offenders are potentially appropriate for a rigorous continuum of community-based programs, we analyzed the criminal justice histories as well as the commitment offenses of D.C.'s inmate population.

In its 1996 report commissioned by the National Institute for Corrections (NIC), the National Council on Crime and Delinquency found that 86% of new prison commitments to the D.C. Department of Corrections scored "None/Low" in the area of Prior Assaultive Behavior; 56.7% were within 12 months of their earliest release date, and 47.2% had no prior felony conviction. Another 20.8% had only one prior felony conviction.

These findings, with regard to prior conviction history, are supported over time by data published by The District of Columbia's Advisory Commission on Sentencing.

"Of the 17,332 offenders sentenced on felony charges in D.C. Superior Court between 1993 and 1998, criminal history information was located on 17,160 (99% of all offenders). During this period, 49.5% of these offenders had no prior felony convictions, another 39% had one or two previous felony convictions, and 12% had three or more prior felony convictions. Furthermore, 67% of these offenders had no prior prison commitments, 29% had one or two prior prison commitments, and 3.6% had three or more prior commitments."

Taken together, these findings suggest the following trends:

- Many of those inmates entering prison from the District tend to be committed for relatively short terms;
- The offenses involve predominately non-violent behavior; and
- Offenders have a limited history of prior felony convictions.

This is not to say that these inmates have been free from contact with the criminal justice system. On the contrary, baseline research for CSOSA on random samples of pretrial, probation, and parole cases in 1996-97 conducted by University of Maryland Researcher Faye Taxman show that the average offender supervised by PSA had 9.9 prior arrests and 3.75 prior convictions. The average probationer had a mean of 7.3 arrests and 3.56 convictions while the average parolee had a mean of 9.2 arrests and 4.5 convictions.

One is initially struck by the apparent differences presented by these three bodies of research with regard to offender history. Upon closer evaluation, however, the data reveal themselves as complementary rather than contradictory. The CSOSA data do not, and apparently cannot, distinguish between misdemeanor and felony convictions. Furthermore, data from NCCD and the Advisory Commission on Sentencing did not dwell on arrests but focused exclusively on felony convictions, those crimes traditionally punishable by terms of more than one year in prison.

Collectively, these data appear to point to an inmate/offender population with relatively frequent contact with the criminal justice system characterized by relatively low-level criminal activity. Only about half of all arrests noted in CSOSA's data resulted in convictions, with the remainder being dismissed or simply not pursued. As only one out of five of the 46,000 arrests made by the MPD in 1998 were for violent crime—meaning 38,000 were for non-violent offenses—it appears that the bulk of arrests and convictions in CSOSA's sample were for misdemeanors or non-violent felonies. As such, many, but by no means all, of the inmates entering the D.C. Department of Corrections are low-level, non-violent offenders.

Such an interpretation of the data would be further supported by other factors found within the research. Both the NCCD and the CSOSA studies point to a high level of need among the offender population. CSOSA, for instance, reports that only 14% of pretrial defendants, 28% of probationers and 35% of parolees reported to be employed either full or part-time. Additionally, CSOSA reports that only 7% of pretrial offenders in the sample, 21% of probationers and 56% of parolees reported having any prior treatment experience, with treatment being broadly defined to include: drug and alcohol treatment, mental health, sexual disorder, or employment. (72% of parolees who report receiving some treatment, received that treatment in jail/prison rather than in the community.) Furthermore, CSOSA reports that the average educational level of D.C. offenders is 9th grade and their literacy level is 7th grade; and average overall IQ scores are 80-89, in the low average range.

Further supporting the characterization of many D.C. inmates as low-risk is the 1999 classification of all D.C. inmates at Lorton using the BOP classification instrument. Of 6,861 inmates classified using the instrument, 1,008 (15%) were determined to be Minimum Security and an additional 1,400 (20%) were classified Low Security.

Herman

Herman is a 58-year-old African American male who has been charged with 8 crimes, 6 of which were related to his addiction to heroin and cocaine which he began using when he was 23.

Herman served two years in juvenile hall for breaking and entering when he was 14, spent nearly 5 years at Lorton for “picking pockets” (robbery snatch) when he was 18, and in his late twenties, served 27 months in an Ohio prison for stealing a car. He was arrested for intent to distribute drugs when he was 29, and served two years. After being clean and sober and free from crime, he was arrested in his thirties for petty larceny and shoplifting, again to support his drug habit. For this charge, he served one year at Lorton. More recently and unrelated to his habit, he was charged with simple assault and domestic dispute, for which he was sentenced to six months.

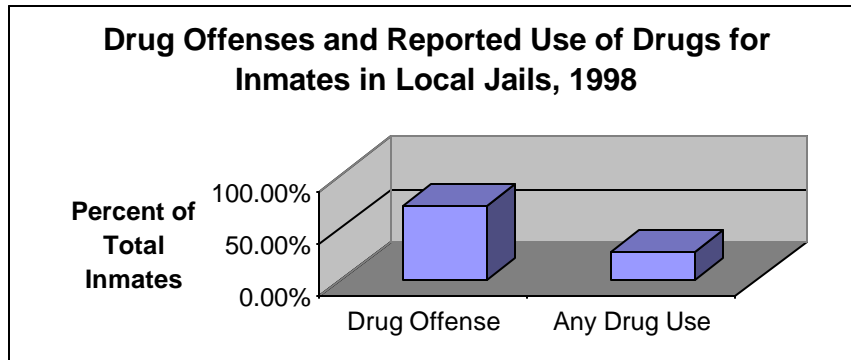
In his twenties, while at Lorton, he participated in Narcotics Anonymous for a time. He successfully completed the Salvation Army’s six-month program in 1994/5. He also went through the American Rescue Workers program, which is similar to the Salvation Army program. His addiction affected his work life, and he says it destroyed a successful shoeshine business operated by him and his wife.

In 1997, of the 9,677 inmates known to be under the custody of the D.C. Department of Corrections, 60%—or nearly 6,000 inmates—were incarcerated for non-violent offenses. Of those 6,000 inmates 2,805 were charged or sentenced for crimes relating to narcotics, about 29% percent of the total inmate population. Five hundred and fifty inmates’ last known offense was a burglary, and 512 were held for a variety of petty crimes under “other offenses” category.¹⁶

5. Drug Offenders

Next to its racial makeup, the D.C. inmate population is most notable for its staggering percentage of drug offenders. Since 1990 MPD has made nearly 72,000 drug arrests, an average of 150 per week. (Drug Strategies pg. 12) Standing out among the Advisory Commission on Sentencing’s exhaustive study of 17,332 felony sentences during the five-year period from 1993 to 1998 are drug offenses. Thirty-nine percent (6,760) of all 17,332 sentences were imposed for drug charges. A full 33.4% of those sent to prison in D.C. between 1993 and 1998 were convicted of drug offenses.

¹⁶ Austin, James and Johnston, Claire. “Crime and Justice Trends in the District of Columbia.” Washington, D.C. U.S. Department of Justice, Bureau of Justice Statistics, 1997.



Source: BJS, *Survey of Inmates in Local Jails*

**In 1998 an estimated 7 in 10 local jail inmates had used drugs regularly or had committed a drug offense.

Those being sentenced in D.C. for drug offenses also serve more prison time for their offenses than do drug offenders in the states. Drug offenders in the District serve an average of four years in prison, twice as long as those in the states and 20% longer than those in federal prisons. (Drug Strategies pg.15) In 1997 the percentage of D.C. inmates held for drug crimes is 30% greater than the national average. (i.e., 29% vs. 20% nationally).

V. Target Inmate Population

The consensus among those represented in the Circles, as well as among many from the criminal justice community, was not only that more needs to be done to provide for the safe and successful transition of non-violent offenders back into their communities, but more should also be done to prevent these offenders from being sent to prison from the start.

This view is supported by the positions articulated by the Study Circle participants and by public statements made by criminal justice officials. As noted in the Joint Interagency Action Plan Regarding Release Processes and Community Correctional Resources, submitted to Delegate Eleanor Holmes Norton on October 10, 2000, "In addition to identifying new HWH [halfway house] bed space and maximizing use of current facilities, it is important for the stakeholders to develop acceptable alternative re-entry options to traditional HWH programs." The Interagency Action Plan goes on to propose, "Develop[ing] alternative re-entry options and a joint process to classify and prioritize the types of cases best suited for each option," as one of three approaches to alleviating backlogs in releasing offenders from custody.

Against this backdrop, the following general categories of offenders have been identified from which many appropriate subjects could be drawn for a greater degree of community-based support, supervision and treatment.

Escapees/Bail Reform Act Violations

The broad category of offenders that falls under this heading has been the focus of considerable attention over the past two years. This category is largely made up of those who have failed to return, or returned in an untimely way, to halfway houses. Also included are those defendants on pretrial release who failed to appear for mandatory court hearings. Between 1993 and 1998, 2,700 sentences were imposed for this offense category, more than the number of sentences imposed for homicide, sex abuse, assault and auto theft combined.¹⁷ Of the 2,700 sentences imposed, 1,938 (76.8%) included some prison. The 76.8% rate of incarceration for this category of offenses exceeded the rate of prison sentences imposed for Arson (71.4%), Weapons (56.1%), Assault (73.7%) and was only slightly lower than the rate for that category of offenses termed by the Advisory Commission on Sentencing as “Child-Sex” (77.3%). Of the 1,938 sentences to some term of prison on a single charge of escape/BRA, median sentences ranged from 4 to 12 months.

Many escape/BRA violations occur when offenders are using drugs and fear of detection, combined with clouded judgment, cause them to flee. Given the annual average of 387.6 prison sentences imposed for this offense, we believe targeted efforts to provide services in the community to this population, along with a CSOSA-driven series of graduated sanctions, could constructively reduce this number by approximately 150 annually.

Sentenced Misdemeanants

There are between 300 and 350 inmates filling D.C. Jail and Community Treatment Facility (CTF) beds on any given day who fall into this category. The common duration of these sentences ranges from 30 to 120 days. This population therefore turns over rapidly and accounts for approximately 1,000 custodial sentences annually. These offenders are typically of the nuisance variety, serving time for such offenses as drinking in public, public intoxication, disturbing the peace, loitering, etc. This population is particularly troublesome but one that generally presents a diminished risk to public safety. As such they are ideally suited to the types of community-based programs that offer high levels of support and aggressive case management of offenders in the community. As

¹⁷ Total number of defendants sentenced in D.C. Superior Court between 1993 and 1998 for all categories of homicide (780), sex-abuse (161), assault (964) and unauthorized use of an auto (602). Total: 2,507.

the D.C. corrections system is transformed and the D.C. jail becomes the only custodial facility under the operation of the D.C. Department of Corrections, there will be an increasing need to use the limited bed-space wisely. We believe a reasonable target is to reduce this population by 350 annually. That means that on a daily basis there would be roughly 100 fewer inmates in the jail.

Minimum/Low Security Inmates

Based on a custody evaluation of all D.C. inmates using the BOP classification instrument completed in January 1999, it was determined that 2,408 D.C. inmates were classified as Minimum (1,008) or Low (1,400) security. This too would be an ideal population to target for referral to a series of community-based program options that are suited specifically to addressing the typically low risk, high needs inmate that characterize the D.C. inmate population. We believe that 500 inmates is a reasonable reduction target for this population.

Halfway House Inmates

Although there have been recent notable exceptions, CSOSA policy since 1998 has called for the reintegration of all inmates through halfway houses. Each halfway house stay typically ranges in length from 90 to 120 days. For many inmates, notably those who are most in need of employment assistance, housing assistance and drug treatment programming, this transition process is wise. However, processing delays and shortages of halfway house beds have made this an increasingly difficult policy to enforce. "There is a growing backlog of felons, particularly inmates awaiting parole in the DOC, whose releases from prison have been delayed due to an acute lack of bed space in HWH's and, to a degree, by agency delays in the processing of placement referrals" (Joint Interagency Action Plan).

Paul

Paul is a 31-year-old African American male who at the time of the interview (October, 2000) was completing his pre-parole sentence at Hope Village, on the charge of carrying a concealed weapon. Before this charge, which resulted in him spending a month at the D.C. Jail, and seven months at Lorton, Paul was arrest free for the previous decade.

Without a high school diploma or GED, Paul held several well paying jobs, including working for Housing and Urban Development in shipping and receiving, reading gas meters for Washington Gas, and six years with a security guard company.

In 1999, he was arrested on his current charge and sentenced to one-year at Lorton, with a recommendation for immediate referral to halfway house work release. Instead, he says he spent one-month pre-trial at the jail, and then 6 months at Lorton waiting for halfway house space. Two of those seven months were spent in maximum security. "Max was a total nightmare," Paul says. "The guys there robbed me, tried to stab me, and they had nothing to lose because they were there for life." He was sent to a halfway

house in April 2000, and has been working on the food preparation team for a local law firm.

Paul speaks to the de-skilling that faces halfway house inmates looking for work. Prior to his last charge, Paul held several good jobs, but he felt forced to take the first job he could get, which, in this case, was a food preparation job, arranged by the halfway house staff—a step down from what he had done before.

Despite efforts by the BOP to contract for approximately 500 additional halfway house beds throughout the Washington metropolitan region, the flow of re-entering inmates, estimated at between 2,800 and 3,000 annually, is overwhelming. We believe there are a considerable number of inmates within three months of their parole dates who could safely transition directly from prison with the aid of appropriate community-based services. Halfway house officials acknowledged during interviews that the majority of inmates who come through their facilities are in possession of a release plan that includes a suitable living arrangement. With the added structure and support of individuals and agencies located within the neighborhoods where an inmate's home is located, their transition could occur smoothly without relying on scarce halfway house beds. As such, we believe approximately 500 of these inmates could be safely transitioned with services directly into the community with reduced or no halfway house stays, thereby reserving these precious beds for more needy offenders.

Probation/Parole Violators

Approximately 1,000 parole violators are imprisoned annually.¹⁸ This figure grows when probation violators who fail to fully comply with conditions of their probation are factored in. The types of community-based services described in this report could dramatically enhance success on community supervision for many of these individuals. We believe that with the creation of programmatic capacity in the communities of Washington, D.C., approximately 250 of these offenders can be prevented from returning to prison.

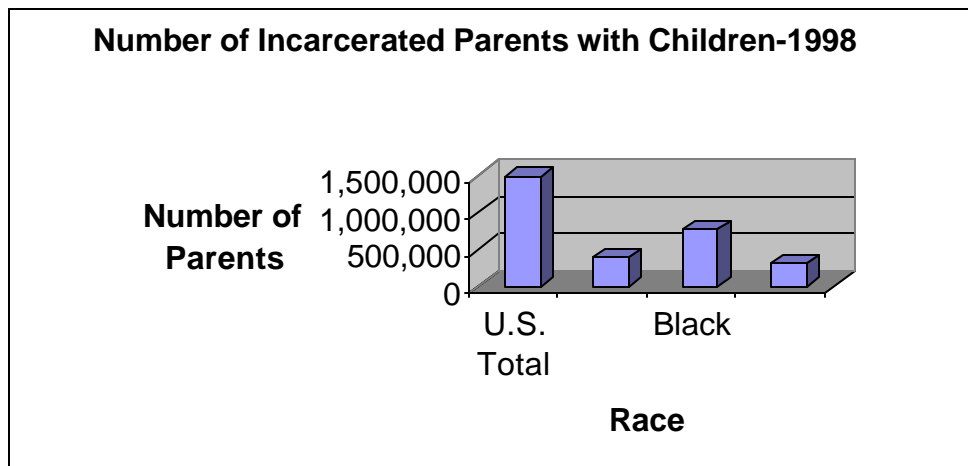
Felons Sentenced to Less than One Year

A review of felony sentences imposed in 1999 completed by William Erhardt, Esq., from the Court Services and Offender Supervision Agency, revealed that 500 cases were sentenced in D.C. Superior Court to split sentences of up to one year or regular adult sentences with minimum terms of one year or less. Today, each of these cases would be subject to commitment in a BOP facility for service of that sentence. Although the review failed to distinguish between offense types

¹⁸ Joint Interagency Plan Regarding Release Processes and Community Correctional Resources, October 10, 2000.

and offender characteristics, the length of sentences in these cases is an indication of the relatively low level of risk these offenders were believed to present. Especially because of the difficulties experienced when these people are transported to distant facilities, it makes sense not to ship them so far, only to return them a few months later. We believe that 100 offenders in this category can plausibly be redirected towards community options.

Special Populations: Mentally Ill Inmates and Women with Children



Source: BJS, *Incarcerated Parents and their Children, 1999*

Based upon the Bureau of Justice Statistics (BJS) Prisoners in 1999 report and the August 2000 special report Incarcerated Parents and Their Children, it is estimated that approximately 176 or 65.8% of incarcerated females in D.C. have children under the age of 18. It is estimated from a national sample by BJS that almost 35% of female inmates are incarcerated for drug offenses.

The implications of incarcerating non-violent women, many of whom are mothers of young children, are far-reaching. Given the predominantly non-violent histories of many of these women, they are typically good candidates for community-based programs that address their special needs.

It was reported by many of those interviewed from within the criminal justice system that the number of mentally ill inmates appears to be on the increase. According to a 1999 BJS report, nationally, female inmates also have higher rates of mental illness than male inmates. In this self-report survey of 8,652 inmates in state and federal correctional institutions, it is estimated that an average of 18.5% of female inmates and 11.5% of male inmates were identified as mentally ill. Using these figures, the number of mentally ill inmates in D.C. is

believed to exceed 1,000. These inmates pose particularly difficult management issues in prison and are often victimized in prison by predatory inmates. It is believed that the absence of high-quality programs in the community contributes to the high number of mentally ill offenders being sent to prison.

We estimate that if an appropriate array of community-based services designed for these particular special populations were in place; D.C. could safely avoid committing approximately 250 offenders from these categories to BOP facilities.

Martha

Martha is a 36-year-old African American female, from Washington, D.C. At age 19, Martha was first arrested for buying PCP and sent to a co-ed Youth Act Camp in Morgantown, West Virginia for a 60-day psychiatric study of behavior, and then one-year probation. Martha also gave birth to a daughter that year.

When she was 23-years old, Martha was charged with intent to distribute PCP, which she maintains belonged to her boyfriend. She received a suspended sentence of 5-15 years. For this charge, she spent one year in a D.C. Jail, and was then transferred to a drug program. When she was 25-years-old, she was again arrested and charged with distribution of cocaine, and was sentenced to 10 to 30 years.

After being held at the D.C. Jail for a total of 18 months, she spent 9 months in Lexington, Kentucky, and then 6 years at the D.C. Correctional Treatment Facility (CTF, now run by the Corrections Corporation of America). She spent a final year incarcerated at the Alderson Prison in West Virginia. Contrary to policy, she was not sent pre-parole to a halfway house for women.

Throughout her incarceration, Martha attempted to deal with a drug problem. During her first incarceration at the Youth Act Camp, Martha remembers that her problem with drugs was not addressed, and she continued to smoke PCP once she was released.

While in the D.C. Jail there were no treatment programs. When she was finally admitted to a 6-month, in-patient program, she failed, believing it was too aggressive, and did not meet her specific needs as a young mother.

"I'd never cared for an infant child before. I got some support from my family. I wasn't used to someone else running my life. I was just stressed out. I wanted a baby, but I wasn't ready to be a mother. I needed help, but I didn't get it."

By targeting these different groups of inmates for swift transition back to the community and/or for possible diversion from prison completely, it is estimated that D.C. could reduce by approximately 1,000 the number of its citizens incarcerated in the D.C. Jail and committed to BOP or private facilities far from D.C. Although the aforementioned populations total more than 1,000, we have

adjusted this estimate to 1,000 due to that fact that some of these populations overlap, e.g., many minimum/low security inmates will also be inmates with sentences of less than one year, and so on. There are numerous agencies in the D.C. community that have expressed a willingness and high degree of motivation to aid the reintegration of this population. They should be encouraged and allowed to play such a role.

Harry

Harry is a 45-year-old African American male who has been in and out of the D.C. prison and halfway house system for non-violent offenses, and parole/probation violations. Harry reports he has been using a half-teaspoon of heroin nearly every day for the last 20 years. He also has an alcohol problem, is HIV positive, and has been diagnosed with bi-polar disorder.

In 1985, he was incarcerated in Petersburg, Virginia on a 5-year sentence for mail fraud. He returned to prison for two years in 1988 on a parole violation (failing to report). In 1991, he was sentenced to Lorton for 4 years for attempted distribution of cocaine. After serving three years of that sentence, he was paroled through a halfway house. He returned to prison in 1996 for another parole violation (failure to report), and again in 1998 (failure to report). Harry was at Hope Village until the fall of 2000, and recently moved in to live with an aunt. He is waiting for his disability checks to start, and is relying on his aunt for food, shelter and clothes.

Harry has been involved in a number of treatment programs but none dealt with his mental health problems. He told the drug treatment staff that he was diagnosed as bi-polar, and needed help, yet, "they kept sticking methadone down my throat." Harry also notes that his failure to report to his parole officer was due to the fact that he was using heroin.

Harry wants to work; he says that he thinks it would be good for his mental health to be working. But while Harry did clerical work at the halfway house, he complains that there was no training for vocational skills available that would prepare him for release. He says he feels he was seen as someone who wouldn't need to work when he left the halfway house because of his HIV status. "Yes, I'm HIV positive," Harry says. "But I'm not a cripple. I can work."

IV. Community Skill/Asset Mapping

To assess the extent to which skills and services exist in particular neighborhoods of the District, two communities were targeted for detailed asset mapping. Geomaps produced by CSOSA of areas where the highest concentrations of parolees reside were used to guide our selection of regions of

the city. Perhaps not surprisingly, these are also the neighborhoods with the greatest volume of unemployment, drug use, and child welfare agency clients.

Over time the view of many such communities is colored by the problems that have come to be associated with their residents. These neighborhoods come to be viewed through a prism of need. People are quick to characterize these communities as “troubled” and lacking in human and institutional capital. All too often the number of boarded buildings, abandoned cars, drug arrests and rates of infant mortality come to characterize these neighborhoods. Seen through this perspective of emptiness, solutions to the problems facing these communities tend to be designed based not upon their internal strengths but upon their apparent needs.

The Institute for Policy Research at Northwestern University describes this common phenomenon as follows:

“While the raw material for community-building is the capacity of its individual members, some communities have failed to understand this. One of the reasons this basic resource is undeveloped in weak communities is because the community has come to focus largely on the deficiencies rather than the capacities of its members. This deficiency focus is usually described as a concern about the needs of local members. And these needs are understood to be the problems, shortcomings, maladies and dilemmas of people...”

“Unfortunately, in some communities local residents have come to mistakenly believe they can build their community by an inventory of deficiency. The common name for this deficiency inventory is a ‘needs survey.’ It is basically an effort to count up the emptiness in an individual neighborhood. The problem is that this information is not useful for community building because it deals with people as potential clients and consumers. To be powerful, a community must have people who are citizens and producers.”

The opinions consistently voiced by the Circle participants reinforce that far more potential exists within these neighborhoods to pose and implement solutions to the problems that face them than is typically believed to exist. In its summary document of November 18, 2000 outlining many of the key issues they face, the Circles note the following:

- *The community has insufficient control of justice processes. The people making decisions -- at the political level and in individual cases – are disconnected from the people affected by the decisions...*
- *[The objective of communities and their residents is] to create a system of care that will command the participation of the community in facilitating successful reintegration of people who committed crimes into their communities.*

- *The justice system fragments communities by removing too many people and creating too many obstructions to normal social interaction and informal social control. A community cannot function with so many young men removed, stigmatized, neutered, embittered, and told they will fail.”*

Many Study Circle participants urged a more aggressive review of services that already exist in D.C. and of what can be done to build on that foundation in the neighborhoods of the city. They also urged greater consideration of their views, community involvement in planning solutions, and community participation in providing the services with which some of the solutions are seen as being associated. The community favors small programs designed with significant community input and participation.

As a first step in assessing the strength and capacity within the two-targeted D.C. neighborhoods, a detailed survey of the assets found within them and the skills of some of their residents was conducted. Within the neighborhoods loosely defined as Marshall Heights and Ivy City/Trinidad, teams of trained staff canvassed every street in each neighborhood. In each neighborhood they conducted interviews and created lists of the assets present in each community. In all, 61 interviews were completed in the two neighborhoods and more than 300 tangible assets were identified, ranging from community service agencies, schools, and religious institutions, to employers and commercial establishments.

What emerged from this exercise is a perspective for viewing these communities in a far richer context than they are often viewed. Rather than as communities represented on public scorecards as high in crime and low in birth weight, they are instead shown to be communities bustling with potential and promise.

A. Skill Surveys

Surveys were administered to 61 residents from the two target communities, 25 in the Ivy City/Trinidad neighborhood and 36 in the Marshall Heights area. Survey respondents were selected randomly from those our surveyors encountered during their mapping efforts.

The importance of job training for reentering offenders is clear. What is often less clear, however, is the ability of local residents to play a productive role in teaching marketable skills to those in need. We believe the results of the skill survey help to illustrate the point that residents of these communities are fully capable of contributing directly to creating and maintaining some of the very types of programs that are needed by those reentering their communities from prison.

Furthermore, once decisions are made to establish a particular type of program in a community, the program staff persons are all too frequently imported from outside the neighborhood in which the program is located. Community-based

does not always mean community-staffed. Programs that draw their staff heavily from the neighborhoods in which they are located offer meaningful links to the community's history, culture, and strengths, as well as insights into its formal and informal leadership. Local staffing of neighborhood programs also strengthens the economic fabric of the communities and contributes to the overall betterment of the neighborhood. For purposes of reporting survey results, skills were divided in four general categories, Health, Renovation, Administrative and Community Service.

Marshall Heights	
<u>Health</u>	<u>Percent with Skill/Experience</u>
Child Care	78%
Elderly Care	56%
Food Preparation	50%
<u>Renovation</u>	
Construction/Repair	42%
Maintenance	72%
Machinery	33%
<u>Administrative</u>	
Office Support	70%
Supervision	64%
Security	42%
<u>Community Service</u>	
School/Church Volunteer	42%
Participation in Clubs, e.g. Boy/Girl Scout, 4-H.	53%

Ivy City/Trinidad	
<u>Health</u>	<u>Percent with Skill/Experience</u>
Child Care	80%
Elderly Care	80%
Food Preparation	72%
<u>Renovation</u>	
Construction/Repair	44%
Maintenance	88%
Machinery	16%
<u>Administrative</u>	

Office Support	68%
Supervision	64%
Security	24%
Community Service	
School/Church Volunteer	68%
Participation in Clubs, e.g. Boy/Girl Scouts, 4-H	48%

The level of skill and practical experience among those surveyed reinforces the strength of human capital available in these communities. In addition to the ability of these residents and others like them to play a direct role in the transition and support of offenders, their skills underscore the potential that exists within these neighborhoods to serve as a foundation for building a stronger network of community-based services.

B. Local Assets

As a means for further assessing and documenting the social, economic and institutional capacity of these communities to contribute to building a meaningful continuum of community-based services, a detailed survey of community assets was conducted. The survey method involved creating a record of all commercial and social entities in the two target neighborhoods. Assets were divided into the following five categories:

1. Religious Institutions
2. Schools
3. Government Offices and Community Service Agencies
4. Businesses – Goods/Services
5. Businesses – Restaurants/Carry-Outs/Food Sale Establishments

Combined, a total of 322 community assets were recorded. These elements of social and commercial discourse are essential to the quality of life in the communities of which they are a part. They serve as the loosely knit fabric of institutions that allow a community to grow and thrive. They also represent the promise of opportunity within their respective communities. Together they help form the political will, the economic potential, the professional experience and the moral authority that is their community. By building upon this foundation, a comprehensive network of services could be developed that would provide the level of support and opportunity needed by many offenders to successfully reestablish themselves in the community.

Religious Institutions: Long the moral backbone of many urban communities, the churches, synagogues and mosques in the two target neighborhoods are no exception. Many have been in existence for generations. They have contributed to the betterment of the neighborhoods in ways both large and small. From

spiritual guidance to childcare and education, the 32 religious institutions in Marshall Heights and the 12 in Ivy City/Trinidad represent solid foundations for building stronger networks of services to local residents. Currently several of the churches offer AA and NA meeting locations. Many of these religious institutions stand willing to respond in a more significant way to the issues of reentry for former inmates from their communities. With the proper technical and financial support these religious institutions could contribute space, staff/volunteers, organizational experience, professional skill and moral commitment to establishing a variety of service delivery programs specifically designed to serve the residents of their respective communities.

Schools: Along with religious institutions, neighborhood schools help form the core of any community. Ample in space and number, the six schools in Marshall Heights and six in Ivy City/Trinidad represent beacons of learning, hope and human potential. The countless years of professional experience, community organizing and commitment to helping improve the lives of local youth found within each school represent potentially invaluable contributions to planning for and implementing neighborhood service programs. By working beyond the boundaries of the schoolyard and the hours of the school day, these neighborhood institutions could extend their commitment to youth and families through an expanded role in their communities. GED courses, vocational training, job seminars, parenting education, stress management, support groups for parents and youth, referral agencies and hosts for community forums are only a few of the many ways in which schools could contribute more broadly to improving the quality of community life.

Government Offices and Community Service Agencies: An established network of governmental offices and private community service agencies also exists in both target neighborhoods. From city offices delivering essential public health, safety and recreation services, to private agencies offering family planning, community development, childcare, family support and substance abuse services; both communities have within their boundaries considerable strength in these important areas. Our asset survey in the Marshall Heights neighborhood identified 28 separate entities in this category and 20 from Ivy City/Trinidad. Not only do these agencies and offices deliver important services to local residents, but some are cutting-edge models for what can exist elsewhere in D.C. Both the East River Family Strengthening Collaborative, which offers a wide and growing variety of family support services, and the Trinidad Concerned Citizens for Reform, which is responsible for the rehabilitation of former nuisance properties and local beautification projects, offer solid examples of the enormous potential existing in D.C.'s neighborhoods. Collectively, they possess years of knowledge and leadership in their respective neighborhoods and have earned the trust and respect of many of the local residents. A great deal can be learned from the fine work of these agencies and others like them. Their lead should be followed and their work rewarded.

Business – Goods and Services: The economic and commercial health of any neighborhood is measured in part by the local businesses located in the community. Our survey identified 56 businesses in Marshall Heights and 106 in Ivy City/Trinidad that provide goods and/or services. Although many of these businesses are small, employing fewer than five people in relatively unskilled positions, others are larger and employ both highly and semi-skilled individuals. Bank of America, Citibank, Minnesota Florist, Thomson Glass Company, Northeast Motors, Merchants Tire and Auto, ABCO Transmission and B&B Auto Body are some of the commercial entities that have made these neighborhoods their home for many years. Each of these businesses has a stake in the availability of potential employees and customers from these communities. Each is a potential employer of present and former inmates, as well as possible sources of on-the-job training sponsors.

Business – Restaurants/Carry-Outs/Food Sale Establishments: In the same way that the above described businesses represent a measure of local economic activity and potential, so too do restaurants, carry outs and food sale establishments. Our survey identified 34 such businesses in Marshall Heights and 24 in Ivy City/Trinidad. From Safeway to the Montello Market, these businesses represent both an economic lifeline and training ground for communities in which they are located.

V. The Call for a Continuum of Community-Based Services

The interest of Circle participants in focusing on individual stories was enhanced by their connection to the District's many communities and by their personal knowledge of family members or friends who had experienced first hand the effects of the criminal justice system. They saw the down side of a criminal justice system where one size fits all. They encouraged distinctions between offenders and saw fairness in considering individual characteristics in responding to criminal behavior. Most emphatically, they called for more and better community-based services for non-violent offenders.

This support was also found from within the criminal justice system. While opinion varied somewhat as to which offenders should be considered for community-based programs, there was little disagreement that such programs for the right offenders are needed in D.C.

We believe our efforts have tapped a deep well of support that exists in the community and in the local criminal justice system to seize the opportunities presented by the Revitalization Act and design a local criminal justice system in D.C. that is rich in services for its high-need inmate population, and less reliant on the Federal Bureau of Prisons. As noted previously, many of the community-based programs that could be developed would also service some of those offenders who might otherwise be returned to prison as a result of a violation of release conditions. Further, such a continuum of services would provide a

broader array of options for judges to consider as alternatives to prison for some offenders at the time of sentencing.

As a guide to constructing such a continuum we present the following series of model community-based programs, both domestic and international, that have demonstrated their effectiveness in delivering meaningful and supportive services to the types of offenders that resemble those in D.C. Additionally, these programs were selected for presentation due to their success in drawing in members of the communities in which they exist to play a role in service delivery. They are therefore well suited to being replicated in D.C. by the many individuals and agencies that have shown such an interest in contributing to the systemic solutions being sought.

The programs in this section of the report are included to:

- Assist officials in exploring effective approaches for offenders that could enhance existing programs in the District of Columbia
- Identify programs that officials might consider for adaptation to meet any existing gaps in the District of Columbia's current continuum of services
- Demonstrate to community leaders, especially those affiliated with grassroots organizations, religious institutions, and other nonprofit agencies, the role and efficacy of community-based programs for offenders in their home communities. Most of the programs described have been developed and operated by grassroots community groups, faith-based organizations, and nonprofit agencies. While significant funding for some of these programs may derive from government sources, many have been developed and operated through grassroots fundraising, foundation grants, and other private sources of support.

Programs in this section have been grouped according to services offered and/or populations served. While the majority of programs are operated by non-profit agencies, legislatively regulated and government-operated programs are also included. Some programs are relatively new; others have a record proven over many years. Lastly, the categorization of programs under the several headings used in this section is not meant to imply that agencies provide only that program or that the programs do not overlap.

A. National and International Models

1. Court and Probation Mandated Drug Treatment

Perhaps the newest systemic change promoting alternatives to incarceration can be found in mandated, community-based drug treatment for non-violent drug offenders. The following three examples illustrate how some states have

approached this issue. They are presented with the understanding that the District of Columbia, with its unique relationship to the federal government, might not be able to follow the mechanisms used by these states to effect policy and operational changes. Rather they are included to highlight the growing interest in drug treatment as a first approach to dealing with nonviolent drug offenders.

Arizona: In 1996, Arizona citizens approved the "Drug Medicalization, Prevention, and Control Act" to expand drug treatment and education services for drug offenders and to utilize probation for non-violent drug offenders. A Drug Treatment and Education Fund (DTEF) was created with revenues from "luxury taxes on liquors." A screening/assessment system was developed to assist in determining a probationer's level of substance abuse, the nature of the particular problem and the appropriate treatment placement. In its first year, 2,622 probationers entered the program, 98.2% received the services recommended by the assessment, and 61.1% of the 932 probationers for whom treatment completion data were available were successful. For the year, estimated savings to the state from the DTEF program totaled over \$2.5 million.

California: California citizens approved a similar program in November 2000. Beginning July 1, 2001, first and second-time nonviolent drug offenders will automatically be placed in treatment programs upon conviction. The measure provides \$120 million, or about \$4,000 a person, for treatment. Estimates are that this initiative approach could save the state \$250 million a year and local governments about \$40 million.

New York: The Unified Court System is implementing "across-the-board drug screening for criminal cases (and) court-mandated substance abuse treatment for non-violent defendants." Estimates are that "nearly 10,000 additional defendants (will enter) into court-mandated treatment and generate over \$500 million a year in incarceration and long-term taxpayer savings."

2. Drug Treatment

The demand for quality drug treatment programs has been an ongoing problem. Professionals of the D.C. justice system who participated in the Study Circles noted a lack of capacity in the District for many kinds of services, including drug treatment. The inmates profiled in the report almost uniformly reported that appropriate drug treatment, delivered at critical points in their lives, could have redirected them away from future offending and a return to prison. The following community-based approaches to effective provision of drug treatment could enhance existing drug treatment programs in the District, especially in regard to long-term treatment.

El Rio, New York City: Operated by the Osborne Association, El Rio is an intensive outpatient treatment program established in the wake of the crack epidemic. It uses traditional counseling and 12-step techniques along with

acupuncture and other holistic approaches to provide an effective alternative to prison. El Rio targets jail bound defendants and has dedicated treatment slots available for offenders with HIV/AIDS.

Crossroads, New York City: Operated by the Center for Community Alternatives (CCA), Crossroads is a non-residential drug treatment program for female offenders with a history of substance abuse. Women are eligible if they are 16 years old or older; have a history of substance abuse; are being detained on a felony; or have a parole or probation violation. The program has three essential elements: substance abuse treatment, intensive case management services, and monthly progress reports to the court, defense attorneys, prosecutors and probation.

Phoenix House, New York, California, Texas, New Hampshire, Rhode Island, and Vermont: Serving 5,000 adults and adolescents, Phoenix House was among the first self-help drug treatment programs. Adult programs provide residential treatment, education, healthcare, vocational counseling, training, and job placement. Participants are expected to remain in the program for 12-18 months, during which time individual plans are developed. The monthly charge for treatment is \$1,500. The program is supported by federal, state, and local funds; client fees; third party payments; corporate and foundation grants; and contributions. More than 75% of those who complete the program are working and free of criminal activity five to seven years after leaving Phoenix House.

Haymarket Center, Chicago: The Haymarket Center was founded 25 years ago and has grown to provide a multi-faceted program of outpatient and residential alcohol and substance abuse treatment for men and women. Funding is received from the Illinois Department of Human Services, Division of Alcohol and Substance Abuse, and from the federal Bureau of Justice Assistance. Among its treatment components are short, extended term, and prenatal detoxification; short and long term residential treatment; Maternal Addiction Centers; medical and psychiatric services; intensive day reporting; and aftercare including supervised work experience.

Cathedral Shelter, Chicago: Cathedral Shelter is a faith-based program that provides a range of emergency and social services to members of its surrounding community. Attached to the church is Higgins House, a residential program for men recovering from alcoholism and drug abuse. Residents receive room, board, counseling and support. Average stay in the program varies from three months to a year. Additional recovery support is available in the neighborhood at Cressey House, a 27-unit apartment complex providing 17 studio apartments, eight one-bedroom apartments, and two two-bedroom apartments. This previously vacant building was renovated with government support to provide subsidized, long-term housing. In addition, residents have access to outpatient substance abuse treatment, adult education, job education and placement. Referrals come from probation and parole, as well as other

community-based programs serving offenders in their community. The most recent study of Higgins House participants shows that 91% have not been arrested, 95% are working, and 62% have not used any alcohol or illegal drugs.

3. Employment/Workforce Development

One of the most pressing needs for offenders to remain in the community is employment. Study Circle participants were concerned that "inmates returning to the community were not prepared to join the workforce." However, just having a "job" and working in a position that has the potential for career development (e.g., promotion to positions of greater responsibility, increased wages, and fringe benefits such as health insurance and retirement) was an important distinction drawn by offenders in the Study Circles and those profiled in the report. Offenders acknowledged the need and importance of getting a job -- any job; but they also stressed the importance of career development. The following examples are successful programs that address the needs for job training, placement, and career development.

South Forty Corporation, New York City: For over 30 years, the South Forty Corporation has provided counseling, educational, and vocational services to prisoners and ex-offenders. Under contracts from the New York State Department of Correctional Services, New York City Department of Employment, and the New York City Department of Correction, South Forty offers pre-release counseling followed by services at their Manhattan-based Career Development Program. For those offenders not ready for competitive employment, South Forty offers subsidized on-the-job training and work experience. Other services include career and educational counseling, resume preparation, job placement assistance, social service referrals, and follow-up counseling and guidance. Every person enrolled in South Forty's post-release program is asked to sign a "Contract for Success" that clearly explains his/her responsibilities and those of the staff. As of the end of 1998, South Forty was exceeding its job placement objectives with the New York State Department of Correctional Services by as much as 66%.

STRIVE (Structured Training Results In Valuable Employees), New York City, Pittsburgh, Chicago, Boston, and Washington, D.C.: Originally developed and then expanded to several other states by East Harlem Employment Services, STRIVE's basic program centers on work attitudes and personal growth and begins with four week job readiness workshops. Participants are expected to come to this training dressed and ready for a professional work environment. Staff members develop job leads for clients and assist in the application process. STRIVE offers a two-year commitment to follow-up with its clients and employers. STRIVE will also develop special training curriculums to match the needs of specific employers in the community. Many of the work placements are first jobs for participants, but STRIVE has implemented training (ASAP - Access, Support, Advancement, Partnership) to assist participants plan and achieve

career paths leading to jobs with health, pension, and education benefits. In 1996, STRIVE was ranked as one of the six best employment programs by the U.S. General Accounting Office, with 80% of its participants graduating and 80% of graduates still employed after two years.

A STRIVE program was recently established in Washington, D.C., with ex-offenders representing about 10%-20% of the participants. In STRIVE-DC's first year, 131 people graduated, eighty percent of the graduates found employment, and eighty percent of those who found employment were still employed. The cost per participant for the core programs is \$1,500 to \$1,800. STRIVE-D.C. is seeking funds to develop new programming specifically for offenders.

Safer Foundation, Chicago: Established 25 years ago, the Safer Foundation has placed over 40,000 ex-offenders into employment. After 30 days of employment, each participant is assigned a "lifeguard" to maintain contact with that person for one year, supporting his/her critical transitions to work and other areas of his/her life. For its younger clients (ages 16-21), Safer offers education programs including GED and vocational training, and encourages clients to pursue education beyond GEDs.

The Eureka Street Project, Lima Ohio: The Eureka Street Project was an unusual partnership between the Rehab Project, a Community Development Corporation (CDC), and the Maryville Women's Prison. In an attempt to renovate houses on Eureka Street and return them to the community for low-income housing, the Rehab Project arranged for groups of women inmates to be transported daily from the prison sixty miles away to Lima. On site, they learn housing construction skills while renovating over a dozen dwellings on Eureka Street. While Rehab Project has closed, Eureka Street remains a vibrant neighborhood for low-income homeowners, with women obtaining important job skills and employment after their release. As a result of this project, upwards of 1,000 inmates from the Lima Correctional Center and the Ohio Reformatory for Women, as well as the Ohio Department of Rehabilitation and Corrections, are now involved in community-work projects for non-profits, schools, and local government. And the former executive director of the Rehab Project went on to become mayor of Lima.

Apex Charitable Trust, Birmingham, England: Apex Trust is a national organization solely committed to reducing crime through the appropriate employment of (ex)offenders. Apex creates joint ventures with a diverse range of agencies in order to secure employment for its participants (e. g., Federation of Small Business, Federation of Black Housing Associations, Rotary Clubs and Trade Unions). To encourage employers to look beyond the criminal record of offenders and overcome barriers to employment, the program uses the Apex Fidelity Bond, insurance coverage for employers who might suffer financial loss through the dishonesty of an offender it employs.

Court Employment Project, New York City: The Court Employment Project (CEP), operated by Center for Alternative Sentencing and Employment Services (CASES), provides young felony offenders, ages 14 to 21 years old, a structured, rigorous program of education, employment preparation, job placement and counseling. Each year more than 700 teen offenders from Family and Supreme Court receive supervision and comprehensive services—a chance to turn their lives around—instead of a prison sentence. Drawing on the principles of youth development, CEP prepares participants to succeed, employing arts-based learning, mentoring programs, peer education, and activity-based skills development. Participants are taught to relate actions to consequences, resolve conflicts without violence, respond appropriately to authority, and identify positive role models. CEP educates them about difficult issues such as substance abuse and HIV/AIDS. The Project builds on participants' strengths and interests, motivating them to pursue education and employment opportunities. Those who fail to meet the conditions of their sentence will return to court and face a jail or prison term. Nearly 60% of these hard to reach youths complete CEP.

4. Housing

Returning to the community ultimately means finding a place to live. In a city that is now facing a crisis in affordable housing for all its residents, affordable housing for offenders represents an even bigger problem. Justice professionals in the Study Circles noted that housing services were among the tools they lacked. The following examples provide insights into how two communities have addressed the need for housing for offenders.

Project Return Foundation, New York City: Project Return provides a continuum of care for offenders with substance abuse problems and their families. Residential and outpatient treatment programs as well as parole, probation and transitional programs are available. It is, however, presented here because of its capability to offer permanent housing in 4 current facilities, with construction or planning underway for 3 additional facilities. Housing was added in 1995 to expand the agency's mission by "building and managing permanent, supportive housing" for its former substance-abusing clients. Project Return operates four apartment buildings providing 150 adults and 175 children with homes and support services. By the close of 2001, these numbers will nearly double with an additional 118 homes in three buildings." Project Return's housing consists of 44 scattered-site apartments (with rent subsidies), two apartment buildings in the Bronx, and a building with one to three-bedroom apartments in East Harlem. A former motel being converted into a 40-unit apartment building is scheduled for opening this year.

Surrey Springboard, Surrey, England: While providing a range of services for offenders (including its own employment program through its recycling business), Surrey also provides what it refers to as "Accommodation Services" (i.e., housing assistance) for offenders under probation supervision. Surrey offers assistance in

locating and gaining rental housing and local government/public housing. To facilitate offenders' securing housing, Surrey receives rent deposit grants that it uses for some of its clients. Through its housing assistance program, Surrey secured housing for 288 offenders in its first 18 months of operation. Interestingly, Surrey Springboard was launched at a breakfast conference with the Chamber of Commerce.

5. Mental Health

It is now recognized that a high percentage of jailed and imprisoned offenders suffer from mental illnesses. Profiled inmates in this report repeatedly noted their need for mental health services, often emphasized as an adjunct to helping them confront their substance abuse. The following programs illustrate new approaches to working with these offenders in community-based settings. It is now recognized that a high percentage of jailed and imprisoned offenders suffer from mental illnesses. The following programs illustrate new approaches to working with these offenders in community-based settings.

Thresholds, Chicago: Thresholds, recognized as a "unique national psychiatric rehabilitation center," provides services to people with mental illness through 22 service locations and 40 housing developments. Less than three years ago, Thresholds launched its Jail Program, underwritten by Thresholds own funds. In 1999, it received support from the Illinois Department of Mental Health. The program costs about \$26 a day per person (versus \$70 a day at the county jail or \$400 a day at a public mental health institution). Participants are referred to as "members" and are identified at the jail. They must be nonviolent, have a history of arrests, and a mental illness that responds to medication. Threshold's workers accompany members to court and usually convince judges to release the person into the program's custody. They then find them affordable housing, visit them at least once a day, and administer their medication. They also take them shopping or on group outings. The services are available for as long as the members need them. In three years, none of its 45 members have been rearrested.

The Nathaniel Project, New York City: Started in 1999 by the Center for Alternative Sentencing and Employment Services (CASES), the Nathaniel Project's mission is to provide people with serious mental illness the support they need to leave the criminal justice system, live safely in the community, and pursue their own goals and recovery. The Project provides integrated psychotherapeutic intervention, supervision, and intensive forensic case management services including psychiatric and substance abuse treatment, benefits, housing, and health care. It also provides accountability to the court through regular reports and prompt notification of non-compliance. The project is funded by the New York City Council.

The National GAINS Center for People with Co-Occurring Disorders in the Justice System, Delmar, NY: The National GAINS Center for People with Co-Occurring Disorders in the Criminal Justice System was established in 1995. It is not a direct services program, but rather an agency that provides technical assistance to states, localities and provider organizations serving people in the criminal justice system with co-occurring mental health and substance abuse disorders.

6. Residential Community Corrections Programs for Women and Children

Programs for women and children allow for mothers to maintain contact with their sons and daughters, which can often be a motivating factor in treatment. The profile of Martha, who, at age 19 gave birth to a daughter, further illustrates how the needs of women are often translated into the needs of mothers. The following examples point up how some communities have addressed this issue.

Summit House, Greensboro, Charlotte, and Raleigh, North Carolina: Summit House is a residential community corrections program for nonviolent women offenders who have young dependent children or who are pregnant. It is classified as an intermediate sanction under North Carolina's Structured Sentencing Act. Candidates for Summit House are screened through personal interviews, standardized tests, and a review of social and criminal history. Women must be 18 years old or older; the primary caretakers of one or more children 7 years of age or younger, or be pregnant; may have been unsuccessful under previous probation; have no history of violence; and if in active addiction, must receive inpatient treatment before admission. Women remain in the program for 12-24 months under 24 hour per day staff supervision. They are monitored for progress under a behavior modification system and undergo drug testing to ensure compliance with substance abuse treatment. Residents are expected to learn parenting and financial management; earn a GED or attend college or vocational training; obtain employment to become self-sustaining and achieve independent living with their children. Founded in Greensboro with private foundation support, the program expanded to three locations through government and private support. Summit House received the 1996 President's Service Award and the 1998 Improvement of Justice Award.

Neil J. Houston House, Boston: Originally operated by Social Justice for Women, Houston House served as an alternative to state prison for pregnant women and their babies. All are considered at high risk for complications for delivery because of chronic substance abuse, HIV infection, malnutrition, or exposure to infectious disease. Houston House provides aggressive substance abuse treatment, prenatal medical care, family counseling, and comprehensive resettlement services. Participants remain at Houston House for at least 12 weeks after giving

birth. After graduation, women are required to visit Houston House twice a week for one year for follow-up counseling, drug screening, and "well-baby" check-ups. In 1991 Houston House was a finalist for the Innovations in American Government Program.

7. Halfway Houses

Halfway houses as an alternative to incarceration or as a transition from incarceration to the community are a staple of most criminal justice systems. Many are government operated. Halfway houses currently play an especially important role in the District of Columbia. And although this report calls for lessening the dependence on halfway houses for some offenders, halfway houses will very likely command a prominent position in the District's continuum of care for offenders. The following is an example of a halfway house that gained notoriety from its innovative, but strict, programming and its unusual staff. The second program could become a valuable technical resource for halfway houses in the District.

Abraham House, New York City: Abraham House is located in a pair of reclaimed brownstones in the South Bronx. Sister Simone Ponnet, a Belgian nun, who came to the United States in 1972 and spent 20 years as a jailhouse chaplain, guides the program. Abraham House adheres to no-nonsense programming geared to help ex-offenders "get on their feet, finish school, keep a job, save money, learn the ways of the outside world, connect with their families, survive. There is a 9 p.m. curfew, no excuses." Residents receive a \$30 a week allowance, and Sister Simone expects receipts for even the smallest expenditures. She puts people on notice that the rules will be obeyed and that "no sins" will be hidden from parole officers and judges. On the other hand, residents say Sister Simone has "that mother thing: 'Are you hungry? You don't have to worry about carfare, something to eat, clothes, a place to stay....' She cares about your education...." Residents must stay at least one year. Funding is sometimes hard to come by. Sister Simone contributes her salary and a second Belgian nun and a French nun also contribute their salaries. Occasional support comes from foundations - but sometimes Abraham House has trouble paying its bills. Even so, Sister Simone has turned down New York government money because she feared that the program would be weakened if it were required to oversee more offenders. Nonetheless, judges and other officials have been impressed with the results at Abraham House. According to Sister Simone, only one participant in the program "has landed back in jail."

Supportive Living Program, San Francisco, CA: The Supportive Living Program (SLP) is part of the Bay Area Services Network, a project funded by the state Department of Corrections to reduce the number of state parolees returned to prison for parole violation. Operated by the nonprofit Center on Juvenile and Criminal Justice, two SLP residences in San Francisco house six and ten men, providing them with a clean-and-sober living environment for up to 120 days.

During that time, an individualized plan is developed and followed to assure that each person will be able to live independently after they "graduate" from the program. In fiscal year 99/00, ninety-three percent (93%) of those participating for a minimum of 90 days in treatment remained free from violations or incarceration for a period of one year following program completion.

International Community Corrections Association, La Crosse, Wisconsin: The International Community Corrections Association (ICCA) represents more than 250 private agencies operating over 1,500 residential and community alternative programs throughout the world. ICCA members offer a variety of services including community corrections programs, residential treatment and aftercare, educational and vocational services. It can be a valuable source of assistance for local halfway houses.

8. Multi-Service Programs

While some of the programs discussed above do provide several distinct services (e. g., drug treatment, employment readiness training, etc.) the following program provides its services as "an integrated delivery network" leading to reduced recidivism and to the offender remaining in or returning to the community as a productive citizen.

Project Return, New Orleans: Started in 1994, with initial funding support coordinated by the metropolitan business community and Tulane University, Project Return combines substance abuse treatment and family counseling, GED education and academic enhancement, training in conflict resolution and communications/relationship skills, job training and placement assistance. Participants are former offenders released or paroled from prison, who are predominantly African American, males (75%), high school dropouts (92%) with reading skills at 5th or 6th grade levels. Every 90 days a new group of 50 felons is accepted. (There is a 200-300 person waiting list.) Cost per participant is \$3,800 plus \$1,200 in training wages. Each week participants spend approximately 12 hours in GED/academic coursework, 8.5 hours in Addictions Education, 6.5 hours in hands-on computer training, 4 hours in Communication Skills, and 2 hours in Community Building. A stipend of \$2.50 an hour is paid to participants. Recidivism is less than 5%. Of special note, Project Return is housed in Tulane University's School of Public Health and Tropical Medicine. The Bureau of Justice Assistance, which has called Project Return "the nation's most successful prison aftercare program", now provides funding. Project Return reports that "All components ...with the exception of Community Building, are easily replicable." Educational software is available for purchase.

9. Community Corrections

Community Corrections generally span a range of programs and services provided or funded by government, Departments of Corrections, parole and probation. The following examples illustrate approaches that the District could

consider to take advantage of the support of residents to address the needs of the criminal justice system, as illustrated by their participation in Study Circles and their desire to be more involved in the system.

Minnesota: Minnesota Community Corrections is now advocating a policy of "restorative justice" to its community corrections work. Restorative justice centers on creating an environment that will heal the wounds in the community created by criminal activity. It can involve community service by offenders, restitution to victims, and even residents of the community helping to create programs for offenders. Minnesota has also created a "Community Preservation Unit" designed to ensure a "partnership with communities most impacted by crime; to build a bridge between communities of color and the department, and to assess how the department responds to communities relative to culturally-specific programming both in the community and within the agency."

Kansas: Community Corrections began in Kansas in 1989. Its mission is to "enhance public safety and ensure offender accountability through cost-effective use of community based supervision and control interventions.... (a) administered in the community rather than correctional facilities." Kansas has adopted the approach of Day Reporting Centers (see Community Resources for Justice, Boston, MA for more information on Day Reporting Centers). Day Reporting Centers require offenders to report daily, provide a schedule of their daily activities, and participate in designated programs provided by the center. These programs can include drug testing, job readiness, life skills development, substance abuse services, and mental health counseling.

10. Community Supervision

An adjunct to many of the community programs discussed in this section is supervision of offenders in the community. The following program illustrates a cooperative, comprehensive, community approach, which relies heavily on community input and participation to successfully implement a community-supervision program. It also relies on the identification and use of resources, or strengths, in the community - something that this report addressed in its geomapping of two neighborhoods.

Operation Spotlight, Maryland: Created by the National Center on Institutions and Alternatives, Operation Spotlight has been adopted by the state of Maryland as one of its top community supervision programs for offenders on probation and parole. The program "pools existing resources -- parole and probation, police departments, and community associations -- and focuses them together in a concerted effort to deter repeat offenders from criminal activity and encourage prosocial behavior." Working as a team, probation officers provide community police officers with current profiles of offenders living in the community. These police officers keep their law enforcement colleagues informed about activities of the offenders. Community members contribute their resources to develop

solutions to problems that gave rise to criminal activity. Business owners provide jobs; team members organize housing, psychological treatment and other support services. Implemented in communities with high crime rates, the program helped to decrease crime by 20%.

11. Advocacy/Organizing

An integral part of developing and operating programs for the offender in the community is strong advocacy and organizing to call for, initiate, monitor, and otherwise serve as a voice for the continued development of community programs. The commitment of Study Circle participants and their willingness to help design a more effective array of community programs is a natural base on which to build the kind advocacy described in the following community.

Fifth Avenue Committee, New York City: The Fifth Avenue Committee is a community-based organization "promoting social and economic justice in South Brooklyn." The Committee's programs include the development, preservation, and management of community-based Affordable Housing for lower-income and working people; Community Economic Development; and Organizing and Advocacy. Its newest program, Developing Justice in South Brooklyn, is designed to "address criminal justice issues in our community through a combination of workforce development, housing opportunities and leadership training and organizing." Supported by the Annie E. Casey Foundation and the Open Society Institute, one goal is to "build stronger relationships between community residents, including offenders and ex-offenders, not-for-profit community agencies, and law enforcement and criminal justice institutions, in order to enable more effective mediation and problem-solving on criminal justice, neighborhood safety, and crime prevention issues." The Fifth Avenue Committee intends to "reach out to the community by holding workshops and meetings with a variety of institutions, including schools, youth groups, and social service agencies; churches and congregations, tenant and block associations; and law enforcement and criminal justice institutions."

B. District of Columbia Model Programs

Although the programs discussed above could provide valuable input into the development of a continuum of care for offenders in the District of Columbia, the District does have several programs that have been providing effective services to offenders. With additional support, many of these could be expanded to serve even greater numbers of offenders. Moreover, there are some "model" programs in the District, not currently serving offenders, (or at best minimally serving offenders), that address such issues as substance abuse, mental health, and employment. These programs could be consulted about their willingness to expand services to offenders or to train other nonprofit and grassroots groups in the District. A sample of these programs follows.

1. Drug Treatment

Second Genesis: Second Genesis has been providing residential and outpatient drug and alcohol treatment in the District of Columbia, Maryland and Virginia since 1969. As a modified therapeutic community, Second Genesis "treats the whole person, not just the addiction." Programs meet the individual needs of each person in treatment." Each residential program offers intensive therapy, vocational training, and social skill building. Outpatient treatment emphasizes treatment in the least restrictive setting. Over 700 men, women and teens are served annually. A study by the University of Maryland's Center for Substance Abuse Treatment found that "79 percent of clients who completed residential treatment with continuing care remained drug- and alcohol-free. Fewer than 10 percent were arrested at follow-up, versus more than 25 percent of those who did not complete the program. The rate of employment also improved: 85 percent of people who completed the program were employed at follow-up."

Employment for Former Offenders Receiving Treatment Services: Employment for Former Offenders Receiving Treatment Services (EFFORTS) is a faith-based program that assists offenders make the transition from incarceration back to living in the community. Its highly structured, confidential, spiritual, outpatient, abstinence program stresses strong recovery issues and spiritual growth from drugs and alcohol. EFFORTS also offers programs on life skills, substance abuse, literacy, job seeking skills, and HIV Prevention. In 1998, EFFORTS helped 35 ex-offenders find jobs, placed 25 in vocational training programs, and enrolled two in college.

Washington Behavioral Health Care: Washington Behavioral Health Care is a network of over 40 mental health, substance abuse treatment, and other human services providers. It was developed to ensure that mental health clients in the District of Columbia have access to appropriate services. On the issue of substance abuse treatment and services, Washington Behavioral Health Care has taken the lead in serving the provider community. A current project is intended to educate consumers about the availability and effectiveness of substance abuse treatment in the District and to ensure that providers, individually and as agencies, are certified treatment providers. To do so, Washington Behavioral Health Care is conducting outreach to consumers and training programs for providers. While not a direct service provider, Washington Behavioral Health Care could be a valuable resource for training and technical assistance on substance abuse, mental health, and health issues in the District of Columbia.

2. Employment/Workforce Development

STRIVE-DC: STRIVE-DC, discussed briefly in the main model program section, is a year old program that provides job readiness training and placement.

Modeled on a highly successful national STRIVE initiative, STRIVE-DC was developed by a board and staff well known in the District for their advocacy work on behalf of low-income and other disadvantaged residents. STRIVE-DC currently accepts offenders, but is limited in the number it can serve due to funding constraints. It is seeking additional support to expand its services to offenders.

Southeast Ministry: Southeast Ministry is a grassroots, faith-based organization serving predominantly low-income persons in Ward 8/Anacostia. For women, Southeast Ministry offers a Moms n' Tots program providing pre-GED and GED preparation. For men, its Anacostia Men's Employment Network (A-MEN) provides a three-week, job readiness training program followed by assistance with job placement. Graduates of A-MEN who are looking for job advancement can also participate in GED preparation. Having recently acquired its own building on Martin Luther King, Jr. Avenue, Southeast Ministry is seeking to increase the number of persons it can serve.

WAVE, Washington, DC: WAVE (Work, Achievement, Values & Education) is a national program headquartered in the District of Columbia. For 30 years, WAVE Inc. has partnered with schools, community organizations, businesses, and government to motivate hundreds of thousands of at-risk youth ages 12-21 to complete school and lead productive lives. WAVE In Schools is a multi-level classroom-based program that is often used as a dropout prevention and school-to-work- transition strategy for high school students. WAVE In Communities is a dropout recovery program implemented by community-based organizations to help young people complete high school, improve their employability and find jobs or go on to college. Dating back to 1982, WAVE has worked with juvenile justice systems to create job skills programs. From 1983 to 1996, fifteen percent (approximately 10,000) of the youth served in WAVE In Communities programs were youthful offenders. And from 1985 to 1996, sixteen percent (approximately 19,000) of WAVE In School participants were young offenders. For example, in Los Angeles, WAVE methodology and curricula for employability development and leadership training have been used for pre-release youth. In Ohio, WAVE has received referrals of first time offenders from the court and probation for employability and leadership development services. WAVE has worked with several D.C. agencies on job training and education programs.

3. Mental Health

The Green Door: The Green Door is a community-based program that prepares people with severe and persistent mental illness to work and live independently. Since 1976, the Green Door has helped more than 2,500 people with a mental illness from St. Elizabeth's Hospital, homeless shelters, community mental health centers, and private psychiatrists to live independently. Like Thresholds, the Green Door's strength is its "clubhouse" philosophy, which is designed to get its "members" not "clients" back to work. The Green Door provides pre-vocational

training, a Transitional Employment Program, and assistance with permanent jobs. The Green Door also runs 13 group houses and 33 apartments for 125 of its members. Forty percent of Green Door members are working, and the agency has recently opened four new Community Residence Facilities for seniors with mental illness. The Green Door is recognized across the District of Columbia for its successful programs for people with mental illness. The Executive Director of Green Door has worked with people with a mental illness in Washington for over 20 years. She had previously served as Executive Director of the National Coalition for Jail Reform, coordinating 40 national organizations to work on problems of local county jails.

Lt. Joseph P. Kennedy Institute: Founded in 1959, the Lt. Joseph P. Kennedy Institute is operated as a nonprofit corporation by the Archdiocese of Washington with strong university ties. The Kennedy Institute is a recognized leader in finding solutions to challenges faced by people with developmental disabilities including mental retardation, severe emotional disturbance, autism, cerebral palsy and various birth defects. In its, Division of Adult Learning and Employment, the Institute provides job training and placement in the business community, as well as literacy training, substance abuse counseling, and education for adults with developmental disabilities. Its Positive Alternatives Program specializes in life skills training, counseling, job training and placement for adults with developmental disabilities who are in recovery from substance abuse problems.

4. Multi-Service Programs

Our Place: Our Place opened in 1999 to provide support services in a community setting to women returning from prison. Most are poor with histories of drug addiction, alcoholism, mental illness, and domestic violence. Our Place offers on-site assistance with health assessments, housing, transportation, and clothing. The program also provides pre-release educational services to District women who are serving their sentences in Connecticut, West Virginia and Virginia, as well as the D.C. Jail. In just one year, staff and volunteers have served 400 women and families. The agency also runs a van to the federal prison at Alderson, WV for family members who want to visit loved ones. Our Place recently launched a legal services program in response to client demand for help with such matters as parole hearings and sexual misconduct. They anticipate handling 100 cases in 2001.

Alliance of Concerned Men: The Alliance of Concerned Men (ACM) was formed in 1991 by five men who met each other thirty years ago while attending Eastern High School in Washington, D.C. Initiated to negotiate a truce between warring gangs in one of the District's most notorious housing developments, ACM's goal is "saving the lives of 'at risk' youths residing in high crime areas of the Washington, D.C. metropolitan community." ACM promotes "independence and personal survival skills for youths who are in need of learning how to bridge the

gap between survival on the streets and adopting socially acceptable lifestyles." ACM accepts referrals from the courts, schools, the community housing authority, shelters and other community-based organizations. Having expanded to eight members, ACM offers mentoring and life skills programs to young people in group, shelter, and family homes; tutoring and educational assistance; job training and GED preparation; and assistance with obtaining birth certificates, drivers' licenses, social security cards, and bank accounts. ACM also provides counseling on parental responsibilities to offenders at Lorton to reinforce their belief that a "man's responsibility as a parent is not relinquished upon confinement."

Conquest Offender Reintegration Ministries: Conquest Offender Reintegration Ministries (CORM) is a "Washington, D.C. Christian ministry working with the local church and area corrections officials to provide options to those affected by, or at risk of being affected by the criminal justice system." Through its Reintegration of Ex-Offenders mentoring project, CORM seeks to help formerly incarcerated men and women "turn their lives around and avoid repeat criminal activity." Preferring to meet its participants while they are incarcerated, CORM provides biblical counseling, mentoring, case management and referrals, resume preparation, bus tokens or passes, rent assistance, food, and clothing for job interviews. CORM seeks to open ConquestHouse, a transitional housing center for ex-offenders. During their six to twelve month stay at ConquestHouse, offenders will receive financial management services, job and life skills training, referrals to health services and legal services, and assistance with GED preparation and vocational skills. While CORM has located a building, it is searching for funding.

5. Community Supervision

Visitors Services Center: Visitors Services Center (VSC) was originally developed by a D.C. Jail Chaplain as a program to assist newly arriving offenders at the D.C. Jail maintain contact with their families. Staff of VSC would go to the jail each morning with an offer to contact the offenders' families, employers, attorneys, etc. to inform them of the person's detention at the jail. Often families had no idea of what had happened to their relative, and employers didn't know why the person did not show up for work (and thus be subject to firing). In later years, VSC provided third party supervision to offenders released by the court to the community. A well respected program in the District, VSC has continually had difficulty obtaining District and Department of Corrections funding to sustain its services.

C. Summary of Programs

The programs and services described above represent a wide range of approaches to dealing with offenders in the community. The list is by no means exhaustive. Rather each program has been included to illustrate some innovative

or unusual methods communities around the world have utilized to accomplish the same basic goal: to ensure community safety while helping offenders to become contributing, law-abiding members of that community. With this overview, this section invites others to explore these programs or to use them as springboards for the development of still more innovative and unusual approaches to achieve the same goal.

However, a word of caution: Replication and even adaptation of successful programs from one community can meet with failure in another community. Indeed, some practitioners and policy makers endorse the view expressed by Dr. M. Beyer that "Most effective programs cannot be replicated. What comes to my mind when someone asks me about effective programs are not organizational models -- instead I see the faces of talented wizards who have created them." Thus, it is her belief that "First you find a wizard..."¹⁹ Therefore, as the District of Columbia moves forward exploring new program services to enhance its continuum of care for offenders, it might also want to be on the lookout for the "wizards" in its midst.

VI. Recommendations

Based upon the findings of our research, we offer the following recommendations for D.C. and federal officials to use as a guide in their redesign of the D.C. criminal justice system. These recommendations, in addition to calling for the establishment of community-based program capacity sufficient to effect the successful transition of offenders back in their communities, contain proposed legislative changes and policy modifications that must be established to move offenders expeditiously into alternative programs. There are several ways in which this can be accomplished. We offer the following suggestions as to methods that we believe would be particularly effective in D.C.

1. Create 1,000 a Additional Community-Based Treatment and Supervision Slots for D.C. Offenders

Our findings confirm that broad-based support exists for creating a continuum of community-based services to address the support and supervision issues presented by the reentering D.C. inmate population and those non-violent offenders who need not be incarcerated to protect public safety. Through the many voices of Study Circle participants, neighborhood residents we interviewed and local criminal justice officials, citizens of the District of Columbia have

¹⁹ (1) Beyer, M. "First You Find A Wizard...." Future Choices: Toward a National Youth Policy. Vol. 2, No. 1. Spring, 1990.

spoken to their support of the position that a deeper pool of direct services be established to aid the successful reintegration of non-violent offenders and reentering inmates. A firm emphasis should be placed on creating these services with direct input and participation from the communities in which they will exist. Community residents, as well as the existing local agencies and potential service providers, such as those identified in our mapping of local neighborhood assets, should form the foundation of such a continuum. Specifically, we recommend that D.C. seek \$21 million from Congress to expand existing community-based services to accommodate an additional 1,000 offenders. The figure of \$21 million is based upon the formula used by the Bureau of Prisons to calculate the cost of incarcerating a single inmate for one year -- \$21,684.67.²⁰ These funds should be administered by CSOSA for the express purpose of creating a continuum of community-based services in the neighborhoods where the greatest number of D.C. offenders and their families reside.

Not only would investing in these programs go directly to strengthening the fabric of needed supports, but it would also serve as a vital infusion of economic development for some of Washington's most challenged communities. By drawing on the potential of neighborhood residents, business, and community agencies, these funds would go to creating jobs and long-term employment and training opportunities for hundreds of local residents.

2. Create a Regional Director-Level position in the Bureau of Prisons for the District of Columbia

BOP officials informed us that they fully expect the Revitalization Act to result in the transfer of approximately 8,000 D.C. inmates to the BOP. The relationship between the BOP and the District of Columbia will be unlike the relationship maintained by the BOP with any other jurisdiction. With respect to D.C., the BOP will fill the role of a traditional state department of corrections. Unlike inmates from any of the 50 states, all sentenced D.C. felons are subject to BOP jurisdiction.

Citizens of D.C. have voiced displeasure with their perceived lack of decision-making authority within much of the criminal justice system. It is perceived that through the Revitalization Act, the few vestiges of control that existed have now been lost. In recognition of the fact that the BOP now maintains a truly unique relationship with D.C., we believe the creation of a regional director-level position within the BOP, supported by appropriate staffing levels, should be created to work with local citizens and officials to attend to this unprecedented relationship.

²⁰ Administrative Office of the US District Courts, Advisory Bulletin, April 6, 2000.

This position should be filled by a D.C. resident and should be selected in consultation with the Mayor of the District of Columbia. The person who fills such a position should be responsible for working with local citizens and officials to develop community-corrections resources and reentry strategies for D.C. inmates housed in BOP facilities.

3. BOP to Designate Offenders with Sentences of Less than Eighteen Months to Community-Based Programs.

Under 18 U.S.C. §3621(b), the Bureau of Prisons has authority to designate the place of imprisonment.²¹ Typically, the Bureau assigns dangerous, difficult to

²¹ 18 U.S.C. §3621(b) provides: “Place of imprisonment.— The Bureau of Prisons shall designate the place of the prisoner’s imprisonment. The Bureau may designate any available penal or correctional facility that meets the minimum standards of health and habitability established by the Bureau, whether maintained by the Federal Government or otherwise and whether within or without the judicial district in which the person was convicted, that the Bureau determines to be appropriate and suitable, considering —

- (1) the resources of the facility contemplated;
- (2) the nature and circumstances of the offense;
- (3) the history and characteristics of the prisoner;
- (4) any statement by the court that imposed the sentence —

manage individuals to maximum-security facilities. Conversely, the Bureau assigns relatively compliant, non-violent individuals to minimum-security facilities. At the end of their terms of incarceration, the official BOP policy is to assign all people to spend time in halfway houses in the community. This is an effort to transition people back to civil society after a period of incarceration.

District of Columbia offenders, on the other hand, typically spend far less time in custody than federal inmates. The reason is simply that D.C. offenders generally commit less serious crimes. Historically, the federal Bureau of Prisons has confined relatively serious offenders who commit interstate crimes or offenders whose crimes are too complex for handling by local prosecutors. When the BOP assumed responsibility for D.C. inmates, it took on a whole new type of offender,

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- (A) concerning the purposes for which the sentence to imprisonment was determined to be warranted; or
 - (B) recommending a type of penal or correctional facility as appropriate; and
 - (5) any pertinent policy statement issued by the Sentencing Commission pursuant to Section 994(a)(2) of title 28.

In designating the place of imprisonment or making transfers under this subsection, there shall be no favoritism given to prisoners of high social or economic status. The Bureau may at any time, having regard for the same matters, direct the transfer of a prisoner from one penal or correctional facility to another. The Bureau shall make available appropriate substance abuse treatment for each prisoner the Bureau determines has a treatable condition of substance addiction or abuse.

namely, the kind of low-grade street-level offender that is most common in state courts. Many of them presently serve prison terms of just six to eight months. Indeed, preliminary information by the D.C. Advisory Commission on Sentencing reveals that 25% of all people committed to D.C. prisons between 1990 and 1993 were released in less than twelve months.²²

Now that D.C. inmates are being incarcerated in distant facilities where family visitation and social support is diminished, we need to re-think these short prison stays. Sending an inmate to Arizona for just a few months raises the stakes for short-term incarceration. Furthermore, the classic BOP sentence structure, which includes several months in a halfway house at the tail end, might not make sense for short sentences. It might make sense to keep the person in a halfway house or other designated correctional facility in the community for the entire sentence.

Such a shift does not require a profound change in correctional or sentencing policy. The BOP could simply designate short-term offenders to halfway houses for the entire sentence. That way, they could be kept close to home and remain integrated with community support.

Some of D.C.'s most common offenses are *Possession With Intent to Deliver Cocaine* and *Attempted Possession With Intent to Deliver Cocaine*. For sentences imposed for these crimes between 1995 and 1998:

In 25% of the cases, the minimum sentence was less than 12 months and maximum sentences were less than 36 months.²³

Recognizing that the D.C. inmate population is inherently different from the traditional BOP inmate population, we recommend that the federal Bureau of Prisons design an assessment instrument that can be used to guide the

²² D.C. Advisory Commission on Sentencing, *Criminal Sentencing Practices in the District of Columbia, 1993-1998*, Table E-3. Published September 30, 1999. This research is not final and is subject to change.

²³ Research Memorandum by the D.C. Advisory Commission on Sentencing, January 17, 2001. This research is not final and is subject to change.

designation of appropriate D.C. offenders into community custody with the specific conditions around community-based program participation.

If the Bureau of Prisons believed that judicial consultation was needed for such a move to the community, it could move for a reduction of sentence under §24-201(c) of the D.C. code. This statute contemplates reducing the term of imprisonment only in “extraordinary and compelling circumstances.” Although this section is typically understood to apply in an individualized basis, the addition of thousands of new inmates from a single urban jurisdiction, under an unprecedented federalization of a formerly local function, can be understood as the kind of extraordinary situation that calls for rethinking routine past practice.

4. Reduce the Number of Inmates Required to Reenter Through Halfway Houses

As previously noted, the average number of inmates released from prison each month is in the range of 240. This figure far exceeds available halfway house capacity. Given that current policy calls for the release of virtually all inmates to occur through halfway houses, the shortage of bed space has led to unnecessary delays in the swift movement of inmates back into the community.

In an attempt to rectify this situation, the BOP is in the process of contracting for approximately 500 additional halfway house beds in and around the District of Columbia. Given the difficulty in locating the large halfway houses in the community, the BOP has been forced to seek additional halfway house bed space in Northern Virginia and other communities a considerable distance from the homes of many of those who will pass through the halfway houses. We believe this formula for re-entry may not be necessary for all inmates. The benefits that may come from reintegration through community-based halfway houses for those who would benefit are diminished by the location of such facilities far from the home community of the residents. Employment, treatment and other support services a halfway house resident may obtain while in such a residence are difficult, if not impossible to maintain once the resident leaves for home to a neighborhood far from the halfway house. Furthermore, many of the D.C. inmates being released from prison have a suitable home and some prospects for employment. With the additional support that could be available through an enhanced continuum of community-based services as previously described, many D.C. inmates could return safely to the community without relying on scarce halfway house bed space. Such space could be reserved for those inmates who are in greater need for housing and employment assistance upon release.

CJCJ would propose that an assessment instrument be developed for determining who among returning inmates are most in need of halfway house transition and who could return home aided instead with the support of

community-based programming. Funds should be allocated to CSOSA to issue RFPs and contract directly with local vendors for case management and other community-based services. Initial grants could be made to provide technical support to local, neighborhood-based agencies and service providers that are interested in developing the programmatic capacity to deliver services to the target populations in their communities. Neighborhood-based groups should be encouraged to actively participate in the development of RFPs and be given preference in the awarding of contracts for services.

5. Change Sentencing Laws to Encourage Community Corrections

In 1998, in the wake of the federal Revitalization Act, the District of Columbia created the Advisory Commission on Sentencing to recommend changes necessary in the restructured D.C. justice system.²⁴ This Commission has substantial discretion and authority to recommend changes in D.C. sentencing. We suggest that the Advisory Commission seek and develop new ways to integrate community corrections into the D.C. system.

Community corrections provides an intermediate punishment between prison and probation. Community corrections provide a strong response to criminal activity by holding offenders accountable for their behavior, sending a message that rule breaking will not be tolerated, and protecting communities by controlling troublesome individuals. Community corrections also provide the ultimate protection by giving offenders the tools they need to become productive citizens and prevent future lawbreaking.

An Ideal Model of Intermediate Sanctions

Community corrections are an integral part of a range of crime prevention and sanctions that:

- Reserve prison space for serious offenders
- Improve safety and quality of life in neighborhoods
- Sanction, rehabilitate and educate offenders
- Engage citizens in the improvement of their own communities

For the past twenty years, policy makers across the country have turned to prison as the primary means for promoting safety and punishing offenders. As a

²⁴ See D.C. Act 12-410 (July 1, 1998) as amended by D.C. Act 13-410 (May 2000).

result, we now have two million people behind bars. In the District of Columbia, the number of people incarcerated increased from 2,700 in 1980 to almost 10,000 in 1997.

Prison alone, however, is not the answer to crime and social disorder. Although serious violent and dangerous offenders need to be incapacitated, the question is what to do with less serious offenders who do not require harsh, expensive prison sentences but who need closer control than simple probation. People who committed non-violent crimes or modest violent crimes are excellent candidates for community corrections. Responsible placement for these individuals in appropriate community programs can relieve the burden on prison systems and District families who want to maintain social ties.

The Advisory Commission on Sentencing recognizes that community corrections “are an important and often missing element at sentencing.”²⁵ However, it has not yet developed programs or rules governing their use.²⁶ We encourage the Commission to continue to work in this area, and to include community sentencing options prominently in its final recommendations.

What are Community Corrections?

Community corrections are court ordered impositions on liberty that people must obey on threat of going to jail if they don't. Commonly used community corrections include:

Community Service: Mandatory work through which offenders give back to the community

Halfway Houses: Places where offenders work and pay rent in the community while undergoing counseling and job training

Restitution: Offenders provide financial compensation to those victims and communities their actions have harmed

Drug Treatment: Residential or out-patient drug treatment is proven to reduce drug use and associated criminal behavior

Intensive Supervision: Authorities maintain a close watch on offenders, far closer than ordinary probation, to ensure they do their community service, go to work, attend their drug counseling, and fulfill other court-mandated obligations

Fines: Assessed in proportion to people's ability to pay and collected by private debt collectors, fines provide a strong disincentive to lawbreaking while helping to fund the court system and/or victims' funds

²⁵ D.C. Advisory Commission on Sentencing, *Report of the D.C. Advisory Commission on Sentencing*. Published April 5, 2000, p. 70.

²⁶ *Id.* at 78.

Electronic Monitoring: Helps maintain close surveillance for people ordered to home confinement, work programs or drug counseling

And Many More: Community corrections can be used in combination and tailored to the needs of individual offenders and communities

Who are Candidates for Community Corrections?

Candidates for community corrections include:

- ✓ Repeat drug offenders caught with modest amounts of drugs for personal use or small quantities for sale. They can be sentenced to drug treatment, community service and intensive supervision, and ordered to stay away from certain neighborhoods.
- ✓ Shoplifters, auto thieves and some burglars — people who commit crimes against property. They can be sentenced to community service and ordered to pay restitution. If the offense is related to addiction, they can also be ordered into treatment.

People charged with minor violent crimes related to inadequate anger management or drug addiction could be ordered to perform community service and pay restitution. Mandatory therapy to help manage their aggression can be ordered, as can drug treatment if substance abuse contributes to the problem.

One problem faced by the Advisory Commission on Sentencing is that it cannot recommend that people be sentenced to programs that do not exist. While the Commission, and individual judges, might think that a mandatory residential drug program, for example, makes sense in a particular case, the sentence cannot be imposed in the absence of such a program.

On the other hand, private vendors will not offer such services if people are not being sentenced to them. Thus, the question in D.C. devolves to who will go first.

We firmly believe that the judges and the Sentencing Commission need to go first. The Commission needs to integrate community sanctions into any guidelines system and to affirmatively recommend that judges use these guidelines at sentencing, perhaps with examples or other indications of appropriate cases. With these tools, the Court Services and Offender Supervision Agency may be able to begin to offer such services, or to post requests for proposals by private vendors to offer them. But a new vision for sentencing is needed. Those who make sentences must drive the creation of the new vision. Only then, can programs be expected to follow.

a. Judicial Release

Under the terms of the Revitalization Act parole ceases to exist. Inmates are instead released to a term of community supervision following their term of

incarceration. With the elimination of parole goes most of the ability of institutional achievements or changed circumstances to influence the release decision for D.C. inmates. Certainly many judges have imposed sentences on defendants comfortable in the knowledge that a parole authority will be able to review and assess the progress of the offender and determine an appropriate release date. This is no longer an option in D.C.

The reality is that during the course of a multi-month or year prison term, many inmates become more suitable for monitoring and safe treatment in the community than they may have been at the time of sentencing. This is especially true when an array of community-based programming is established in a community where none existed.

To provide a legal mechanism for recognizing changed circumstances in individual cases, CJCJ proposes the crafting of local legislation to provide Superior Court judges with the authority to modify a custodial sentence beyond the current 120 day timeframe allowed for sentence reconsideration. Such a mechanism has been in place in Ohio for more than ten years. Formerly known as Shock Parole, the judicial release authority of Ohio judges allows them to modify the terms of any non-mandatory sentence of up to ten years. Inmates are allowed to petition the court only once to request a sentence modification. Typically such requests are accompanied by documentation of positive institutional adjustment, program completion, and lowered custody statuses, as well as confirmed acceptances to community-based programs, firm offers of housing and employment, and other evidence of local support.

Inmates released through this mechanism are subject to the terms of supervision stipulated in the judge's order. Custodial terms can be modified to terms of probation with conditions that the offender abide by a tightly structured set of conditions that can include specific program participation, supervision and reporting conditions, restitution, curfews, etc.

b. Expeditors to Target Sentenced Misdemeanants

More than 300 sentenced misdemeanants on any given day are housed in the D.C. Jail and Correctional Treatment Facility (CTF). It is estimated that approximately 1,000 such offenders cycle through the jail and CTF annually. The space these offenders occupy will become increasingly in demand as the DCDC comes to resemble more of a local or county department of corrections. Such valuable and scarce bed space will become all the more scarce and valuable and will therefore need to be reserved for those offenders who are absolutely in need of that level of custody. It will be in the interest of the DCDC and the community at large to limit the unnecessary use of jail space for nuisance offenders who pose a minimal risk to public safety. By creating, as proposed, a more comprehensive continuum of services for offenders, some of the custodial burden of misdemeanor offenders will presumably be lightened.

To help ensure that low risk offenders do not come to occupy a disproportionate number of secure beds, we propose that a mechanism be established to aggressively screen the custodial population with an eye toward identifying those who could be safely moved into community-based programs. We propose the creation of a team of “Expediters” whose role it would be to continuously screen jail inmates to identify who among them could be safely transitioned into the community with services. Under Title 24 – 1201, the Director of the Department of Corrections has the authority to move sentenced felons from prison into community halfway houses. This authority has traditionally been exercised in connection with preparing an offender for parole. Similar authority could be granted to the Director or his/her designee to allow for the safe transition of misdemeanants out of jail settings and into community-based programs. The use of expeditors is not an entirely new concept, but has been used very successfully to control custody populations in youthful offender facilities in Portland, Oregon, and Philadelphia, PA, and has been implemented in other forms for adult jail populations in the form of Ombudsmen or population monitors.

VIII. Conclusion

Crime in the District of Columbia is at the lowest level in a generation yet incarceration rates continue to outpace the national average. The Revitalization Act has forced a massive restructuring of the D.C. correctional system. What will finally emerge from the changes underway is well within the power of D.C. officials to determine. We believe the findings and data contained in this report demonstrate the support of D.C. citizens for building the new system on a foundation of community-based services. We urge D.C. officials to harness the energy and wisdom of those many citizens who contributed to forming the content of this report, and use the report’s recommendations as a guide to revitalize both the criminal justice system and the communities it most directly affects.

Appendix A

In addition to the many D.C. citizens who participated in the Study Circles, asset mapping and skill survey portions of our work, project staff conducted interviews with the following researchers and key actors in the D.C. criminal justice system.

- **Margret Kellems, Deputy Mayor for Public Safety**
- **Jasper Ormond, Interim Director of Court Services and Offender Supervision Agency**
- **Honorable Rufus King, Chief Judge of the Superior Court**
- **Honorable Michael Rankin, Presiding Judge, Criminal Division, D.C. Superior Court**
- **John L. Clark, Corrections Trustee**
- **Jay Carver, Former Trustee for Court Services and Offender Supervision**
- **Odie Washington, D.C. Department of Corrections**
- **Thomas Kane, Bureau of Prisons**
- **Judy Garret, Bureau of Prisons**
- **Bill Erhardt, Court Services and Offender Supervision Agency**
- **Susan Schaffer, Pretrial Services Agency**
- **Nola Joyce, Metropolitan Police Department**
- **James Murphy, D.C. Department of Corrections**
- **Kim Hunt, Advisory Commission on Sentencing**
- **James Austin, George Washington University**
- **Jeremy Travis, Urban Institute**
- **Robert Gibson, NIC Consultant**
- **Tristan Leiter, NIC Consultant**
- **Joseph Wilmer, Director of Hope Village**
- **Wilma Lewis, US Attorney**
- **Kenneth L. Wainstein, Office of the US Attorney**
- **Mary Incontro, Office of the US Attorney**
- **Wilhelmina Lawson, Trinidad Concerned Citizens for Reform, Inc.**
- **Laura Hawkins, Public Defender Service**
- **Betsy Biben, Public Defender Service**

Appendix B

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