



Ohio Justice Alliance for Community Corrections

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**OHIO JUSTICE ALLIANCE FOR COMMUNITY
CORRECTIONS**

HB 166

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SUBMITTED TO THE

**OHIO HOUSE FINANCE SUBCOMMITTEE ON
TRANSPORTATION**

**By: Phillip Nunes
April 11, 2019**

EX OFFICIO TRUSTEES

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Chairman Greenspan, Ranking Member Skindell and members of the House Finance Subcommittee on Transportation:

I am Phil Nunes, Past President of the Ohio Justice Alliance for Community Corrections and currently co-chair of OJACC's public policy committee. I am also Chief Operations Officer for Alvis, Inc. where we have residential community correctional programs in Toledo, Lima, Dayton, Chillicothe and Columbus.

Thank you for providing me the opportunity to offer testimony in support of Governor DeWine's budget. We applaud the administration's commitment to community corrections recognizing the important role played in reducing both recidivism and the prison population.

ABOUT OJACC

In the mid-1980s, a group of community corrections practitioners and interested parties came together with state agencies to address the rising prison population. This group of dedicated professionals saw real value in coordinating all aspects of community corrections to work toward common goals and formed The Ohio Community Corrections Organization (OCCO) in 1986. In 2005, the non-profit organization changed its name to The Ohio Justice Alliance for Community Corrections (OJACC).

OJACC serves as an umbrella organization representing Ohio's criminal justice stakeholders to include judges, defense attorneys, prosecutors, pre-trial and probation officers, law enforcement officials, corrections officials from adult and juvenile systems, treatment providers, reentry practitioners, and victims' representatives.

OJACC focuses on collaborating with all stakeholders to educate policy makers and legislators on issues affecting community corrections. OJACC also provides education to community corrections practitioners to enhance services throughout the state.

ADULT COMMUNITY CORRECTIONS IN OHIO

Since the passage of the Community Corrections Act in 1979, Ohio has been committed to creating the most comprehensively funded community corrections system in the nation.

The Ohio Department of Rehabilitation and Correction (ODRC), under the Bureau of Community Sanctions, funds Community Based Corrections Facilities (CBCF), Halfway House Programs, and Jail and Prison Diversion programs for Ohio's Courts. In Fiscal Year 2018, these programs served 49,329 individuals at a substantial cost savings, (see <http://drc.ohio.gov/community>).

Diverting non-violent offenders from prison results in a huge costs savings for Ohio's taxpayer. It costs \$27,800 per year to house an inmate in prison. This amounts to an average cost of \$34,600 to house a felony 3, 4, or 5 offender in prison, based on average length of stay of 452 days. In comparison, the cost for a CBCF is \$10,179, based on average length of stay of 115 days. Placement in a halfway house costs an average of \$6,954, based on average length of stay

of 88 days. Unlike prison, CBCFs and half-way houses provide intensive programming which is designed to change offender behavior and improve public safety.

The costs savings are even greater for offenders who are supervised on community control sanctions (probation) in a non-residential placement, rather than being incarcerated. Research demonstrates that programs designed to change offender behavior are most effective when offenders are being supervised in the community.

Additionally, these programs can serve as step-down release mechanism for Ohio's prison system to provide effective reentry services that help ex-offenders become law abiding citizens. The University of Cincinnati has conducted extensive studies of Ohio's community corrections programs. These studies demonstrate that, when used appropriately, community corrections programs can be highly effective in reducing recidivism and promoting public safety.

JUVENILE COMMUNITY CORRECTIONS IN OHIO

The juvenile system in Ohio has greatly reduced the number of youth in custody in Ohio's Department of Youth Services, (ODYS). In 1992 ODYS had nearly 2,600 youth in its facilities. In fiscal year 2018, there were an average of only 515 youth in DYS facilities and an additional 227 youth in community corrections facilities. Incarcerating one youth costs over \$185,000 each year – the cost of approximately 8 years undergraduate education at The Ohio State University.

Funding for alternatives to youth incarceration is provided by ODYS through several programs, including the Youth Services Grant, RECLAIM (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors), Targeted RECLAIM, Competitive RECLAIM, and Behavioral Health and Juvenile Justice (BHJJ). Each of these programs encourage juvenile courts to develop or purchase a range of community-based options to meet the needs of youth who are at-risk of or involved in the juvenile court system. By diverting youth from Ohio Department of Youth Services (ODYS) institutions, courts have the opportunity to increase the funds available locally through RECLAIM.

RECLAIM, Targeted RECLAIM, and BHJJ have all been proven to be effective while saving Ohio taxpayers millions of dollars.

WHAT ARE COMMUNITY CORRECTIONS

Community corrections include a full range of local sanctions that may be imposed by the courts. These may include a local jail sentence, supervision by a probation officer, drug or mental health treatment, required programming, curfew, electronic home monitoring, community service, drug testing, as well as many other sanctions designed to help change offender behavior. The sanctions are individualized based on the seriousness of the crime committed, the risks posed by the offender, and the specific needs to be addressed.

Prison sentences protect the community from dangerous and violent offenders while the offender is in prison, but do little to prevent offenders from committing crimes after they are released

from prison. Moreover, 95% of offenders who are sent to prison are eventually released and nearly half are released after serving less than one year.

Effective community corrections address the underlying issues which lead to criminal behavior. This may include drug or mental health treatment, or addressing criminal thinking, as well as educational and vocational issues. Effective community corrections also provide opportunities to hold offenders accountable. The sanctions can be tailored to the individual offender. For some, this includes a locked-down residential sanction, such as a community based correctional facility. For others, it may include a halfway house program. And for many, it may include outpatient programming and supervision by a probation officer.

OJACC POLICY POSITIONS

We support appropriate funding for local adult and juvenile community corrections. Community corrections save state tax dollars by helping to reduce the state prison population and by preventing the need to build additional prisons. Further investment and funding is necessary so that local communities have adequate options to avoid sending low level felony offenders to the state prison system. As Ohio is focused on sentencing reform and justice reinvestment, further investment must be made in community corrections to assist in a safe prison reduction strategy.

We support the continuation of Medicaid expansion. Before Medicaid eligibility was expanded in 2014, less than 10% of persons in the criminal justice system had health insurance. Medicaid coverage has allowed drug addicted offenders to receive medication assisted drug treatment, as well as other needed treatment including mental health services. Ending or significantly restricting Medicaid expansion would be a major setback in the efforts to address the opiate epidemic.

We urge the Ohio Department of Medicaid to extend Medicaid eligibility to individuals who DRC places in halfway house programs while on transitional control or through a treatment transfer. This is permitted by federal regulations and would allow all individuals in halfway houses to obtain needed medical and behavioral health services. This is another important tool in addressing the opiate epidemic.

We support the careful consideration of the recommendations of the Ohio Criminal Justice Recodification Committee and particularly the following concepts in their report:

- Include reducing recidivism and rehabilitating the offender in the purpose of criminal sentencing. [Substantially accomplished by S.B. 66, effective 10/28/18].
- Require indeterminate sentences for offenders who are sent to prison.
- Encourage treatment, rather than incarceration, for low level drug offenders.
- Eliminate residency restrictions for sex offenders which do not enhance public safety and give judges some discretion to remove registration requirements after a period of time.

We support legislation to encourage the uniform collection and sharing of meaningful data regarding community corrections. Currently, there is no centralized repository for basic information, such as how many adult or juvenile offenders are involved in the court system, on

probation, or reoffend. Without good data it is difficult for policymakers to fairly evaluate and improve community corrections practices.

We support the use of school safety funding in ways that do not lead to increasing student involvement in the court system. This includes the use of threat assessment protocols as recommended by the FBI, use of school climate grants as approved in HB 318, and improving student access to staff trained to work with students, such as counselors, nurses, psychologists, and social workers. The National Council of Juvenile and Family Court Judges have recognized that students who become court involved through a school referral are less likely to remain engaged in school or become productive citizens as adults.

Lastly, OJACC has a committee called the Adult Community Corrections Collaborative, which is represented by all community corrections programs that received state funding including CCA programs (county probation), CBCFs and Halfway Houses. In a recent strategic planning meeting, all community corrections programs and providers have indicated the primary need for funding is based on a need to raise all pay ranges within their organizations. Without further investment, specifically to raise the salary levels for the staff, funded community corrections programs indicate their biggest threat of sustainability is attracting, recruiting and maintaining staff that provide supervision, security oversight or program delivery for their clients. Therefore, each association will be requesting new funding outside of ODRC to invest in the sustainability of community corrections programs state-wide. In the face of focusing on prison reductions in the future, community corrections programs will have a greater need to grow in the adult system to keep up with current and future demands.