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BOBBY JINDAL
Governor

JAMES M. Le BLANC
Secretary

State of Louisiana
Department of Public Safety and Corrections

December 30, 2010

MEMORANDUM

TO: The Honorable Joel Chaisson
President of the Senate

The Honorable Jim Tucker
Speaker of the House

FROM: James M. Le Blanc
Secretary

RE: House Concurrent Resolution No. 226 by Representative Burrell

Pursuant to the provisions of the referenced House Concurrent Resolution, the Department of Public Safety and Corrections, Corrections Services, has prepared a study of the feasibility of offering education-based programs to all offenders in state and private correctional facilities, including funding mechanisms to provide these programs.

Attached is a copy of the study for your review and disposition. I hope this information is of assistance to you.

Thank you.

WG:mc

Attachment as stated

c: Representative Burrell
Deputy Secretary Ranatza
Assistant Secretary Gibbs

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HOUSE CONCURRENT RESOLUTION NO. 226
BY REPRESENTATIVE BURRELL
2010 REGULAR SESSION

RESOLUTION

During the 2010 Regular Session of the Louisiana Legislature, House Concurrent Resolution (HCR) No. 226 authored by Representative Burrell was passed. The Resolution urged the Department of Public Safety and Correction to study the feasibility of offering education-based programs to all offenders in state and private correctional facilities and to study funding mechanisms to provide these programs.

BACKGROUND

Correctional education can yield significant fiscal and social benefits. Studies suggest that correctional education programs provide offenders with the skills they need to succeed in society, thereby reducing the probability that they will commit future crimes or face re-incarceration. Lowering recidivism rates can also translate into increased public safety, leading to a higher quality of family and community life. Given that a disproportionate number of offenders are undereducated, it is likely that correctional education programs function, in large part, by outfitting individuals with the academic and occupational skills they need for labor market success.

According to a Bureau of Justice Statistics Special Report "Education and Correctional Populations" about 41% of offenders in state, federal and local prisons and 31% of the country's probationers have not completed high school or its equivalent. In comparison, 18% of the general population age 18 or older have not finished the 12th grade.

The question of whether educational programming aides in improving the likelihood of successful reentry has been reviewed and studied by a number of states, as well as the National Reentry Policy Council and the Council on State Governments. These studies concluded that education programs reduce recidivism. Excerpts for several of the findings are contained in this report.

The Texas Criminal Justice Policy Council completed a study on the "Impact of Educational Achievement of Offenders" in the Windham School District. Over 25,000 offenders were tracked in the study. In general, the study concluded that offenders with higher levels of education tend to have lower recidivism rates. Offenders with a 9th grade or higher education had an 18% lower recidivism rate than those with a 4th grade education or lower (14% were re-incarcerated after two years compared to 17%). The largest impact on recidivism rates occurred when high risk offenders (young property offenders) who were nonreaders became readers. High risk nonreaders who learned to read had a 37% lower recidivism rate than high risk nonreaders who did not learn to read (19% recidivism rate compared to 30%). High risk offenders who were functionally illiterate and became functionally literate also benefited from their educational

achievement resulting in a 17% lower recidivism rate (24% recidivism rate for young property offenders who became literate compared to 29% for those who did not). Older property offenders who became literate also benefited from a 14% lower recidivism (19% of older property offenders who became literate recidivated compared to 22% of those who did not achieve literacy). In general, those releases who earned a GED in prison had lower recidivism rates than those who did not complete one.

A study conducted by the US Department of Education, spearheaded by Stephen J. Steurer of the Correctional Education Association, revealed that offenders who took classes while in prison, either vocational training or classes at high school or college level, were less likely to recidivate within the first three years of release. The study followed more than 3,000 offenders in Maryland, Minnesota, and Ohio. Results revealed that after three years of being released from prison, only 22% who completed education-based programs returned to prison compared to 31% of those who did not. This study supports the theory that education-based programming will not only help the offender, but will also help preserve the public's safety as well. Crime reduction is an indirect result of offender education-based programs as proven by this study's findings.

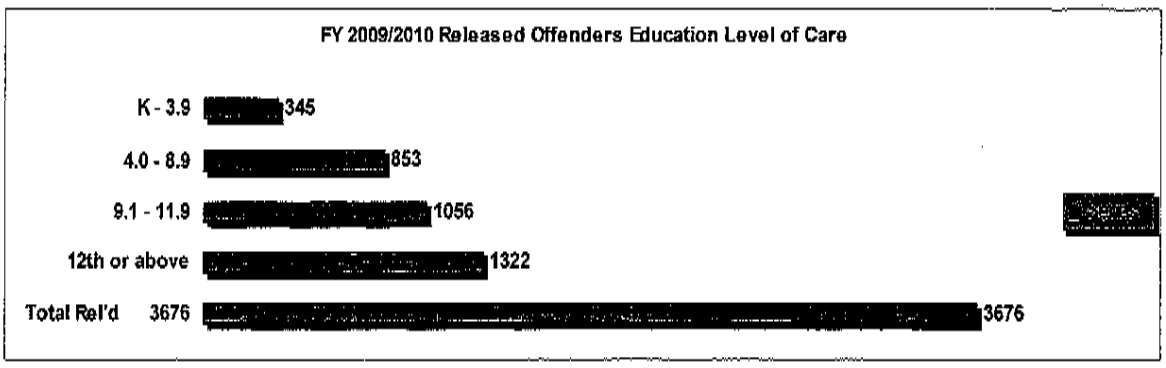
In studies conducted in the states of New York and Florida, results have shown offenders who obtain a GED while incarcerated are less likely return to prison in three years compared to offenders that did not obtain a GED while incarcerated. In the state of New York, according to a study conducted by John Nuttall, of the 2,330 offenders released from custody that earned a GED in prison, 31.8% returned to custody in three years as opposed to 36.6% (3,448 out of 9,419) of offenders with no degree who returned to custody. Obtaining a GED led to a 4.8% reduction in the recidivism rate. In the state of Florida, a study showed the recidivism rate for 1,788 who received a GED was 29.8% compared to 35.4% for offenders that did not complete a GED program. Obtaining a GED led to a 5.6% reduction in the recidivism rate. The current three year recidivism rate in Louisiana is 38.3%. It should be noted that the recidivism rate in Louisiana has decreased 2.9% since FY 05-06.

The Louisiana Department of Public Safety and Corrections, Corrections Services, has 12 state correctional facilities, which includes two privately operated facilities. Offenders are provided with the opportunity to participate in educational programs, including literacy, adult basic education (ABE), general education development (GED), vocational training and some college courses. Upon intake at a reception center, offenders are administered an academic needs assessment to determine educational skills deficits; offenders with an educational need, once transferred to the assigned institution, are either offered enrollment in an appropriate class or placed on a waiting list to await a program opening. Age may also be a factor in determining offender enrollment, particularly in the case of younger offenders or those with demonstrated learning disabilities.

Between the years 2004 and 2009, there were 7,582 offenders who completed an education program, then were released back into the community. Of these offenders, 5,311 (70.1%) remained incarceration-free through June 30, 2010. These numbers support the fact that more often than not, offenders who improve their education level during incarceration have a higher success rate upon release than the general population of offenders who do not increase their education level.

Additionally, the Department has made significant strides in addressing programmatic needs including educational programs for offenders serving time at state facilities. We recognize there is still work to be done in this arena. Figure #1 provides information on the education level of care of offenders released during FY 09-10. The biggest challenge lies in the K-3.9 and 4.0-8.9 education level of care which indicated in FY 08-09, 345 (9.3%) and 853 (23.2%) when released were at these respective education level of care. Additionally during this same period 1,056 (28.7%) offenders education level of care upon release was 9.1-11.9 and 1,322 (35.9%) education level of care upon release was 12th grade or above. The education level of care is based on the offender's score on Test of Adult Basic Education Score (TABE).

Figure #1



The preceding information was designed to provide information on the effectiveness of education-based program based on studies from other states and information relative to advances our Department's reentry and education-based programs. It is not a matter of should the Department of Public Safety and Corrections provide education-based program opportunity to all offenders in state and private correctional facilities; but rather how does the department provide funding for such programs.

During the current economic down-turn all state agencies are facing a possible 35% across the board budget cut, which will be present challenges to the our Department, as well as the Louisiana Community and Technical College System and will likely result in less educational services for the general population, as well as the incarcerated population. We do not anticipate additional funding through traditional resources for education-based programming.

The Department will continue to be vigilant in its pursuit of grant funding, especially through the Federal Second Chance Act and other federal grants which may supplement educational programs.

COST ANALYSIS

The current funding sources for the Department's education programs are the Department's state funding (Literacy, ABE, & GED teacher salaries), Federal Title I Part D for Neglected & Delinquent Students (academic supply costs for students under the age of 21), and State and Federal Adult Education Grant (one teacher's aide at each institution).

The Department's 12 state correctional facilities, which include two privately operated facilities, provides offenders with the opportunity to participate in educational programs, including: Literacy, Adult Basic Education (ABE), and General Education Development (GED). The projected funding needed to provide educational programming for offenders in the areas of literacy, ABE and GED is far less than the resources needed to educate elementary, secondary or post-secondary students, but remains far greater than the current corrections budget will allow.

Education Program Cost State/Private Facilities

Currently, there are 39 GED teachers in Corrections Services' state facilities funding 31 positions at a cost of $2,575,370 for salaries and related benefits. The remaining 8 GED teachers are at privately operated facilities. For FY 09-10, the 39 teachers taught 4,506 offenders that were enrolled in either ABE or GED programs, an average of one teacher for every 115 offenders. For FY 09-10, 856 completed the program, a completion percentage of 19.9%.

There would be additional costs incurred to fund new teachers for an increased GED testing demand in state facilities. With the addition of evening classes and using vacant rooms, the state facilities have the potential to teach an additional 3,300 offenders (7,300 total offenders/115 offender to teacher ratio = 63 total teachers or **24 new teachers** together with the current 39 teachers). This increase will lead to an average of two new teachers at each facility, with salaries and benefits totaling $1,993,896 (12 state facilities x 2 teachers x $83,079 salary and benefits = $1,993,896).

Projected Education Program Cost Local Facilities

Approximately 40,000 offenders have been ordered to serve a sentence with the Department of Public Safety and Corrections; just over half these offenders are serving their time in local jails, where educational opportunities are limited. This presents a unique challenge for corrections, as approximately 15,000 offenders are annually

released back into Louisiana communities, and of that number, 11,000 are released from local jails.

The goal of educating more than 10,000 undereducated offenders housed at the local facilities is a monumental task. Through a holistic approach, each parish can offer education services within the confines of their individual local jails. However, through an alternative approach, large education centers can be established at regional correctional facilities, and this population can be transferred to these facilities to complete their educational goals. In either approach, the successful opening of each additional Reentry Program similar to those in the Northwest and Southeast Regions to provide coordination of services would be beneficial to this effort. In that instance, we would suggest 3 teachers at each of the proposed 10 Regional Reentry Programs (an estimated $83,079 in teacher salaries).

Holistic Approach:

To teach approximately 8,889 offenders who have been tested and do not have GEDs in local facilities, and evaluate the more than 8000 who have not been tested, it is estimated that each parish would need to be provided two teachers to serve in an adaptive approach. These adaptive teachers could transit through all local facilities within the parish to coordinate multiple classrooms, evaluate through standardized testing, identify/train highly-educated offenders to serve as tutors, and ensure that the local offender population within the parish is being taught the state adult education standards in preparation for the GED exam. For each of the of the ten parish regional reentry programs, three teachers will be needed. The state will incur a cost of $13,126,482 (2 teachers x 64 parishes x $83,079 + 3 teachers x 10 regional reentry programs x $83,079 = $13,126,482).

Using the current teacher to offender ratio, available state facility space, and assuming sufficient space is available at the local level, a total of 182 new teachers would cost $15,120,378, and address roughly half of the offenders in state facilities with no high school diploma or GED and all offenders in local facilities with no high school diploma or GED.

Alternative Approach:

By establishing regional education centers at the larger local correctional facilities and expanding the Department's Reentry Programs to serve the undereducated population on a rotating basis, the offender population could be transported and housed at these facilities until their education goals are completed. In order to serve more than 10,000 offenders each year on this rotating basis, an estimated 100 classrooms, serving 25 offenders each, could serve the population (assuming an average 3-month rotation in and out of each classroom). Through this method, adaptive teachers could transit through multiple classrooms at the regional education center to evaluate via

standardized testing, identify/train highly-educated offenders to serve as tutors, and ensure that the offenders are being taught the state adult education standards in preparation for the GED exam. Teachers assigned to Reentry Programs could serve to incorporate educational opportunities into the reentry program model on a routine basis.

This alternative approach (depending on the number of regional education centers, the size of each classroom, and the location/proximately of each classroom) could become a reality with as few as 40-50 new teachers to serve the regional education centers.

In total (taking into account the additional transportation costs of the high-volume movement of the offender population to implement the alternative approach, the increase in services to the 12 state and private facilities, the 3 teachers needed at each of the 10 Reentry Program facilities, and based on an average teacher salary with related benefits of $83,079), this approach would require a state increase of between $8,300,000 and $10,000,000 each year.

Agency Responsible for Adult Education of Offenders

House Bill No. 1055 (Act 732) and Senate Bill No. 297 (Act 132) which were enacted during the 2010 Regular Session, transferred state adult education, formerly provided by the Louisiana Department of Education, to the Louisiana Community and Technical College System (LCTCS). Since most of the Department's vocational-technical programs have been offered through the LCTCS, this transfer has allowed for a better unification of adult learning for state offenders.

The current funding sources for the Department's education programs are the Department's state funding (Literacy, ABE, & GED teacher salaries), Federal Title I Part D for Neglected & Delinquent Students (academic supply costs for students under the age of 21), and State and Federal Adult Education Grant (one teacher's aide at each institution). The foregoing calculations were based on extending the current effort (including the teacher to inmate ratio of approximately 1:115) to encompass a greater number of offenders. However, states differ in their teaching effort. The states of Washington, Ohio, and New York all require offenders to work on completing their GED. Washington contracts 222 teachers from the Community and Technical Colleges for $16 million to teach a weekly enrollment average of 2,200 offenders. The Washington state's teacher to offender ratio is 1:10. New York spends over $36 million on salaries and benefits for 485 teachers. These 485 teachers instruct over 17,000 offenders for a teacher to offender ratio of 1:35. Ohio employs 287 teachers to instruct over 6,000 inmates, for a teacher to offender ratio of 1:21. The Department's teacher to offender ratio of 1:115 is much higher than the teacher to offender ratio as compared to the states mentioned above.

CONCLUSION

Both national and Louisiana studies and data supports the finding that offenders that complete education-based programs recidivate at a lower rate compared to offenders that do not participate in education-based programming. In addition, education-based programs can also result in direct and indirect fiscal benefits to state and local governments. The direct fiscal benefits primarily include reduced state court and incarceration costs, as well as a reduction in local costs for criminal investigations and jail operations. The indirect fiscal benefits can include reduced costs for assistance to crime victims, less reliance on public assistance by families of offenders, and greater income and sales tax revenues paid by former offenders who successfully remain in the community.

Providing education-based programs to offenders incarcerated in the state's 12 correctional facilities would require hiring 24 additional teachers at a cost of almost $2 million annually. Thus, providing the opportunity for education-based programming for offenders serving time in state facilities is achievable. The biggest challenge is identifying funding.

As you've read, providing education-based programming on the local level presents a greater challenge based on numbers to be served, location of facilities, amount of staff needed, classroom space, and costs.

In conclusion, the DPS&C believes that it would be feasible to provide additional educational opportunities to offenders housed in our 12 state/private facilities with funding for additional educational staff. It is also noted that the same services could be provided to offenders at the local level through one of the two approaches noted with appropriate funding and collaboration. It is also noted that DPS&C is taking advantage of existing funding opportunities available through LTCTS, Title 1, and grant opportunities. The only other funding mechanisms available would be through the state's general fund.