



# Incarceration to Reentry

## Education & Training Pathways in Ohio

*Reconnecting Justice in the States*

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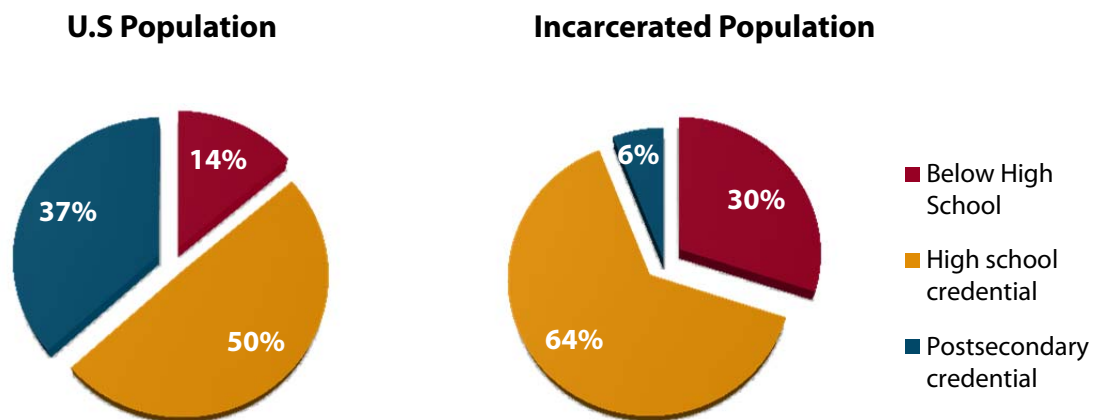


## Series background

The social, economic, political, historical, and racial context shaping the criminal justice system is complex and extensive. As a result, individuals who have been incarcerated face limited opportunities—particularly for education and training—both during and after incarceration. Historical investments in corrections and policies that prioritize punishment over prevention and rehabilitation have failed in improving public safety and have greatly marginalized low-income communities and communities of color.<sup>1</sup>

However, research has shown that correctional education and training can significantly improve outcomes by increasing employment prospects and reducing recidivism for those returning to society.<sup>2</sup> These positive outcomes are leading to increased federal and state momentum to improve postsecondary access for prisoners and are lifting this issue higher on reform agendas. Nonetheless, the education and training needs of prisoners are far more complex than what traditional postsecondary education can meet (see figure 1) and linking those needs to training that articulates to post-release opportunities is essential for successful reentry. Building on the theme of continuity from incarceration to reentry, these briefs will highlight the continuous improvement stories of states that are moving toward this type of alignment. This brief will focus on Ohio.

**Figure 1. Educational attainment of incarcerated individuals compared to the overall U.S. population**



Source: *Highlights from the U.S. PIAAC Survey of Incarcerated Adults, 2014.*

## State context and basis for reform

The context that shapes Ohio’s criminal justice history and reform timeline does not deviate very much from the national narrative. Beginning in the 1970s, Ohio’s incarceration trends tracked with the wave of mass incarceration that swept the nation. Likewise, this phenomenon affected racial and socioeconomic groups differently, with lower-income people and communities of color more likely to be subject to mass incarceration.<sup>3</sup> The resulting toll on families and communities exacerbated cycles of justice system involvement, contributing to a recidivism rate that trended around 40 percent by the early 2000s.<sup>4,5</sup> This trend drained the state’s resources and created inefficiencies within the state justice system.<sup>6</sup>

During the same time, the state's correctional education system was becoming more formalized. The Ohio Central School System (OCSS) was chartered in 1973, and shortly after inmates were eligible for Pell grants and state grants to attend college, vocational programming expanded, and basic education became compulsory. Over time, OCSS shifted its policies and investments away from comprehensive educational programming to job training, while also eliminating federal and state grants for college for prisoners<sup>7</sup>. The recidivism reducing benefits of correctional education remained but aligning education and training pathways was less central to the core of a comprehensive reform strategy. Because incarcerated people experience educational disparities—and the social and economic implications of those disparities—prior to incarceration, under prioritizing education as a core feature of rehabilitation and reform can further inhibit successful re-entry.<sup>8</sup>

Recognizing these challenges, the Ohio Department of Rehabilitation and Correction (ODRC) convened a steering committee to review its internal and cross-system operations to identify and resolve challenges that impeded successful reentry. With the goal of reducing recidivism, the committee culminated its work in 2002 by producing a report, *The Ohio Plan for Productive Offender Reentry and Recidivism Reduction*.<sup>9</sup> The report laid out 44 recommendations, including several focused specifically on education, training, and job readiness, with an emphasis on strengthening the continuum of those opportunities upon release. The plan recommended:

- Thorough pre-release planning to ensure inmates have critical supports and employability skills;
- Comprehensive, interdisciplinary pre-release programming;
- Establishment of Reentry Resource Centers in institutions;
- Implementation of a Career Exploration Program at all institutions to assist inmates in making decisions about education, training, and employment; and
- Implementation of new career-focused curriculums, job marketing strategies, apprenticeship programming, post-release education and training follow-up protocols, and improvements to post-release data collection.

The plan also emphasized the importance of interagency and cross-system collaboration to support reentry, beginning at the time of sentencing and running through the time leading to and following release. The state especially emphasized this in its system of community supervision.

Notably, just one year prior to the 2002 *Ohio Plan*, the state was part of a national study on the effects of correctional education on recidivism, which found strong, significant correlations between participation in correctional education and recidivism reduction.<sup>10</sup> While the study also found positive employment outcomes, it did not capture wage outcomes for Ohio. The study's implications inferred the need for robust programming and solid state investment, a theme echoed in the *Ohio Plan*, but with a stronger focus on job training through career and technical education. This focus also aligned with the state's major shift in funding and programming in the prior decade. Following the federal 1994 ban on Pell grants for incarcerated individuals, Ohio eliminated state financial aid for incarcerated students and redefined its model for higher education in corrections. The state shifted to advanced job training in lieu of traditional postsecondary education, and inmates were no longer eligible to receive college degrees by 1997.<sup>11</sup>

While various analyses in the following years noted some shifts in reentry outcomes, stubborn challenges remained. Although the *Ohio Plan's* recommendations marked a shift in back-end reform, the focus on front-end reform was less central.

From 2005 to 2008, Ohio's prison population grew by 16 percent to a record level that exceeded maximum capacity by 30 percent, which put the state on a trajectory to having the nation's fourth-largest prison population by 2015.<sup>12,13</sup> The state also continued to have racially disparate incarceration rates.<sup>14</sup> In addition, state spending on corrections grew rapidly as a result. The unsustainable costs created a sense of urgency across state levels of governance, prompting an assessment of state justice policies and reinvestment strategies aimed at reducing costs and improving public safety.

In 2008, Ohio commissioned the Council of State Governments and the Public Safety Performance Project at the Pew Center on the States to provide research and technical assistance on a comprehensive state criminal justice reinvestment framework. This policy framework emphasized diversion and community-based alternatives, cost reduction strategies, and discretionary sentencing, much of which was codified in 2011 by House Bill 86, the state's justice reinvestment legislation.<sup>15,16</sup> However, because of persistent implementation challenges, the state has achieved few changes, spurring another overhaul of Ohio's justice reinvestment policies.<sup>17</sup>

Nonetheless, efforts to provide meaningful education and training opportunities to Ohio's inmates continue to gain traction as a reform strategy.

## Reform efforts

### *Efforts in correctional education*

As Ohio lawmakers sought reform strategies to reduce prison crowding and corrections spending, ODRC was also investing in efforts to increase the efficiency and effectiveness of its education programs as part of a broader reentry strategy. Those efforts included embedding education into the state's diversion programs and community-based alternatives through the Community Corrections Act. In 2015, over 7,000 individuals were housed in a Community-Based Correctional Facility (CBCF) where 81 percent completed community-based correctional programs. Fifty-four percent received employment assistance, 34 percent received academic training, and 16 percent received vocational training.<sup>18</sup> The state attributed part of its reduction in recidivism to investments in these alternatives and their programming.

In 2010, ODRC contracted with the Center for Criminal Justice Research at the University of Cincinnati to evaluate Ohio's prison programs and measure their impact on reentry, with an emphasis on misconduct and recidivism effects. The comprehensive study examined data from over 92,000 men admitted to Ohio prisons between January 2008 and June 2012 and found that completing vocational training and apprenticeship programs, GEDs, or college classes at any point during incarceration correlated with lower rates of recidivism within three years of release. When looking at three-year recidivism, the study reported:

- Individuals who completed vocational training or apprenticeship programs recidivated 4.2 percent less than those who had not.
- Individuals completing college courses recidivated 5.6 percent less than those who had not.
- Individuals who completed their GEDs recidivated 6.1 percent less than those who had not.<sup>19</sup>

These results further solidified the value of correctional education. Likewise, the state continued to invest in career and technical education in keeping with its focus on job training, while eliminating many traditional postsecondary programs due to reduced funding and partnerships.<sup>20</sup> However, postsecondary courses and pathways, as well as technology integration, continue to gain relevance and traction in prison education reform conversations. Ohio remains a pioneer on the latter, while the former remains vocationally tailored through partnerships with institutions. The recent introduction of the federal Second Chance Pell Pilot Initiative has opened up more traditional academic higher education options to inmates at some facilities. While inmates have a vast spectrum of education needs, the returns to postsecondary education access for prisoners are notably among the strongest and create benefits for individuals, public safety, and the economy.<sup>21</sup>

### Technology in Ohio Prisons

Ohio is a pioneer in its efforts to bridge the technology gap in correctional education. For security reasons, inmates in prisons across the country are restricted from internet access, and consequently, modern technological learning tools. However, a 21<sup>st</sup> century economy makes it impossible to function or find employment without technological literacy. Recognizing this, Ohio began providing restricted internet access to inmates in 2005. Since that time, distance learning and online resources have grown to include library access, secondary education options, virtual apprenticeships, and job search capabilities with Offender Network for Employment to STOP Recidivism (O.N.E.-STOPs). In 2013, ODRC began allowing students to use tablet technology, another expansion of technology capabilities for learning and instruction. This technology is central in the state's Second Chance Pell sites, a partnership between 11 Ohio correctional facilities and Ashland University, a distance education provider.



## ***Efforts to strengthen employment opportunity***

Alongside the attention to correctional education, the state made efforts to bridge silos across systems that impact post-release employment and training as part of collaborative reform efforts throughout the Ohio correctional system.<sup>22</sup> In 2012, ODRC, the Ohio Department of Job and Family Services (ODJFS), and local workforce development partners created the Offender Network for Employment to STOP Recidivism (O.N.E.-STOP) that helps currently incarcerated individuals find employment upon release. The O.N.E.-STOPS inside the facilities replicate the services of Ohio Means Jobs Centers and provide job search workshops, resources, tools, and assistance with obtaining Ohio Medicaid or health care insurance information prior to release. Ohio established the first O.N.E.-STOP in 2012 at Trumbull Correctional Institution, with eight more sites created since then. That same year, Ohio passed Senate Bill 337, creating a Certificate of Qualification for Employment (CQE) that allows people with a previous felony or misdemeanor conviction to apply to the court to lift the collateral sanction barring them from being considered for employment in a particular field.<sup>23</sup>

### **Second Chance Pell in Ohio<sup>24</sup>**

In 2016, the U.S. Department of Education selected Ashland University as one of 67 Second Chance Pell (SCP) experimental sites. The pilot extends eligibility for Pell grants to over 12,000 inmates at 100 prisons nationwide. Through Ashland University, 1,040 students at 11 correctional facilities in Ohio are eligible for Pell funds to complete certificate and degree programs. Incarcerated students are eligible if they have a high school diploma or its equivalent and are within five years of release. Individuals complete their courses through a tablet-based program that mirrors the online program students participate in outside of the correctional setting.

Although Ashland University provides advanced job training courses and certificates to inmates through state funding, SCP expanded program offerings and has allowed eligible students to obtain associate's and bachelor's degrees. The program offers an Associate of Arts degree in General Studies, a Bachelor of Arts degree in Communication and a Bachelor of Science in Multidisciplinary Studies. Each facility has an Ashland site director who meets with students weekly, beginning at admission and continuing to graduation or release. The site director assists students with FAFSA filing, academic advisement, and remedial assistance. In the two years since the program started, 181 students have graduated with degrees (127 students are expected to graduate this summer) and over 300 students are currently enrolled.

Since students can complete the program online from any location, the tablet-based programming may make it easier to continue their studies after they are released. As students prepare for release, the site director connects them with the resources needed to continue their courses post-release. In addition, Ashland University offers discounted tuition to students returning to society who wish to continue their degrees if they have completed at least 6 credits with a 2.0 GPA. Because the discounted tuition is offered at the same rate as Pell grants, students can continue their courses at no cost if they remain eligible for Pell.

## Using federal support

In FY2018, the legislature appropriated a budget of \$32,581,211 for OCSS—an 8.2 percent increase from FY2017. The Ohio Department of Education also appropriated \$4,725,000 to OCSS in FY2018 to support institutional education services. ODRC secured \$1,985,000 in federal grants that support education, criminal justice, and food and nutrition assistance.<sup>24</sup> ODRC has consistently used federal resources through the Second Chance Act and other pass through grants from the U.S. Department of Justice to support targeted and comprehensive reentry initiatives, as well as pass through resources from the U.S. Department of Education to supplement secondary, adult, and career and technical education for youth and adults.<sup>25</sup> Moreover, the state is funding education and training for youth and adults through its Unified and Combined Workforce Innovation and Opportunity Act (WIOA) plan, which was most recently modified in 2018.<sup>26</sup> In addition, Ohio hosts the federal Second Chance Pell pilot initiative at 11 correctional institutions across the state, an experimental effort to restore Pell grant eligibility to incarcerated individuals.

## Reform progress and next steps

Tough challenges remain across many aspects of Ohio's criminal justice system. The state's acknowledgement of those challenges offers promise for reform and the opportunity for increased investment in education and training as a reform and reentry strategy. Notable among the state's measurable successes and ongoing improvements that further inform that strategy include the following.

### Measurable progress and outcomes

- In FY 2016, about half of the inmate population (26,320 students of the total population of 51,001) were enrolled in OCSS educational courses (with 38,254 students participating in any educational program). The department awarded 4,075 recognized secondary or postsecondary credentials in 2016. The types of credentials earned by students were:
  - 1,358 Advanced Job Training Certificates;
  - 1,080 Career-Technical Certificates;
  - 906 GED Diplomas;
  - 701 Apprenticeship Certificates; and
  - 30 High School Diplomas.

In addition, students earned over 10,000 other certificates for interim progress.<sup>27</sup>

- The state made increases in its correctional education investment, growing from 10,514 students in educational coursework in 2010 to 26,320 in 2016—and from 17,246 students participating in any correctional education program in 2010 to 38,254 in 2016.<sup>28</sup>
- As of September 2016, over 15,000 formerly incarcerated individuals accessed O.N.E.-STOP services, a key resource to strengthen the transition from incarceration to reentry through connections to employment and robust stabilizing supports.<sup>29</sup>

- As of January 2017, the state approved 588 CQE applications, lifting the collateral sanction that bars people with felony convictions from being considered for employment in a particular field. There were over 1,200 petitions submitted for review, with more than 1,500 petitions registered but not submitted.<sup>30</sup>
- In 2015, Ohio passed the Fair Chance Hiring Act, which is “ban the box” legislation that made it unlawful to ask about criminal history on public-sector job applications until the final stages of the hiring process after the employer has formed an unbiased impression of the applicant.<sup>31</sup> The bill was enacted in 2016 and provides greater access to approximately 50,000 additional job opportunities annually.<sup>32</sup> In 2017, Ohio Senate Bill 49 was introduced to expand the same provision to the state’s private sector.<sup>33</sup>

### Ongoing improvements

- The state continues to expand its use of innovative technology through tablets and distance learning, along with expanding apprenticeships and connections to employers through O.N.E.-STOP. Ohio currently offers 50 apprenticeship occupations to inmates and is continuing to monitor and add apprenticeship programs tied to labor market needs.
- Due to reforms and reductions in recidivism, Ohio has succeeded in reducing its number of inmates below 50,000 for the first time in four years.<sup>34</sup> In 2000, the state’s three-year recidivism rate was 39 percent and had dropped by 10 percent by 2012.<sup>35</sup> National studies have shown that formerly incarcerated people with the best outcomes had completed some form of correctional education.<sup>36</sup> Despite these gains, research is needed to understand and address the persistent issues that lead to recidivism.
- Even with the ongoing improvements of community-based alternatives, racial disparities remain a persistent challenge. While the ODRC attributes some of the reduction in recidivism to investments in community corrections programs, racial disparities remain among offenders afforded that option. In FY15, 74 percent of people in CBCFs were white and 23 percent were Black, while individuals serving time in Ohio prisons were 46 percent Black and 50 percent white. Furthermore, 11,765 people participated in prison diversion programs through the Ohio Community Corrections Act in FY15, 60 percent of whom were white and 37 percent Black.<sup>37</sup>



## Future considerations

- Ohio's shift in offering advanced job training was done to promote job placement upon release; however, this shift has eliminated nearly all postsecondary offerings to incarcerated individuals. Postsecondary institutions in Ohio are often responsible for providing the instruction for certificates, yet inmates are not eligible to receive degrees outside of Second Chance Pell. This limits the educational opportunities for those in prison and may contribute to racial and socioeconomic inequities in educational attainment. Research shows that Blacks and Latinos are more likely to report workforce certificates as their highest level of educational attainment than whites. Similarly, certificate holders often come from families with low-to-moderate incomes.<sup>38</sup>

Because low-income and Black and Latino individuals are overrepresented in the justice system—largely due to systematic bias in our justice system—limiting educational opportunities for a target population can perpetuate these disparities.<sup>39</sup> Research has also proven that postsecondary prison programs have positive individual and community benefits during and after incarceration. To help realize the full potential of returning citizens, Ohio should incorporate access to postsecondary education and statewide articulation agreements in the state's reentry model.

- Despite some exceptions by offense and location, Ohio has seen a reduction in overall crime, although the prison population has not decreased as rapidly. This is partially due to long sentences, disparate impacts of opioids, concentrated areas of crime, and probation violations. The latter issue has been part of an ongoing challenge to reform the parole system, including a recent effort to limit prison sentences for nonviolent parole violations, a frequent driver of recidivism.<sup>40</sup>

On February 28, 2018, the Ohio Senate unanimously passed Senate Bill 66, which would eliminate prison sentences for technical parole violations, broaden diversion alternatives, and expand expungement for nonviolent offenders.<sup>41</sup> If passed, the law would help decrease incarceration and support successful reentry, thus removing another disruption to education and employment opportunities that can also be hindered by technical violations.

## Looking ahead

Criminal justice reform in Ohio has been a mix of successes and lessons learned. However, state leaders' collective interest in reform offers promise for continuous improvement, as does their interest in prioritizing investments in alternatives, education, and employment. Despite persistent broader challenges and disparities, the state is making important progress toward larger improvements through its more coordinated cross-system focus on strengthening education and training opportunities during and after incarceration. Recognizing the potential and critical role of correctional education in the push to reform, rehabilitate, and promote reentry success is a critical step. CLASP's recommendations uplift this approach, and the work taking place across Ohio offers some strong models for innovation and implementation for other states.<sup>42</sup>

## CLASP recommendations

### *Actions at the federal level*

- Congress should fully reinstate Pell grant eligibility for incarcerated people. The 1994 ban on Pell Grants, which amounted to less than 1 percent of the Pell budget at the time, essentially removed access to postsecondary education for those in prison.<sup>43</sup> Rigorous research has proven the effectiveness of postsecondary access for prisoners, which offers a return on investment for both inmates and society as a whole.
- Federal policymakers should increase overall funding—and current funding ceilings—for adult education and career and technical education through the Adult Education and Family Literacy Act (AELFA—funded under Title II of the WIOA) and the Carl D. Perkins Career and Technical Education Act. Given the large number of prisoners with insufficient reading, math, and problem-solving skills, more investments in these educational supports are urgently needed. Although states are allowed to dedicate set-asides for correctional education under both of these federal programs, many states are underutilizing even these modest existing resources. States should be fully informed about these funds and encouraged to use them.
- Formula grants to states under Title I of WIOA should be fully funded at the levels Congress authorized in its nearly unanimous bipartisan vote to pass the law in 2014. States and local areas should be encouraged to target these funds to individuals facing significant barriers to employment, including justice-involved youth and adults. Recent increases to funding levels should continue to grow and match need.
- Federal discretionary grants administered through the U.S. Departments of Education, Labor, and Justice should continue to be funded to support best practices, spur innovation, and scale effective models in states and localities. These grants include:
  - Reentry Employment Opportunities (REO) grants to support testing and implementation of successful reentry training models;
  - The Reentry Project grant program to strengthen access to opportunities for justice-involved youth and adults in high-poverty communities through innovative, comprehensive reentry programming;
  - Second Chance Act (SCA) grants to help returning citizens safely and successfully reintegrate into the community; and
  - Improved Reentry Grants (IRE) to support the continuum of education and training opportunities between prison and community-based education.
- Congress should reauthorize the bipartisan Second Chance Act to continue supporting this work in communities across the country.

- The federal government should promote reentry education and training opportunities by building up evidence and providing guidance to reduce ambiguity around federal policies and resources. The collaborative effort of the Federal Interagency Reentry Council was a model for this type of comprehensive administrative effort and should continue under the newly formed Federal Interagency Council on Crime Prevention and Improving Reentry.
- Federal policymakers should recognize the complexity of criminal justice issues, as well as the human and economic toll on states, cities, communities, families, and individuals. By considering the collateral consequences of incarceration and reentry, federal policy can be carefully crafted to reduce unintended consequences of other policies that may impair education and training opportunities and overall economic mobility of people involved with the criminal justice system. Policymakers should use this lens when considering legislation on issues as varied as health care, infrastructure, employment, sentencing reform, housing, public benefits, and child support enforcement, among others.

### ***Actions at the state level***

- Because the overwhelming majority of corrections spending is at the state level, state policymakers have a tremendous opportunity to implement helpful reforms. States should improve correctional education to support the continued training and labor market success of inmates, the vast majority of whom will eventually return to society and need the tools to succeed in the labor market. Even amid tightening state budgets and other uncertainties, states should maintain support for correctional education and seek to braid funding efficiently, while investing in and scaling best practices.
- Too often, state data on correctional education funding are not transparent, making it difficult to track and evaluate funding streams and programs. States should publish clear and specific correctional education budgets—including information on how much funding is dedicated to correctional education and which types of programs are offered—to help policymakers, other decision makers, and advocates monitor and measure their approaches. By tracking the accessibility of their programs and the outcomes of participating inmates, states can inform the success of correctional education programs and provide insight to other states.
- States should collaborate across education, workforce, and criminal justice silos to ensure effective access, delivery, and continuity of education and training during and after incarceration. Recognizing each as parts of a whole that must work together through partnerships and policy coordination helps to limit systemic barriers to education and training.

- State-funded financial aid for postsecondary education should be equitable and accessible—and free from punitive policies. Postsecondary institutions can and should play a key role in educating incarcerated and returning citizens, and individuals with prior criminal offenses should not receive additional, trajectory-defining punishments as a result of restricted access to state financial aid.
- Experts have identified more than 40,000 collateral consequences at the state and federal level that a criminal conviction can have on employment and other opportunities for formerly incarcerated individuals.<sup>44</sup> For example, state occupational licensing rules can completely undermine the success of correctional education, thus dashing hopes and wasting time and money by training people for jobs from which former felons are legally barred. Where and how people can legally and safely contribute to the economy and their own wellbeing should not be limited by debts already paid to society.

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