

**Testimony before the House Finance Committee
FY 2020-2021 Biennial Operating Budget
Presented by: Annette Chambers-Smith, Director
Ohio Department of Rehabilitation and Correction
March 21, 2019**

Good morning Chairman Oelslager, Vice-Chairman Scherer, Ranking Member Cera, and members of the House Finance Committee. Thank you for providing me the opportunity to speak before the committee today to discuss the Department of Rehabilitation and Correction's (DRC) Fiscal Year 2020-2021 Executive budget request.

Mr. Chairman, I come before you today to present the first Executive budget proposal during my tenure as Director of DRC. However, I believe its appropriate that I first speak about my background as a twenty plus year employee of DRC as well as my experience in the private sector. I began my career at DRC in 1993 as a clerk in the records office at Pickaway Correctional Institution. Since that time, I have served in numerous positions at the Department including Deputy Director of Administration, where I was responsible for crafting the Department's budget. Thus, I realize the importance and magnitude of the budgetary process. In addition to my public-sector experience, I also spent the last five years in the private sector, where I was able to observe correctional systems around the country and help them provide efficient services to their inmate populations.

Even though I enjoyed my time in the private sector, I was honored to be selected by Governor DeWine as the Director of DRC and I am proud to say that I am not only the first female, but the first African American female to hold this position. My philosophy as Director of DRC is the same philosophy I have maintained in previous positions. It is one of inclusion and teamwork. That begins with including all staff members, from corrections officers, parole officers, case workers and up to executive staff in the decision-making process. I also believe that we should all be working together with the unions, OCSEA, 1199, and SCOPE as well as other various stakeholders to accomplish our Department's mission. I would also like our Department to be consumer focused which means listening to inmate concerns and working with their families to help their loved ones successfully reintegrate into society.

Furthermore, I truly believe in the Governor's vision for the State of Ohio and I look forward to working with him and the members of the General Assembly to carry out DRC's vision "to reduce crime in Ohio".

Summary:

I would like to take a couple minutes and provide a preview of the issues facing DRC in this budget as well as the initiatives we seek to accomplish. First, I wanted to provide a historical context for our budget. This information will show how this Department has exercised fiscal restraint and limited the growth of our budget, despite increased staffing costs and inflation. Next, I would like to mention the mission of DRC and how our 31.5% recidivism rate affects the lives of your constituents and is much lower than the national average of nearly 50%. I would then like to mention how the Governor's budget proposal will

allow us to fund several key initiatives. These include increased mental health treatment for seriously mentally ill inmates, as well as providing counties with resources to manage their probation population while allowing our state parole officers to focus on supervising high risk offenders released from prison. We will also invest in families and improve the lives of children of the incarcerated. We will accomplish this objective through reforming our visitation process to become more program oriented and expanding our nursery.

Budget History:

DRC's proposed budget is similar to the funding levels in Fiscal Year 2009. This is notable despite the Consumer Price Index increasing by 14.9% during this time period. Furthermore, our budget has increased at a rate of 0.5%, which is far less than the Ohio budget average of 2.9%. Had DRC's budget grown at the same rate as the rest of the state it would have been \$2.4 billion in Fiscal Year 2019, or \$510 million more. DRC currently employs over 12,000 people, which comprises more than 70% of our GRF budget in prisons, parole, and central office. Therefore, the statutorily mandated raises have resulted in a significant fiscal increase to our budget. This creates the scenario where 100% of our previous fiscal year funding does not adequately fund our Department in the upcoming fiscal years.

However, we have been able to effectively manage our budget due to an emphasis on identifying and implementing cost savings when appropriate. I wholeheartedly believe that "less is sometimes more" when it comes to our agency and we will continue to efficiently utilize the resources we are given by the General Assembly. I have partnered with the union personally in my previous role at DRC to reduce food costs. I have partnered with the union personally in my previous role at DRC to reduce food costs. For example, even something as small as combining the breakfast and lunch meals on weekends and holidays resulted in more efficient staffing. This change not only allowed DRC to save \$1.3 million dollars but also addressed inmate dining preferences. These cost savings have allowed us to stay at a reduced funding level and we are just now returning to a Fiscal Year 2009 funding level. We are aware that we are a large consumer of GRF dollars and will continue to identify and implement costs savings measures moving forward.

I also wanted to mention that a reduction in funding below the Governor's proposed amount will have a domino effect on public safety in the State of Ohio. Cuts to our GRF funding below the executive budget proposal will force us to either reduce funding for community corrections, reduce spending on institutional operations, or a combination of both. A reduction in community spending will cause more offenders to be sent to prison, thus further criminalizing their behavior when they could be more effectively treated at the local level. Even worse yet, a reduction in funding to institutional operations will result in the closure of one or more institutions resulting in less staff. Staffing levels are directly correlated to safety inside the prisons and maintaining a low recidivism rate. The staffing levels are particularly important given the increased density in our institutions since 2002.

To illustrate this point, on January 7, 2002 DRC housed 44,482 inmates. Since then, we have closed four prisons and five prison camp units, while only adding one facility which holds 900 inmates. DRC has

approximately 4,500 more inmates today and 8 fewer prisons and camps to house them. To put this in perspective, Chillicothe Correctional Institution housed 2,175 inmates and Lebanon Correctional Institution housed 1,656 inmates in 2002. On Friday, March 15, 2019 Chillicothe was housing 2,704 inmates (25% more) and Lebanon was housing 2,444 inmates (47% more).

Mission and Initiatives:

Correctional systems are often referred to as “lock and feed” operations. This approach centers around warehousing of inmates until their sentences are complete. However, Ohio’s system is much more complex. In fact, we are the first and only one of four corrections systems nationwide to include the term “rehabilitation” in its title. It is also important to note that the term rehabilitation in our title comes before the term correction. Our mission is to “reduce recidivism among those we touch” and everything we do from an inmate’s first day in prison is designed to better prepare them for life post release. This approach is a driving force behind our low recidivism rate and this budget allows us to fund initiatives that allow us to carry out our mission.

1) Family Engagement and Empowerment

Governor DeWine has mentioned that the themes of his administration will center around faith, family and friends. While I wholeheartedly believe in these themes, I am particularly drawn to improving families in the State of Ohio. This is important to our Department because we currently release over 22,000 offenders annually to the community, many of whom return to live with family members. I would like people to leave our system better than they were when they arrived. To that end, we have increased the number of telephone calls for inmates by 121% and reduced the price of telephone calls to make communication more affordable for all families. However, family connections are not limited to phone calls. In this budget, we are looking at ways to increase the value of the time spent between inmates and their families during visitation. These visits present the perfect opportunity to offer programming for offenders and their families to work on pro-social, parenting and other life skills they will need upon release.

While improving family relationships is important, we must also afford inmates with an opportunity to provide for their families after release. DRC operates a state supported school district which provides career education programming, as well as college level career certification programs and offenders can work in over 50 apprenticeship fields. During fiscal year 2018, approximately 1,800 inmates attained a GED, which is an increase over the previous year. Additionally, over 1,900 students worked in approved apprenticeship programs. Although I am proud of our progress, I will be continuing to challenge our staff to increase our focus on employment opportunities for offenders leaving our care. We know that obtaining a GED or having meaningful employment post release is directly correlated to a reduction in recidivism.

Last, we will be increasing the size of our nursery during this budget to accommodate the newborn program at the Ohio Reformatory for Women (ORW). Current state law allows for a mother to stay with her newborn child in the institution for up to three years after giving birth. Our nursery provides healthcare for the newborn and programming for the mother to learn valuable parenting skills. The nursery is truly a special place at DRC and I encourage you to visit if you have an opportunity.

2) Treatment of the Severely Mentally Ill and Restrictive Housing

DRC continues to see an increase in the number of mentally ill and developmentally disabled individuals being sent to prison. Historically, the misbehavior of these inmates has led to placement in a cell alone for more than 22 hours a day. *In re Medley*: the US Supreme Court studied the use of restrictive housing and determined: “A considerable number of the prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently insane; others still committed suicide, while those who stood the ordeal better were not generally reformed, and in most cases did not recover sufficient mental activity to be of any subsequent service to the community.”

That case occurred in 1890, which was the same year that The Ohio State Football Team played their first game. Thus, the issue is not a new problem. However, Ohio has focused efforts on limiting this practice for severely mentally ill inmates. DRC has requested an additional \$6.7 million dollars in this budget to add additional mental health and security staff to treat this population. Also, in this budget, we will reestablish accredited inpatient psychiatric hospital beds, either through a partnership or by providing the service internally. Additionally, we will create an intervention program for Seriously Mentally Ill inmates who are at risk of being classified to high-security prisons or placed in restrictive housing. This program would have a specialized unit for intensively treating disruptive Seriously Mentally Ill inmates, so they can be stabilized and if appropriate, returned to general population. Both initiatives will make prisons safer for staff and inmates, bring Ohio into compliance with law or accepted practices, and bring resources to bear for inmates who often struggle to reenter society.

3) Community Investment

The criminal justice system in the State of Ohio does not start with nor end with the Ohio Department of Rehabilitation and Correction. We recognize that most of the work occurs at the local level with courts, sheriffs, prosecutors and other criminal justice partners. DRC values our relationship with these partners and looks forward to working with them during the biennium to improve public safety in Ohio. DRC will seek to continue the progress we have made in supporting Ohio’s robust community corrections’ system through this budget. We will continue to provide funding for our non-residential diversionary grant

programs, as well as supporting Ohio's system of halfway houses and community-based correctional facilities. Also, we will provide an additional \$16 million to establish county probation departments in those communities who are currently reliant on state parole services. This is the equivalent of more than 100 probation officers statewide.

DRC has successfully provided grants to support local probation for several decades. In this past biennium, DRC provided approximately \$136 million dollars in funding to local common pleas and municipal courts to supplement local probation. For example, Medina County utilized their grant to help develop the "Serenite" Restaurant, which was established to instill leadership skills in men and women recovering from drug and alcohol addiction through an education in the culinary arts. In Stark County, DRC grants support the Inmate Addiction Recovery Program offered through the Stark County Jail. The DRC grant in Montgomery County helped establish a Day Reporting program and expand the Secure Transitional Offender Program (STOP), which is designed to provide education, employment, community service and treatment opportunities for probationers.

These examples clearly demonstrate that established local probation departments are best suited to develop unique solutions to the needs of the clients they serve. This is why DRC is proposing additional funding to help counties establish or supplement their own probation departments who are currently reliant on state staff for those services.

Chairman Oelslager, Vice-Chairman Scherer, Ranking Member Cera and members of the House Finance Committee, thank you for allowing me the opportunity to present the Governor's proposed FY 2020-2021 budget. It is truly an honor to be here before this committee and present my first budget proposal. I believe this proposal will lay the foundation for many positive changes for ODRC and the State of Ohio as a whole. I look forward to working with this committee, as well as your colleagues, to improve public safety in Ohio. I would be happy to answer any questions you may have at this time.