Incorporating Substance Abusers into Society Post-Incarceration
Using Community Outreach Programs to Break the Cycle of Repeat Incarcerations for Substance Abuse

Tag words: jail, prison, drugs, community exchange, incarceration, substance abuse, York County PA

Authors: Gabrielle Mendes and Julie M. Fagan, Ph.D.

Summary: Prison in the United States is a very costly endeavor, with an estimated $63 billion to $75 billion a year going towards the prison system. Nearly half of the people currently in jail in the United States are incarcerated for drug offenses. These individuals tend to be nonviolent, but often return to jail after their release due to repeat substance abuse and insufficient resources to help them with this disease. To help combat this detrimental in and out of jail cycle, we propose that community service integration programs be used that allow the incarcerated to positively impact and get support from their communities while in jail and upon release from jail.

Video Link: https://youtu.be/KffdCFiTldU

The Issue: Lack of resources for inmates and ex-inmates who are drug offenders leads to a cycle of poor recovery
Currently, just under half of the people in jail in the United States are nonviolent drug offenders. The majority of these individuals are not dangerous, but when released from jail, lack rehabilitory resources to prevent them from using drugs again. Consequently, many former drug abusers use drugs again and are returned to jail. For those that manage to stay out of jail, a criminal record makes it difficult for ex-convicts to reclaim their lives and build a career. Breaking this cycle will require both rehabilitation programs that work and community support to help reintroduce them into the community in a positive way.

United States Drug Laws - Past and Present
In 1971, President Richard Nixon declared a federal war on drugs, and during his time in office, passed the Controlled Substance Act (1). This act combined all previous federal drug laws into one statute and expanded their scope so that punishment and law enforcement for drug abuse would be clear. The first subchapter of this act describes lawful versus unlawful manufacturing of certain drugs, as well as the fines and prison sentences for abuse of these drugs. Subchapter two describes the laws and violations related to importation and exportation of drugs (2).

The Drug Enforcement Administration (DEA) was created in 1973 and was given the ability to amend the schedule of a drug and its related law enforcement. Through the use of scientific and medical research and evaluation, the DEA plays a role in deciding whether or not a substance should be controlled or outlawed completely. This department worked in conjunction with the Department of Health and Human Services (HHS) in controlling drugs. The HHS
recommendation is more binding than that of the DEA; if the HHS says a substance should not be controlled, and then the DEA cannot control it (3).

The Rockefeller drug laws that were passed in New York in 1973 influenced the anti-drug attitudes that proliferated in America during this era. They stated that the penalty for selling 2 ounces or more of morphine, heroin, cocaine, opium, or cannabis or containing four ounces or more of the same substances, warranted a minimum of 15 years to life in prison, with a maximum of 25 years to life in prison. Although these laws were very controversial and no longer stand, they influenced the United States’ strict drug policy and the policies of other states, laying the foundation for a certain attitude towards drugs from then on. In the 1980s, incarceration rates skyrocketed under President Ronald Reagan- the prison population increased from 50,000 in 1980 to over 400,000 by 1997. With this, First Lady Nancy Reagan began an anti-drug campaign which made famous the slogan “Just Say No” (4). Since 1973, the prison population has gone from about 330,000 inmates to roughly 2.3 million inmates. Currently, though new sentencing-reform bills are moving through the House and the Senate, these bills do not address low level, nonviolent drug offenses (5).

Today, drug laws are beginning to relax compared to the strict implementation seen since the 1970s. Medical marijuana has been approved for distribution in 23 out of 50 states, and Colorado has legalized marijuana completely (6).

Table 1: Example of typical state drug laws using heroin as an example (based on Uniform Narcotics Act penalties) (7)

<table>
<thead>
<tr>
<th></th>
<th>Jail time</th>
<th>Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possession</td>
<td>Up to 7 yr. jail sentence</td>
<td>Up to $50,000 fine</td>
</tr>
<tr>
<td>Sale or distribution</td>
<td>Could be up to life in prison, but usually between 10-15 yrs.</td>
<td>$100,000 fine</td>
</tr>
</tbody>
</table>

Table 2: According to a 2016 study, slightly less than half of inmates in prison are incarcerated for drug offenses (8)

<table>
<thead>
<tr>
<th>Offense</th>
<th># of Inmates</th>
<th>% of Inmates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banking and Insurance, Counterfeit, Embezzlement</td>
<td>636</td>
<td>0.3%</td>
</tr>
<tr>
<td>Burglary, Larceny, Property Offenses</td>
<td>8,013</td>
<td>4.4%</td>
</tr>
<tr>
<td>Continuing Criminal Enterprise</td>
<td>430</td>
<td>0.2%</td>
</tr>
<tr>
<td>Courts or Corrections</td>
<td>775</td>
<td>0.4%</td>
</tr>
<tr>
<td><strong>Drug Offenses</strong></td>
<td><strong>85,353</strong></td>
<td><strong>46.5%</strong></td>
</tr>
<tr>
<td>Extortion, Fraud, Bribery</td>
<td>11,983</td>
<td>6.5%</td>
</tr>
<tr>
<td>Homicide, Aggravated Assault, and Kidnapping Offenses</td>
<td>5,552</td>
<td>3.0%</td>
</tr>
<tr>
<td>Immigration</td>
<td>16,809</td>
<td>9.2%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>1,486</td>
<td>0.8%</td>
</tr>
<tr>
<td>National Security</td>
<td>72</td>
<td>0.0%</td>
</tr>
<tr>
<td>Robbery</td>
<td>6,982</td>
<td>3.8%</td>
</tr>
</tbody>
</table>
How much does jail cost the United States?
Though costs of incarcerating criminals vary by state, the ultimate consensus is that taxpayers pay a high amount of taxes in incarceration fees. It is estimated that America’s prison system costs between $63 billion and $75 billion a year and according to a 2012 Vera Institute of Justice study, taxpayers corrections spending has nearly quadrupled over the past two decades (9). Many of these costs are indirect and underestimated, as they fall in categories outside the corrections budget. For example, taxpayers end up also paying for prison-associated administrative costs like employee benefits, the price of unfunded pension and health care plans for retired prison workers, or prison renovation costs. These costs may not be explicitly described in the corrections budget, they do end up costing taxpayers. According to the Vista Study, “Among the 40 states surveyed, representing more than 1.2 million inmates... the total per-inmate cost averaged $31,286 and ranged from $14,603 in Kentucky to $60,076 in New York.” Though some states appear to have higher per-inmate costs, states vary in the percentage of total costs that come from within the correction budget and outside of the budget. For example, though Florida’s per inmate costs ($20,263) seem much higher than those of Louisiana ($15,225), the discrepancy exists because Louisiana contains more costs outside of the corrections budget than Florida does.

It is estimated that prison costs outside of the corrections budget include 11 different categories. These are employee benefits and taxes, pension contributions, retiree health care contributions, capital costs, legal judgements and claims, statewide administrative costs, private prisons, hospital care, education and training of inmates, underfunded pension benefits, and underfunded retiree health care benefits. Researchers estimate that the total cost of prisons was approximately 13.9% higher than the costs represented by corrections budgets, making corrections budgets themselves misleading and under representative of actual costs. These discrepancies vary by state; in Connecticut, they account for about 34% of total prison costs, while they account for just 1% of prison costs in Arizona (10).

How many people in jail are incarcerated for low level drug offenses and what do drug abusers look like in jail?
Currently, approximately 48% of people in federal prisons are there for nonviolent drug offenses, and more than half of these individuals do not have a violent history at all. A study performed by the Urban Institute and the Charles Colson Task Force on Federal Corrections found that less than fourteen percent of those sentenced were incarcerated for using or threatening violence. Additionally, only fourteen percent were sentenced for having a leadership role in the drug operation. These statistics point to the fact that the majority of drug users in jail are nonviolent (11).

Additionally, it is not only the individuals in jail for drug offenses that suffer with drug abuse issues. It has been found that about 65% of the United States prison population meets the medical criteria for drug addiction. To boot, according to a report titled, “Behind Bars II, Substance abuse and America’s Prison Population,” roughly 1.5 out of the 2.3 million inmates in

<table>
<thead>
<tr>
<th>Sex Offenses</th>
<th>14,429</th>
<th>7.9%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weapons, Explosives, Arson</td>
<td>31,088</td>
<td>16.9%</td>
</tr>
</tbody>
</table>
the U.S. suffer from addiction. In addition, about 458,000 inmates were under the influence while they committed their crime, had histories of substance abuse, committed their crime to get money to buy drugs, or were put in jail due to a substance violation. Thus, in total, about 85% of the prison population in the United States has been affected by drugs (12).

What does the cycle of drug addiction look like?
It has been found that 85-95% of drug addicted prisoners relapse upon release. Additionally, it has been found that 60-80% of drug abusers commit a new crime, usually a drug-driven crime after release from prison. These high levels of relapse have been attributed to poor social, economic, environmental and medical support after jail (13). Notably, drug overdose rates are especially high immediately after convicts are released from jail. It has been estimated that, “Accidental overdoses accounted for nearly one-quarter of deaths post-release and were related to cocaine, other psychostimulants, opioids, alcohol, tricyclic antidepressants, and multiple drugs in combination. Suicide was the 4th leading cause of death and likely included intentional overdoses” (14).

Many former inmates attribute their readdiction to their environment and lack of social support. For example, one man describes how he went back to the community he lived in before jail, where everyone knew him as a drug addict. Consequently, drugs were constantly pushed upon him, making it difficult to stay away from drugs in general (15). Many ex-inmates describe feeling unsafe in homeless shelters, where the abuse of drugs and alcohol are a huge and dangerous problem.

Finding employment after prison
According to a study performed by the Urban Institute, eight months after prison, 65 percent of respondents had been employed at some point prior to jail, but only 45 percent were employed after release from jail. This statistic indicates the difficulty that many prisoners face in finding employment once they leave prison. This can be due to a variety of factors, one undoubtedly being the fact that these individuals hold a criminal record. According to a 2010 survey conducted by the Society for Human Resource management, 92% of responding employers checked the criminal records of some job applicants, and 73% said they performed criminal background checks on all candidates (16).

Having a criminal record is not the only barrier that affects these individuals in their quest for employment. Roughly 40 percent of prisoners at both the state and federal levels do not have a high school diploma or GED. In addition, almost a third of prisoners have a mental condition or physical disability that decrease their chances of being employed, and over half used drugs during the month prior to their arrest, again making employment opportunities low. However, it was found that when prisoners participated in in-prison programs and post-prison programs, their chances for employment after their release increased. For example, inmates who held a job while in prison were more likely to be employed once they were released from prison than those who did not hold a job. Those who took part in job training classes in prison were less likely to be reincarcerated within the next 12 months than those who did not participate in such workshops. Furthermore, community based programs outside of prison were a way for former inmates to practice their job skills and reintegrate into the community, providing them with a better chance at reemployment. However, though many prisoners expressed interest in such
programs, a large number were unable to participate in them, largely because they were unaware that such programs existed in their community.

Employment statistics among prisoners generally correlate relatively well to predictors for reincarceration. Statistics have shown that individuals who worked during the 6 months prior to their incarceration were half as likely to be reincarcerated a year after release than those who did not work before incarceration. Not surprisingly, the higher the income one makes in their job after prison, the less likely they are to be rearrested and reincarcerated. Additionally, of those prisoners who held a job in jail, only 19 percent were found to be rearrested eight months after release, compared to 28 percent of those who did not have a job while in prison. This statistic further displays the benefit of in prison and out of prison programs in preventing reincarceration (17).

Different Types of Drug Tolerance in Other Countries
While some nations exhibit drug laws similar to those in the United States, there are others whose laws vary significantly. Some, for example, do not consider drug abuse as offenses at all; in June of 2001, Portugal legalized all drugs. Overall, policy makers have declared this movement a success, as it has better equipped the nation with this tools to control their abundant drug problem. The move to legalize drugs in Portugal came due to the nation’s extremely high rate of HIV among drug users. It was estimated that about 2,000 new cases of HIV were diagnosed each year in a country of only 10 million people. The nation sought to remove the stigma of drug abuse and incarceration so that abusers would get help, lowering the rates of HIV by 17%. The success of this initiative has expanded beyond HIV. Within the past ten years, Portugal has possessed the lowest rates of marijuana abuse in people older than 15 in the European Union. Lifetime heroin use for 16-18 year olds in Portugal declined from 2.5% to 1.8%, while lifetime use of all drugs among seventh to ninth graders decreased from 14.01% to 10% (18).

Though not many countries possess laws as lenient as Portugal’s, there are still some countries with laws that are less strict than those in the United States. For example, the Netherlands has established a tolerant drug policy, where certain drugs can be utilized under specific conditions. Though drugs are not considered legal in the Netherlands, coffee shops can sell low amounts of cannabis to individuals over the age of 18, provided that they possess a membership card to that coffee shop. Additionally, the country’s policy sees drug abuse as something that should be treated rather than punished, making its laws stand in contrast to United States drug laws. The country has four main goals regarding drug policy, which are:

1. To prevent recreational drug use to rehabilitate recreational drug users.
2. To reduce harm to users.
3. To diminish public nuisance by drug users (the disturbance of public order and safety in the neighborhood).
4. To combat the production and trafficking of recreational drugs (19)

This agenda has resulted in lower rates of drug abuse when compared to the United States. According to a study based on crime indicators and drug abuse, in 2009, the lifetime prevalence of marijuana use for those ages 12 and up in the United States was 41.5%, while only
25.7\% in the Netherlands for those age 15-64. This statistic is especially interesting, considering the fact that low amounts of marijuana are legal in the Netherlands, while cannabis is completely criminalized in the United States. Additionally, according to a 2012 study, the United States’ prison population rate was about 716 per 100,000, while in the Netherlands it was only 82 per 100,000. This statistic indicates that decriminalizing and removing the punishing stigma of drug abuse may reduce the number of people in jail (20).

**What are potential alternatives to prison for drug abusers?**

The most commonly proposed alternative to prison for drug users is rehabilitory treatment. With statistics that detail a larger number of drug abusers in jail, who return to jail, it is apparent that the current United States drug laws are objectively ineffective in correcting the problems our society faces. Some theorists suggest offering rehabilitation in jail, while others propose programs to assist drug abusers when they leave jail.

An example of a program that would assist rehabilitating inmates in jail was developed by Bandy Lee and James Gilligan, clinical professors of psychiatry. Though the program related to violent inmates rather than drug abusers, the model adopted reflects the propositions offered by many proponents of rehabilitation over jail. In this program, the professors organized a re-educational program with violent male prisoners in San Francisco jails; they found that this rehabilitation reduced the violence in the jail, and participation in their program for even a minimum of four months reduced the frequency of violent offenders returning to jail by 83\%. Though this proposition doesn’t exactly reflect the situation of drug abusers, it does display the possibility of rehabilitating prisoners, and the potential benefits of such a scenario with regards to drug abuses (21).

Some programs offered in prisons allow inmates to be involved positively in the community before they exit jail. An example of this method can be observed in the York County Prison in York, PA. Nonviolent inmates from this prison, under surveillance, went into York and shoveled snow during after a snow storm. This initiative was well received by both inmates and community members. One prisoner, Brandon Duffey, described the benefits of the program, stating, “It gets us out, and we get to help out. Everybody gets to think about what they did, and at the same time we are helping the community” (22). The citizens of York, too, were pleased to have their sidewalks shoveled. This initiative proved to be extremely beneficial to all parties, and further works towards breaking the cycle of drug abuse and incarceration by introducing drug abusers to the community in a positive way.

Additionally, it is often suggested that programs should be available to inmates once they leave jail to help them reintegrate into society. Often, drug offenders leaving jail return to the community where they were involved in substance abuse, contributing to a cycle of abuse. By providing a resource where prisoners can gain assistance in breaking the cycle of abuse, they gain a better chance of being able to reenter society productively. An example of such a program is the Wyoming Department of Corrections, which was created in 1991 and seeks to “provide a seamless correctional system aimed at improving community safety through employee training, recognition and retention, evidence-based crime prevention, risk/need assessment, and recidivism reduction strategies…” (23). It aims to fulfill its vision by assisting inmates both in jail and as they exit jail so that these offenders do not return to prison. To do this, the program
offers services that include education, housing, employment, mental health treatment, substance abuse treatment, and sex offender treatment. For example, in order to assist drug offenders, this program directs abusers to the correct treatment based on the substance they abuse, while providing surveillance to ensure they do not relapse. In this way, types of programs like these seek to remove past offenders from the negative environment that put them in jail, while pushing them towards increased productivity.

Community Action: Providing Resources for Drug Abusers Once They Leave Jail To Ensure Effective Reintegration Into Community
The goal of the proposed project is to begin to eradicate the social stigma surrounding drug offenders and their criminal records upon release from jail. More often than not, it is very difficult for these individuals to integrate themselves back into the community upon their release from jail. There is a real need to develop effective programs that would aid in this regard. What we propose is for these individuals to participate in a community exchange program where ex-drug offenders could utilize their skills to help others and reintegrate themselves into their community. Ex-inmates involved in the program would then be able to show that they had experience and a positive work track record. To begin developing this program, information was provided to local prisons about the hourworld community exchange program. An information sheet was created so that prisoners would know how to get to get involved in the program upon their release. The hope of this program is that ex-inmates will gain confidence, social, and job skills, and connections by using their unique skills to reintegrate into society post-incarceration.

Starting Outreach in York County
After learning about an existing community program engaging inmates in York, PA, it was decided that we would reach out to the local prison there to initiate the community exchange program. In the York prison, nonviolent inmates went into the city of York and shoveled snow during a large snowstorm during January of 2016; an event which proved to be an overall success for the community. Since this prison already made strides in integrating its prisoners into the community, it seemed a good starting point for our initiative. To begin, York County Commissioner Doug Hoke, who helped plan the snow shoveling program in York, was contacted.

Letter to Commissioner Doug Hoke of York County
Dear Commissioner Hoke,

My name is Gabrielle Mendes and I’m currently a junior at Rutgers University. I’m contacting you with regards to the snow shoveling program that was implemented in York City with inmates from the York County Correctional Facility. I’m currently working on a project related to United States drug laws and the reality for low-level drug offenders once they leave jail. I’m interested in seeing how current programs for inmates in jail and after jail can be implemented to help these low-level offenders integrate into society after their sentencing. In partnership with a local community outreach program, York NJ Strong, I am interested in spearheading the development of a program that uses inmates’ unique skills to bring them out in the community,
to help them better reintegrate into society. Your program interested me greatly, and I was hoping to gain more insight into its logistics and if similar programs have been implemented at the prison facility in York County. Any insight you could offer about this community action and its results would be extremely helpful. Please feel free to contact me.

Thank you

Letter to Commissioner Doug Hoke of York County about the York County NJ community exchange program

Dear Commissioner Hoke,

We’re emailing with further details about the program that we think would prove beneficial to inmates leaving the York Country prison. We believe that the proposed community exchange program would assist in helping ex-inmates receive support from their community and become reincorporated into their local community to hopefully avoid re-offending and re-incarceration.

We’d like to introduce the prisoners to a community exchange program which allows a person to exchange the time that they spent helping someone using their own skills, for the time of some other community member with skills and services that could be useful to the ex-inmate, all for free. For example, a really good carpenter may help build a landscaper’s kitchen cabinets, in return for free landscaping. A program like this would help prisoners reenter the community, meet their neighbors, become trusted, and build their confidence and self-esteem. This program is established in many locations throughout the world and there are many in the tristate area, including York County called York County NJ Strong (24).

A pamphlet was created (see link below) that could be made accessible to individuals leaving prison. It is hoped that, with this information, ex-inmates will be able to have an easier transition into their community after jail, and have a better chance at breaking the cycle of incarceration, re-arrest, and re-incarceration.

The link to the pamphlet:
https://docs.google.com/presentation/d/1MbOJS2POi7kxoEXuBfVvQgsxDjsvhMnBdk0QQ6rOjyY/edit?usp=sharing

Please let us know if you are able to look at the pamphlet, and if you have any individuals in mind at the York County Prison who we would be able to send this information to.

Thank you
What does life look like after prison?

Within 5 years of release from prison, nearly three-quarters of former inmates are rearrested.
A lack of resources after jail can hinder former prisoners' success upon release.

What does life look like for drug abusers after prison?

85-95% of drug-addicted prisoners relapse upon release.
60-80% of drug abusers commit a new crime, usually a drug-driven crime after release from prison.
Accidental overdoses account for nearly one-quarter of deaths post-release; suicide is the 4th leading cause of death and is likely to include intentional overdoses.

How do I join h0urworld and begin making connections?

- Go to www.h0urworld.org and click "Join!"
- Scroll down to find the exchange nearest to you
- Fill out your information and click "Send Application"

Your application may take a few days to be processed.

After it is processed, you should receive an email with directions on how to begin exchanging in your community!

Individuals with a criminal record are less likely to be hired than their record-free counterparts.

- By law, employers are allowed to deny employment to an applicant based on their criminal record.
- According to a 2010 survey conducted by the Society for Human Resource Management, 92% of responding employers checked the criminal records of some job applicants, and 73% said they performed criminal background checks on all candidates.
- According to a study performed by Urban Institute, out of 65% of participants who were once employed, only 45% were employed after prison.

What can be done to remedy this problem?

A change in social support and environment can help prevent past offenders reenter society, allowing them to create a productive future.

h0urworld is a community exchange program that allows individuals to exchange their skills with other individuals in the community, for free.

What are the benefits of participating in the h0urworld community program?

Participation in h0urworld will allow ex-inmates to make valuable connections in their community, while practicing a skill that they are proficient in.

It has been found that participation in community programs upon release from prison offers former prisoners a better chance at reemployment.

By working with h0urworld, former prisoners will not only be able to give their time and improve their resumes, but receive services they need, for free.
Email Response from Commissioner Hoke about h0urworld pamphlet

THANKS I did open the pamphlet and will send it to several employees within our organization.
Doug

Email Response from Clair Doll regarding the h0urworld pamphlet

Gabrielle,

My name is Clair Doll and I am the Deputy Warden for Treatment Services. I was able to take a look at the pamphlet and will make it part of our reentry material for offenders. I will also share it with our Probation Department. Thank you for sharing this information.

Clair

Implications for the future:
This result is a good first step in helping former inmates become reintroduced into society; that would give them the needed skills and support from their community to hopefully avoid re-offending and being returned to a correctional facility. Hopefully, by sharing the pamphlet with both the Deputy Warden for Treatment Services and the Probation Department, drug abusers and other ex-prisoners will be informed about the program on their way out of prison, so that they can utilize it to their advantage.

References: