Improving reentry outcomes for special populations

As we work to improve outcomes for those touched by the criminal justice system, it is important to recognize the unique reentry challenges of several special populations, including women, veterans, juveniles, and American Indians/Alaska Natives. This section provides additional context for those populations and briefly describes efforts to improve outcomes for these groups.

There are of course many ways to identify and address the needs of special populations. Individuals with disabilities (hearing, vision, cognitive, ambulatory, self-care, and independent living), for example, are overrepresented in prisons, with an incidence rate three to four times greater than the general public. Lesbian, gay, bisexual and transgender individuals also face unique challenges while incarcerated, including an increased risk for sexual victimization. And exonerees, who often have nowhere to turn when they are finally released from prison, deserve a national response that begins to help them rebuild their lives. Moving forward, the Reentry Council will consider ways to address the needs of these and other important populations.

Women

Women account for roughly seven percent of the population in state and federal prisons, 14 percent of the jail population, and 12 percent of the parole population. While women make up a small fraction of the total prison population, female imprisonment has risen rapidly, increasing 817 percent between 1978 and 2014 – nearly double the increase for men. The incarceration rate for black women in 2014 (109 per 100,000) was more than double that of white women (53 per 100,000) or Hispanic women (64 per 100,000), although there are more than twice as many white women imprisoned in state and federal facilities as black women.

Like men, justice-involved women face significant challenges when they leave jail or prison. However, current systems do not always address needs unique to women, such as reproductive health issues, or challenges that have a disproportionate impact on women. For example, many justice-involved women struggle with both mental health and substance use disorders—often linked to histories of physical or sexual abuse that may start in childhood and continue through adolescence into adulthood, and trauma histories that often played a significant role in the pathway to the criminal or juvenile justice system.
Many state and local reentry programs lack a trauma-informed behavioral health or victim services component to address these. Youth and young adults with psychiatric disabilities reentering from the adult prison and juvenile justice systems can also find it hard access mental health services. And while a primary consideration for many incarcerated mothers is to determine how to reestablish a relationship with their children, most state and local systems do not focus on this important aspect of reentry.

To address the needs of justice-involved women, DOL funded the development of a series of tip sheets for correctional staff conducting reentry planning with incarcerated women. The tip sheets cover career development, education, employment, family reunification, financial literacy, housing, obtaining identification, mental health, mentoring, physical health, self-empowerment, and transportation. NIC has also developed materials specific to justice-involved women including a Gender-Responsive Policy and Practice Assessment to help agencies assess current and developing policy and programs for women; resources for addressing the human trafficking of justice-involved

White House Senior Advisor Valerie Jarrett and Assistant Attorney General Karol Mason speak with young women at a Girls Mentoring Session sponsored by the U.S. Attorney’s Office in the District of Columbia during National Reentry Week, April 24-30, 2016. (Photo: Department of Justice)
women; a weekly news blast “Gender Responsive News for Women and Girls;” “Pregnancy and Child-Related Legal and Policy Issues Concerning Justice Involved Women;” and “Video Visiting in Corrections: Benefits, Limitations, and Implementing Considerations.” Reentry Council agencies are committed to disseminating these resources to state and local officials and continuing efforts to improve gender-responsive care in corrections.

Clearly, the work must continue with this population as the number of women and girls entering our justice systems continues to increase. NIC continues to focus on the risk, needs and strengths of women and girls. Importantly, NIC also partners with other federal, state and local entities, noted throughout the body of this report, to develop evidence-based, gender-informed materials and models of practice for use by the corrections continuum (pre-trial, jails, prisons, community corrections). This work will continue to sharpen our focus on the issues that bring women and girls into the criminal justice system, prepare them for reentry and support their efforts to become contributing members of their families and communities. Together with our numerous partners in the field and with entities such as the BJA-funded National Resource Center for Justice Involved Women, we will continue to disseminate the research, knowledge and practices that will ultimately reduce recidivism for this population.

Veterans

The number of incarcerated veterans is significant. An estimated seven percent of jail and eight percent of state and federal prison inmates have served in the U.S. military. Many justice-involved veterans may be eligible for health care and other benefits from the VA, although their eligibility for some VA benefits is suspended or reduced while they are incarcerated. Family members may be eligible to receive a portion of certain benefits during this time.

To ensure that our nation’s veterans are connected to the services and benefits they have earned, the VA developed the Veterans Reentry Search Service (VRSS), which quickly and systematically identifies incarcerated individuals with a record of military service so that reentry planning and connection to VA services can begin early. VRSS is now active in 214 jurisdictions across 30 states and the District of Columbia. The VA also revised its administrative polices that limited VA prison outreach to the six months prior to release so that reentry assessment and planning can now begin on

“Once Veterans are identified, they may be eligible to receive a wide range of VA health care services (medical, psychiatric, and social services, including those targeting homelessness and vocational rehabilitation) and benefits (financial and educational) upon release – services that support successful re-entry. As you know, the success or failure of an individual’s re-entry impacts the entire community.”

VA Secretary Robert McDonald, Letter to Corrections Officials, August 14, 2015
the first day of incarceration. Additionally, the VA expanded eligibility for its health care services to those who are in halfway houses.

The VA has reached more than 170,000 justice-involved veterans through direct outreach in prisons, jails, and criminal courts – including more than 1,000 state and federal prisons, and the estimated 350 Veterans Treatment Courts (VTCs) and other veteran-focused court programs. The purpose of this outreach is to connect veterans with needed mental health, substance use, and other clinical services when possible as an alternative to incarceration. Through the National Association of Drug Court Professionals, BJA trains approximately 10 new multi-disciplinary teams each year so that they are well equipped to implement new VTCs. NIC has developed resources including a webpage, archived webinars, and a promising practices guide for VTCs to increase understanding and awareness of issues relating to combat veterans who enter the criminal justice system.

NIC, in partnership with BJA and the Center for Court Innovation, also developed a risk-need assessment tool and case planning protocol specific to justice-involved veterans that factors in the complexities of war trauma. The tool and protocol are currently being pilot tested in three jurisdictions. NIC is also in the process of developing a training curriculum for jurisdictions that will address such veterans’ issues as Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), military culture, and difficulties transitioning from military to civilian life. The curriculum will be pilot tested in FY17.
VA and DOJ are partnering to continue coordinated efforts to support justice-involved veterans. DOJ has funded the development of a curriculum specifically about providing veteran-informed care in reentry programs. The VA will continue building partnerships with legal aid providers to help veterans address unmet legal needs that can often present barriers to housing stability and positive health outcomes. VA will promote the formation of Medical-Legal Partnerships which entail close collaboration between clinical staff and legal aid providers to coordinate health care, social service, and civil legal aid services for at-risk veterans.

**Juveniles**

On a given day in 2013, approximately 54,000 youth were held in secure and non-secure residential placement facilities. This contact—any contact—with the juvenile justice system has a significant impact on adolescents’ development and their prospects for long-term success. Thus, juvenile reentry encompasses more than just aftercare for youth returning to the community from secure confinement. It is a process that begins the moment youth come into contact with the juvenile justice or adult prison systems, helping them transition from the justice system to a crime-free, productive adulthood.

Youth typically face a host of challenges to making this transition successfully, including receiving the necessary support from their families, peers, and communities; enrolling in an appropriate educational or vocational setting; maintaining a continuity of treatment for psychiatric disabilities or substance use disorders; and transitioning to adulthood and economic independence. Jurisdictions are more likely to reduce reoffending and improve other key outcomes for youth by adopting and effectively implementing the integrated set of policies and practices demonstrated as effective in helping youth to overcome these challenges.

Reentry Council agencies are committed to ensuring that youth who have been involved in the juvenile justice system have access to meaningful opportunities to get their lives back on track. To improve access to education opportunity, ED and DOJ released a correctional education guidance package to inform the efforts of states, school districts, and juvenile justice facilities that serve court-involved youth. The package (also discussed in the education section of this report) includes a clarification from ED stating that youth in juvenile facilities are eligible for federal Pell Grants. ED and DOJ will continue to provide joint technical assistance to state and local agencies, develop new self-assessment instruments, and will monitor implementation efforts.

To help youth explore future possibilities, the DOL released GetMyFuture.org, a mobile-friendly web application that helps youth plan their careers, explore education and training options, and search and apply for jobs. This tool resources to help youth overcome the challenges of substance use disorder, criminal conviction, or lack of financial, family, or community support.
OJJDP also recently announced its Initiative to Develop Juvenile Reentry Measurement Standards which will establish a model to help jurisdictions measure services and outcomes in juvenile reentry, help align measurement practices across jurisdictions, and improve the assessment of juvenile reentry services’ impact on public safety and youth outcomes.

In February 2014, President Obama launched the My Brother’s Keeper (MBK) initiative to address persistent opportunity gaps faced by boys and young men of color and ensure that all young people can reach their full potential. The work of the Reentry Council agencies, especially as it relates to juveniles, directly addresses recommendations made by the My Brother’s Keeper Taskforce in their 2014 Report to the President and helps to achieve MBK goals. Specifically, the Reentry Council’s efforts address Recommendation 11.3: Reform the juvenile and criminal justice systems to reduce unnecessary interactions for youth and enforce the rights of incarcerated youth to a quality education and Recommendation 11.4: Launch an initiative to eliminate unnecessary barriers to
giving justice-involved youth a second chance. By collaborating across agencies, and in coordination with the MBK Taskforce, the Reentry Council is elevating this critical work across the federal government.

American Indian and Alaska Native Tribes

American Indians and Alaska Natives (AI/AN) are incarcerated at a rate 25 percent higher than the general population.\textsuperscript{111} Of further concern is the rate of violent crime in some AI/AN communities and the fact that this violence is often directed at the most vulnerable members of the community, at rates that far exceed the rates off the reservations. Specifically, domestic violence against American Indian women occurs at heightened rates, and an American Indian female has a staggering one in three chance of being sexually assaulted in her lifetime.\textsuperscript{112} The public safety challenges faced by AI/AN communities are exacerbated by the unique challenges that AI/AN who are returning to their communities face after incarceration in state or federal prison. High unemployment compounded by a lack of affordable and adequate housing and limited higher education opportunities magnifies challenges for returning individuals.

Reentry Council agencies have made some progress in assisting AI/AN communities, but there is much left to do. In 2014, the Bureau of Indian Affairs (BIA) Office of Justice Services implemented a new Diversion and Re-entry Division to begin building infrastructure for more effective alternatives to incarceration as well as intervention options intended to reduce recidivism. The primary focus has been implementing standardized need, risk and responsivity assessment to guide individuals appropriate for diversion to improved access to treatment services that include well-prepared reentry plans, highly structured follow-up support, and outcome evaluation.

As part of the President’s commitment to protect and promote the development of prosperous and resilient tribal communities, BIA received funding in FY 2015 and 2016 to support and implement the Tiwahe Initiative. Tiwahe means family in the Lakota/Dakota language. It symbolizes the interconnectedness of all living things and one’s personal responsibility to respect and honor family, community, and the environment. In 2015, BIA awarded Tiwahe funding to four tribal communities,\textsuperscript{113} and provided each with financial and administrative resources to develop a coordinated service delivery model plan focused on family, community, and tribal culture, and that will strategically address the interrelated problems of substance use and misuse, child abuse and neglect, poverty, family violence, high unemployment, and a disproportionally high incidence of incarceration and recidivism.

The Administration’s commitment to working collaboratively in support of tribal communities is also seen at DOJ. Through the Second Chance Act and Coordinated Tribal Assistance Solicitation, DOJ offers resources and tribal-specific strategies that can support AI/AN communities and states interested in implementing effective reentry assessment, supervision, and services for tribal members serving in federal, state, and local settings, as well as pre-release services in tribal and
DOJ will also expand tribal-specific TA to address jail-based and prison-based reentry through its FY 2016 Tribal Capacity Building Training and Technical Assistance Solicitation. DOJ’s Tribal Civil and Criminal Legal Assistance Program funds non-profit organizations to provide legal assistance to qualifying tribal member respondents and criminal defendants in tribal court criminal proceedings, as well as AI/AN governments, and capacity-building activities requested by tribes. DOJ will also develop information about the civil and criminal collateral consequences that result from incarceration by working with the National American Indian Court Judges Association, the Native American Rights Fund and its subgrantees (twenty-four Indian Legal Service Offices located in 23 states), the Tulalip Foundation of the Tulalip Tribes, American Probation and Parole Association and local tribal justice teams. This will be the first step to addressing collateral consequences in tribal communities.

In addition, the Attorney General’s Advisory Committee’s Native American Issues Subcommittee (NAIS), which is comprised of United States Attorneys whose districts contain Indian Country or one or more federally recognized tribes, is responsible for making policy recommendations.
to the Attorney General regarding public safety and legal issues that impact tribal communities.
This year, the NAIS has included reentry as a priority area of focus and is exploring promising practices resulting from collaboration between federal and tribal governments. It is reviewing the unique barriers impacting much of Indian Country such as geographical isolation, cultural sensitivities, historical trauma, substance use and poverty and their impact on reentry efforts, and has highlighted several successful tribal reentry programs to examine how they could be replicated in other tribal communities.

We are encouraged by recent collaborations among tribal, federal, state and local partners to find culturally-appropriate strategies to aid the reintegration of formerly incarcerated individuals into tribal communities, and broader efforts to address the underlying root causes of this disproportionate incarceration. However, we recognize that there is a great deal of work ahead to engage and empower tribal communities working toward successful reentry.

FEDERAL ROADMAP TO REENTRY

Under the Obama Administration, DOJ has taken major steps to make our criminal justice system more fair, more efficient, and more effective at reducing recidivism and helping formerly incarcerated individuals return to their communities. In April 2016, Attorney General Loretta Lynch released the Roadmap to Reentry, which identifies five evidence-based principles to guide federal efforts to improve reentry outcomes.

Spanning the cycle of custody and beyond, the principles articulate that those incarcerated in BOP facilities should be provided:

I. an individualized reentry plan tailored to his or her risk of recidivism and programmatic needs;

II. education, employment training, life skills, treatment for substance use and mental health disorder, and other programs that target their criminogenic needs;

III. resources and opportunity to build and maintain family relationships;

IV. individualized continuity of care during transition back to the community; and

V. comprehensive reentry-related information and access to resources, prior to release.

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