



Ohio Justice Alliance for Community Corrections

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**OHIO JUSTICE ALLIANCE FOR COMMUNITY
CORRECTIONS**

HB 110

SUBMITTED TO THE

OHIO SENATE

GENERAL GOVERNMENT AND BUDGET COMMITTEE

**By: Phillip Nunes
May 5, 2021**

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Chairman and Schaffer and esteem members of the Ohio Senate General Government Budget Committee.

I am Phil Nunes, Past President of the Ohio Justice Alliance for Community Corrections (OJACC) and currently co-chair of OJACC's public policy committee. I am also Executive Director for Eastern Ohio Corrections Center which operates two Community Based Corrections Facilities in Jefferson and Columbiana County.

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 and recognizing the important role our agencies play 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.

WHAT ARE COMMUNITY CORRECTIONS

Community corrections include a full range of local sanctions that may be imposed by the courts. These include supervision by a probation officer, drug or mental health treatment and other required programming, electronic home monitoring, community service, drug testing, as well as many other residential and non-residential sanctions designed to help change offender behavior and extends to reentry from jail or prison. 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.

COVID 19 Impact to Community Corrections in Ohio:

As you can imagine, Ohio's Community Corrections is greatly impacted in the recent and current fight against COVID 19.

The good news is that throughout the crisis community correction providers, to include residential Halfway Houses and Community Based Corrections Facilities (CBCF), as well as non-residential services such as probation, have maintained operations serving offenders throughout the juvenile and adult system.

Community Correction providers moved swiftly throughout the state to ensure for the safety of staff and offenders by acquiring personal protective equipment and implementing safe protocols including enhanced sanitation needs, addressing social distancing, purchasing safety equipment, and developing COVID 19 emergency protocols procedures. Today, we continue to operate even in the face of the ongoing threats.

Much like the Ohio Department of Rehabilitation and Correction, community correctional providers are impacted by the reduced prison population as a result of COVID 19. This reduction occurred for many reasons such as social distancing standards, the slowdown in arrests and court disposition of cases. Community Correction providers remain open for business and ready to address all new pending cases and cases eligible for release from incarceration.

Although today community correction programs are not all at 100% capacity, the FY 22 and FY 23 budgets look to the future with great hopes to be in a post COVID 19 environment. Therefore, as we discuss community correction budget needs today, it is predicted that as arrests and charges that occurred since the onset of COVID 19 go through the court process, there will be perhaps a need for community correction services more than ever before. Therefore, the requests made will reflect a future state as we all recover from this pandemic.

ADULT COMMUNITY CORRECTIONS IN OHIO

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

The Ohio Department of Rehabilitation and Correction (ODRC), through 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 felony 3, 4, or 5 offenders 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 supervised in the community.

Additionally, these programs can serve as a 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 conducted extensive studies of Ohio's community corrections programs. These studies demonstrate that, when used appropriately, community corrections programs are 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 2020, there were an average of only 350 youth in DYS facilities (portion of the reductions are as a result of COVID 19 and approximately 220 youth in community corrections facilities. Incarcerating one youth costs approximately \$200,000 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.

OJACC POLICY POSITIONS

- **We support appropriate funding for local adult and juvenile community corrections.**
- **We support the continuation of Medicaid expansion.**
- **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.
- **We support the careful consideration of the recommendations of the Ohio Criminal Justice Recodification Committee and particularly the following concepts in their report:**
 - **We support continued criminal justice drug reform**
 - **We support legislation to encourage the uniform collection and sharing of meaningful data regarding community corrections.**
 - **We support the use of school safety funding in ways that do not lead to increasing student involvement in the court system.**
 - **We stand with local and national experts in supporting the utilization of validated risk and needs assessment at all levels of the criminal justice system, including pretrial.**
 - **We support avoiding altogether or stringently limiting collateral sanctions to lessen barriers for reintegration.**
 - **We support intentional anti-racist interventions, remediation, and policies focused on the elimination of racism and racial inequity across Ohio's criminal justice system.**
 - **We support a daring re-imagination of how prison and jail beds should be used in the future, and taking the lessons learned in the face of the COVID pandemic.**
 - **We support the enhanced use of technology** and making permanent the standard use of telemedicine for service provision for physical, mental, and behavioral healthcare across all areas to ensure equal access to healthcare.

In addition to OJACC's support of the continuation of Medicaid expansion, OJACC encourages the support of the United States Senate introduction of the bipartisan **Medicaid Reentry Act**, legislation expanding access to addiction treatment and other health services for Medicaid-eligible individuals 30 days before their release from jail or prison, and its continuation in Ohio.

Finally, the OJACC has a committee called the Adult Community Corrections Collaborative, includes representatives of 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 indicated the primary priority for community corrections continues to be the need to raise pay ranges within their organizations. As you may recall, in the last biennium the Ohio legislature included additional funding in both FY 20 and FY 21 specifically to be utilized to raise salary rates. Unfortunately, due to COVID 19, the increase that was slated for FY 21 did not occur. Without further

investment, specifically to raise the salary levels for the staff, 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. With a focus on prison reductions in the future, community corrections programs have a greater need to grow in the adult system to keep up with current and future demands.

We support the budgetary requests of our community correction association partners.

In closing, I want to thank each of you for taking vital time to listen to the needs of community corrections in Ohio. We believe we play a vital role in the continuum of justice and we are appreciative of the investment, leadership and support you each have given to the work we do.

At this time, I would be glad to answer any questions you may have.