

Addressing the Pre-Carceral and Post-Carceral needs for the clients of the Santa Clara County Office of Reentry Services

**Cardinal Policy Group
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Chairs:

Evian Jiang
Ryne Reger

Editor:

Nicole Domingo

Authors:

Aaliyah Webster
Andrea Reyes
Andrew Hong
Arjun Jain
Ava Bochner
Devan Bhumralkar
Eva Gorenburg
Victoria Hsieh

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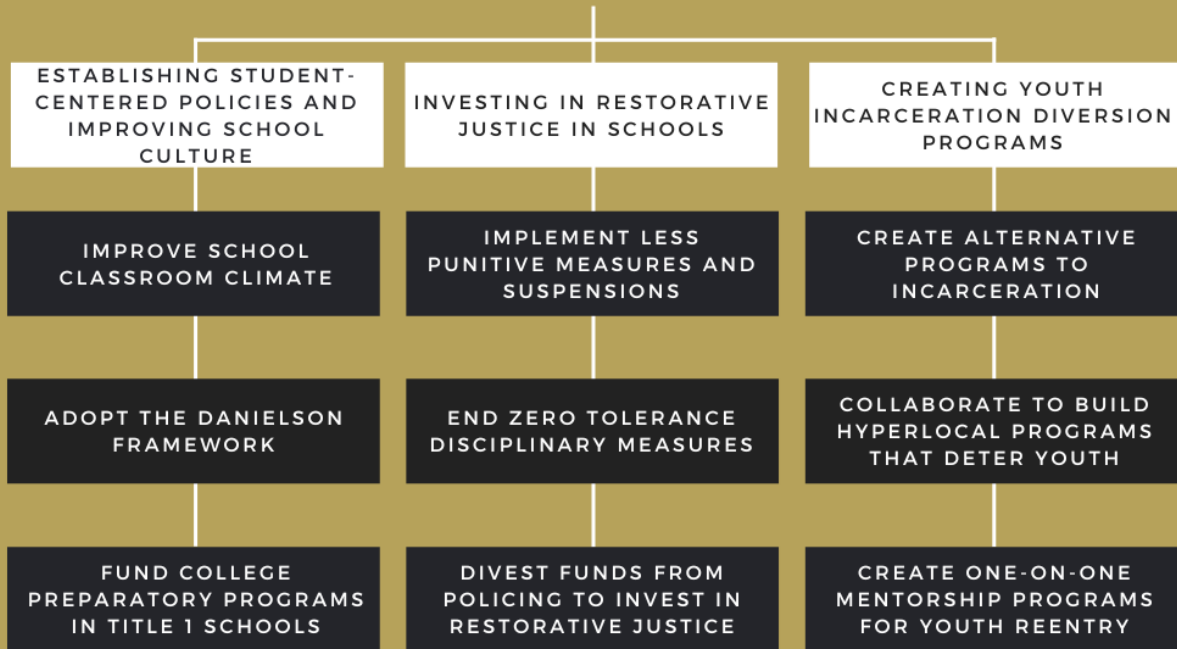
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What leads to asset poverty in formerly incarcerated families?



POLICIES TO CHANGE THE SCHOOL-TO-PRISON PIPELINE



POLICIES TO IMPROVE POST-CARCERAL OUTCOMES



Executive Summary

The carceral system places great costs upon individuals across the nation both before and after incarceration. Not only are people taken out of their communities, but they face greater barriers to reintegrating themselves when they return. The loss of productivity is not a temporary effect; those who have been incarcerated face worse long-term economic prospects than peers outside of this group. Additionally, young people who are already subjected to undesirable economic conditions are at a higher risk of incarceration themselves if they have a parent who has been involved in the carceral system. These factors combine into a precarious environment for those aiming to be productive members of their larger community.

These concerns are even more salient within Santa Clara County. The same national trends of racial disparities exist within the county among those who are incarcerated, but there are fewer opportunities to make reentry more successful. The share of felon-friendly jobs in the county is not high. The industries that are both growing and felon-friendly often only provide temporary employment that pays beneath the cost of living. The economic situation makes it even more difficult to set aside time to attain more education and work skills.

Supporting ex-offenders and preventing more young people from entering the carceral system will require a multi-stage approach. The county must expand its involvement not only in conditions after incarceration, but in the conditions that come before it as well. Pre-carceral recommendations include combating the local presence of the school-to-prison pipeline through implementing greater student-centered teaching practices that promote racial equity, supporting restorative justice in schools, and creating youth incarceration diversion programs within Santa Clara County. For ex-offenders pursuing successful reentry, it is vital to implement more educational programs, expand job training programs, and provide guaranteed income to open doors for meaningful contributions within their communities.

Hesitance toward providing resources to ex-offenders may exist because they are often painted as a group that poses a risk to others. In reality, they are a vulnerable group themselves. As 60% of the Office of Reentry Services' clients are considered homeless, this group is at the nexus of challenges facing Santa Clara County residents. By expanding the reach of the Office of Reentry Services and instituting new policies in the county, the county can aid those who need it most.

Introduction

To decrease recidivism rates and increase the chances of long-term economic well-being for the formerly incarcerated, the underlying factors contributing to this issue must first be examined. These factors can be separated into two principal categories: pre-carceral and post-carceral conditions. In other words, what circumstances increase the risk of incarceration, and what factors lead to depressed economic prospects and increased asset poverty for formerly incarcerated people.

The former of these questions are relevant for multiple reasons. Firstly, pre-and post-carceral conditions are closely related with regard to economic prospects, like the education, skills, and professional networks of those trapped within the school-to-prison pipeline are often vastly different than the average person. Secondly, understanding the factors which increase the likelihood of incarceration for young people is relevant to those with children who are at risk of a continuing cycle of incarceration and poverty.

The latter question deals with the crux of the issue of poor economic well-being for the formerly incarcerated. To improve economic prospects for this group, the root causes of the wealth gap must be addressed. The key elements contributing to these worse economic conditions are lower employment levels, lower wages, and higher asset poverty among formerly incarcerated individuals. Within these issues, there are multiple areas that can be targeted to improve economic prospects, for instance, the stigma of incarceration and education and skills gaps. By taking an inside-out approach, policies can be designed to specifically tackle these core issues and in turn, lead to greatly improved economic well-being for formerly incarcerated people in Santa Clara County.

Pre-Carceral Section

Authors: Andrew Hong, Victoria Hsieh, Arjun Jain

Background

The school-to-prison pipeline is a set of disciplinary practices and policies that interact to create a common track for students to become incarcerated. These disciplinary practices, which include the use of school resource officers and “zero-tolerance” policies, cause students to experience increased suspensions and expulsions. In turn, students are more likely to drop out of school and be in contact with the juvenile justice system.¹ This is exacerbated by how many students are more likely to interact with law enforcement or security staff at school than with a psychologist, nurse, social worker, and/or counselor. Evidence shows that law enforcement/security guards do not deter negative behavior, while psychologists/social workers can improve school safety. Nearly one-third of students nationally (31%) and in California (30%) have police in their schools but are lacking a school psychologist, nurse, social worker, and/or counselor.² Nationwide, these practices often harm Black and indigenous students the most.

Data on suspensions and expulsions by race and ethnicity, in addition to anecdotes from residents that highlight their experiences with the school-to-prison pipeline, reveal that the school-to-prison pipeline specifically targets Black and Latino students.³ In the years prior to the pandemic, suspension rates for Black students were consistently the highest followed by Hispanic/Latino students with the lowest suspension rates for Asian and white students.⁴ While these rates have decreased significantly over the past decade, the rate of suspensions for Black and Hispanic/Latino students at 3.9% and 3.0%, respectively, is roughly triple the suspension rate for white students at 1.1% for 2019-20.⁵ A similar racial disparity was seen for expulsion rates. However, expulsion rates have not decreased.

Students and parents in Santa Clara County have also testified to the use of force within schools and have felt law enforcement and school administration targeting people of color. In a report including community conversations around public safety and racial equity within the education system, many former students reported witnessing this force occur on campus grounds, with officers punishing students in front of others. Mariana recalls how they could vividly remember examples of 13-year-old boys “pinned to the ground because they were thought to have weapons

¹ Nelson, Libby, and Dara Lind. “The School-to-Prison Pipeline, Explained.” *Vox*, 24 Feb. 2015, <https://www.vox.com/2015/2/24/8101289/school-discipline-race>.

² “Disrupting the School-to-Prison Pipeline.” *SHF Center*, https://www.shfcenter.org/wp-content/uploads/2022/01/PYJI_Disrupting_SPP_Brief_December_2019_Web-1.pdf.

³ “Discipline Data.” *CA Dept of Education*, <https://www.cde.ca.gov/ds/ad/distop.asp>.

⁴ *Ibid.*

⁵ *Ibid.*

or drugs on them” but nothing was found on them and police officers stopping 14-year-old boys in the park because they suspected a rocket from science class was a weapon.⁶ Leo mentioned how, at Los Altos High School, officers went onto campus and publicly arrested students of color in the quad so “most of the school watched it happen.”⁷ Yosh faced personal interactions with law enforcement where “they’d stop [him] for no reason, make up tickets for [him],” leading to him being late for class. “It would snowball from there,” he said.⁸

Parents also had to hear about the poor treatment their children faced at school. Kristen spoke on how her son was restrained in a prone position when he was in third grade and how this type of restraint was still permitted by state law under the California Education Code for students with disabilities.⁹ Molly said she felt really safe until she had two sons, one of whom has been in the pipeline since second grade.¹⁰

Many stakeholders interact with each other and contribute to the school-to-prison pipeline, which means these networks can be leveraged for change. The stakeholders within the school-to-prison pipeline are the school board and administration which can determine classroom culture, teacher training, and restorative justice values. The school board can create and manage contracts with police departments on police presence in schools and decide on disciplinary actions to be enforced within the schools with the districts. The local county and police departments control juvenile detention systems, laws and manage diversion programs. Finally, multiple stakeholders and jurisdictions manage youth mentorship programs for students re-entering the school system after detention.¹¹

⁶ Ellenberg, Susan. “Community Conversations: Public Safety, Racial Justice, and Equity in Communities.”

⁷ Ibid

⁸ Ibid

⁹ “Education Code - EDC.” *California Legislative Information*, <https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=EDC>.

¹⁰ Ellenberg Report: Community Conversations: Public Safety, Racial Justice, and Equity in Communities

¹¹ <https://www.aclu.org/issues/juvenile-justice/juvenile-justice-school-prison-pipeline>

Policy Recommendations

We recommend a set of policies to reduce the magnitude of the school-to-prison pipeline that fall under three main categories:

1. Establishing student-centered, racial equity policies and improving culture in schools
 - a. Improve school classroom climate: a culture of racial equity and justice, teacher anti-racial bias training, regular staff meetings and reports on racial equity, a culture of staff accountability, staff education and training on restorative justice (RJ), professional development on social justice values
 - b. Adopt the Danielson framework in public schools. Make classroom culture and student respect a component of teacher evaluations. See more about Danielson Framework below.
 - c. Fund college preparatory programs, staff, and curriculum in Title 1 and other low-performing schools. This allows students to learn how to apply for college and most importantly instills the belief that they are worthy and capable of attending college.
2. Investing in restorative justice within schools
 - a. Implement school policies that lean less on punitive punishment and suspensions
 - b. End zero tolerance disciplinary policies
 - c. Divest funds from student resource officers, security, and police in schools and invest funds into restorative justice processes, faculty education, and staff (counselors, RJ experts)
3. Creating youth incarceration diversion programs in the county
 - a. Create restorative justice and alternative programs to incarceration in the criminal justice system
 - b. Have collaboration between different government agencies — school districts, youth and children services, family services, public health services, police departments, etc .— and community-based organizations to build hyperlocal diversion and prevention programs that deter youth from the school-to-prison pipeline
 - c. Add one-on-one mentorship programs between one adult and one student re-entering the school system after juvenile detention

Policy 1: Establishing student-centered, racial equity policies and improving culture in schools

First, it is important to establish a culture and commitment to student-centered social justice values among staff. We recommend that schools invest in professional development on social justice values, anti-bias training, and building respect-oriented, trusting, positive classroom

environments. We want schools to integrate these values and trainings into a comprehensive and broader diversity, equity and inclusion strategy to increase effectiveness.¹²

Data should be first collected on diversity and inclusion along with school stakeholders and their perceptions of inclusion. This would identify topics of focus for anti-bias training. These training sessions should review school policies that perpetuate systemic inequities as opposed to a single anti-bias training session.¹³ Focusing on diversity and anti-bias training can lead to more stereotyping if it is not included within a larger framework. One way to reduce suspension rates for students is to include training and interventions that focus on increasing mutual respect between students and teachers; a study of five diverse California middle schools found that the number of suspensions halved when such an intervention took place.¹⁴

Because of this, we also recommend these trainings be coupled with the adoption of the Danielson framework and accountability processes (for example, reporting on disciplinary data and training to correct teachers' weaknesses) for teachers to ensure positive classroom climates. The Danielson framework is a method of administering schools that emphasizes teacher evaluations, feedback-oriented training, healthy interpersonal relationships, and learning culture between teacher and class. In evaluating teacher and school performance, the Danielson Framework recommends a more nuanced criteria that center on the teaching process and classroom learning rather than just test scores. Put by educational experts at [RethinkEd](#):

"Originally developed by Charlotte Danielson in 1996, the [Danielson] framework for professional practice identifies aspects of a teacher's responsibilities, which are supported by empirical studies and help to improve student learning. Danielson created the framework to capture 'good teaching' in all of its complexity. The broad framework was also intentionally designed to capture effective teaching at every grade level and across a wide range of student populations."¹⁵

¹²

<https://behavioralpolicy.org/wp-content/uploads/2020/08/Developing-delivering-effective-anti-bias-training-Challenges-.pdf>

¹³ <https://www.edweek.org/leadership/training-bias-out-of-teachers-research-shows-little-promise-so-far/2020/11>

¹⁴ <https://www.edweek.org/leadership/one-key-to-reducing-school-suspension-a-little-respect/2016/07>

¹⁵ "Understanding the Danielson Framework in Special Education." *rethinkEd*,

https://www.rethinked.com/blog/2017/07/05/understanding-the-danielson-framework-in-special-education/&sa=D&source=docs&ust=1649968802681924&usg=AOvVaw0GvG_luKMulBgbG73PriRf

The Danielson Framework has led to a better classroom environment, improved faculty diversity,¹⁶ increased math student performance,¹⁷ ¹⁸ fewer classroom interpersonal conflicts¹⁹, and changed the mindsets of teachers to substitute disciplinary action with restorative justice.²⁰ This collectively leads to lower suspension rates, less police activity in schools, and higher student performance.²¹²²

Finally, we recommend schools invest in college and career preparatory training, programs, and staff to motivate and prepare students in under-resourced Title 1 schools, as it creates an environment where students feel supported and motivated to dedicate themselves to schoolwork.²³

Policy 2: Investing in restorative justice within schools

Secondly, we recommend schools and school districts invest in restorative justice processes and simultaneously divest from student resource officers, strict security personnel, disciplinary policies, and zero-tolerance policies.²⁴

Restorative justice processes in schools can be defined as policies that respond to conflict or harm in the school community that center on accountability, reconciliation, rehabilitation, mutual understanding, communication, and resolution between the victim(s) and perpetrator(s) of a conflict instead of punitive punishments for the perpetrator(s). Restorative justice can look different in different schools, but it centers on rehabilitation and healing of all parties over simple punishment in response to harm. Zero-tolerance policies, suspensions, expulsions, and other punitive punishments are not restorative justice practices, yet they are more prevalent in public schools today.

¹⁶ Gobir, Nimah. “How Changing Schools’ Culture of Discipline Paves the Way for Inclusivity.” *KQED*, <https://www.kqed.org/mindshift/58817/how-changing-schools-culture-of-discipline-paves-the-way-for-inclusivity&sa=D&source=docs&ust=1649968802640124&usg=AOvVaw1xB7ozrKhcHJSEjzfelzCD>

¹⁷ Garet, Michael. “The Impact Of Providing Performance Feedback To Teachers And Principals.” *The Danielson Group*, 7 Oct. 2017, <https://danielsongroup.org/the-impact-of-providing-performance-feedback-to-teachers-and-principals/&sa=D&source=docs&ust=1649968802645794&usg=AOvVaw2Pq40yIvbZXCHgpM-gxD3l>

¹⁸ Martin, David. “Discipline Reform, School Culture, and Student Achievement.” *Harvard University*, <https://scholar.harvard.edu/david-martin/publications/discipline-reform-school-culture-and-student-achievement&sa=D&source=docs&ust=1649968802632793&usg=AOvVaw0TjyvSAYytCsxXjNrrOAJY>

¹⁹ Gary, Chevas (Restorative Justice Coordinator at Cleveland High School in Seattle Public Schools). “Trying to dismantle the school-to-prison pipeline.” Interview with Andrew Hong.

²⁰ <https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1783&context=facultypub>

²¹ Interview with Chevas Gary

²² Garet, Michael, *Harvard University*.

²³ Interview with Chevas Gary

²⁴ https://www.academia.edu/25209808/Outcomes_of_a_Restorative_Circles_Program_in_a_High_School_Setting

There is no evidence suspension and strict disciplinary policies improve learning environments. There were no reported reductions in assault, homicide, and other serious incidents with increased funding for school resource officers in North Carolina middle schools. Another 2018 study found that increased federal funding for these officers in Texas resulted in a 6% increase in middle school discipline rates.²⁵

However, there is evidence students who are suspended are more likely to be Black or Native American and will end up in the criminal justice system in their lifetime. Comparatively per 100 students in the 2016-17 academic year, Black students lost an average of 39 instruction days due to suspensions, and Native Americans lost 27 instruction days, while white students lost 10 instruction days.²⁶

On the other hand, restorative justice practices, such as restorative circles in response to conflict in classrooms, have shown to disrupt the school-to-prison pipeline.²⁷ Schools that have incorporated restorative circles have greatly reduced racial disparities and suspension rates²⁸, and recommend every school has at least two restorative justice coordinators.²⁹ Multiple community-based organizations and school staff recommend hiring counselors to support and redirect students at risk of juvenile detention or disciplinary action.³⁰ Likewise, these organizations recommend reducing police personnel in school because students who interact with police are more likely to end up incarcerated in their lifetime, and these funds can be redirected to restorative justice programs and counselor personnel.³¹

Policy 3: Creating youth incarceration diversion programs in the county

Lastly, we recommend that the county work between county offices and community-based organizations to create restorative justice and prison alternative programs for youth under 18 years old. In Philadelphia, a coordinated effort between multiple local government departments

²⁵ Whitaker, Amir. "How the Lack of School Mental Health Staff is Harming Students." *ACLU*, https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf

²⁶ "Disrupting the School-to-Prison Pipeline." *SHF Center*, https://www.shfcenter.org/wp-content/uploads/2022/01/PYJI_Disrupting_SPP_Brief_December_2019_Web-1.pdf.

²⁷ Ibid

²⁸ Kent, Jay. "Cleveland High Explores the Expansion of Restorative Discipline Model." *South Seattle Emerald*, 25 Jan 2018, <https://southseattleemerald.com/2018/01/25/cleveland-high-explores-the-expansion-of-restorative-discipline-model/>

²⁹ Interview with Chevas Gary

³⁰ Kadah, Jana. "Group That Pushed to End SJ School Contract with Police Seeks More Student Counselors." *sanjoseinside*, 2 July 2021, <https://www.sanjoseinside.com/news/group-that-pushed-to-end-sj-school-contract-with-police-seeks-more-student-counselors/>

³¹ Nance, Jason. "Dismantling the School-to-Prison Pipeline: Tools for Change." *University of Florida Levin College of Law*, <https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1783&context=facultypub>

reduced youth arrest rates by 54% and expulsion rates by 75%.³² Other youth incarceration alternative programs in King County, WA (Seattle) utilize contracts with community-based organizations as a part of a strategy called Juvenile Detention Alternative Initiative. This strategy reduced youth incarceration by 14% more compared to other counties.³³ Finally, a program in Oakland schools paired one staff mentor with each student reentering school after juvenile detention, yielding lower rates of recidivism and higher student performance.³⁴

Conclusion

While eliminating pre-carceral conditions that lead young people into the criminal justice system and asset poverty is a comprehensive, multi-decade project, there are specific, immediate steps that can be executed in the next several months (less than five years) to reduce the harm caused by the school-to-prison pipeline. The specific policies we urge Santa Clara County to implement immediately are the following:

- Adopt the Danielson framework in public schools. Make classroom culture and student respect a component of teacher evaluations. See more about Danielson Framework below.
- Fund college preparatory programs, staff, and curriculum in Title I and other low-performing schools. This gives students the opportunity to learn how to apply for college and most importantly instills students with the belief that they are worthy and capable of attending college.
- Implement school policies that lean less on punitive punishment and suspensions. End zero-tolerance disciplinary policies.
- Divest funds from student resource officers, security, and police in schools and invest funds into restorative justice processes, faculty education, and staff (counselors, RJ experts).
- Create one-on-one mentorship programs for students re-entering the school system after juvenile detention.

Further, we recommend the following policy changes that the Office Reentry Services may have jurisdiction over (solely, or in conjunction with other government agencies):

- Create collaborative committees and programs between different government agencies—school district, youth and children services, family services, public health services, police departments, etc.— and community-based organizations to build hyperlocal diversion and prevention programs that deter youth from the school-to-prison pipeline

³² “Keeping Kids In School and Out of Court.” *Stone Leigh Foundation*, <https://stoneleighfoundation.org/wp-content/uploads/2018/02/Philadelphia-Police-School-Diversion-Program.pdf>

³³ “Juvenile Justice: Presentation to the Regional Law, Safety & Justice Committee.” <https://tinyurl.com/4heusrf3>

³⁴ Glover, Julia. “Keeping kids in school and out of trouble: Pilot program tested in Oakland schools shows success.” *ABC 7 News*, 6 Oct. 2021, <https://abc7news.com/oakland-unified-school-district-equity-report/11091808/>.

These recommended policies and our research into pre-carceral conditions of the school-to-prison pipeline, however, point towards broader, more systemic problems in our criminal justice, education, economic, and social systems in Santa Clara County. We urge the Santa Clara County government to consistently consider how policies and systems impact incarceration, poverty, and systemic racism throughout its services and aim to move away from (juvenile) incarceration in the long term and end systemic racism and wealth inequality in the county, holistically. Only with this mindset will we successfully eliminate the pre-carceral conditions that lead to such high levels of incarceration and resulting asset poverty.

Post-Carceral Section

Authors: Devan Bhumralker, Ava Bochner, Eva Gorenburg, Andrea Reyes, Aaliyah Webster

Background

Depressed Economic Prospects for Ex-Offenders

Formerly incarcerated individuals face greatly limited economic prospects after incarceration. Many formerly incarcerated individuals lack employable skills and therefore have limited access to economic opportunities. Moreover, stigma and bias against those with felony convictions contribute to lower job retention rates and high unemployment among the formerly incarcerated. Nationwide, about 27% of the formerly incarcerated population is unemployed, about nine times the pre-pandemic national average.³⁵ In Santa Clara County specifically, about 51% of moderate- and high-risk probationers are unemployed.³⁶ Of those who find employment in Santa Clara County, only half are employed full-time.³⁷ Additionally, employment levels remain stagnant as measured against time since release, partially due to recidivism.

Even among the employed formerly incarcerated population, earnings lag far behind the rest of the labor force on average. According to the U.S. Census Bureau, there is a \$7,000 gap between the average annual income for people without a criminal record and those that have been convicted of a felony.³⁸ There are several factors that contribute to this gap, the major ones being lower levels of education on average among those incarcerated and the stigma associated with conviction. In addition, there are differences in earnings between demographic groups of formerly incarcerated individuals. One study reveals that Black and Hispanic/Latino earned \$1,200 and \$1,000 less, respectively than whites with felony convictions. On average, formerly incarcerated Black individuals earned half as much as those without felony convictions. The economic challenges faced by the formerly incarcerated population in Santa Clara County extend well beyond the job search, as even the few who find employment struggle to earn a wage consistent with high costs of living.

The characteristics of the local economy present yet another obstacle for low-skilled workers with felony convictions. Different industries have varying job retention rates and wage levels.

³⁵ Couloute, Lucius and Daniel Kopf, “Out of Prison & Out of Work: Unemployment among formerly incarcerated people,” July 2018, <https://www.prisonpolicy.org/reports/outofwork.html>.

³⁶ County of Santa Clara Reentry Services, “Employment,” County of Santa Clara, <https://reentry.sccgov.org/reentry-network/employment>.

³⁷ Couloute, Lucius and Daniel Kopf, “Out of Prison & Out of Work.”

³⁸ Finlay, Keith and Michael Mueller-Smith, “Justice-involved Individuals in the Labor Market since the Great Recession,” United States Census Bureau, September 2021, <https://www.census.gov/library/working-papers/2021/econ/justice-involved-great-recession-workingpaper.html>.

Formerly incarcerated individuals tend to have lower levels of education and training and are therefore limited to lower-skilled industries. In Santa Clara County, 38% of probationers reported being unskilled.³⁹ Among these industries, employees in manufacturing and construction industries tend to retain employment more than those in service-based industries. To add another layer to the demographic differences in post-carceral conditions, evidence suggests that white formerly incarcerated individuals tend to enter these “favorable” industries for retention while their Black counterparts tend to end up in service jobs with lower retention rates.⁴⁰ A lack of training and professional networks for formerly incarcerated prospective employees, especially those of color, present a major challenge to economic opportunity. In Santa Clara County, the relative lack of manufacturing jobs limits the prospects of all low-skilled workers, especially those with felony convictions. On the whole, the job availabilities for formerly incarcerated individuals are more heavily concentrated in the service industry, which evidence suggests is characterized by lower wages and retention rates.⁴¹

In Santa Clara County, there is a lack of financial literacy or wealth accumulation programs that are easily accessible to ex-offenders. There are programs which focus on finding immediate employment opportunities for re-entry but not that many programs to teach people how to manage their finances responsibly and avoid asset poverty. These programs can teach ex-offenders a variety of important life skills such as budgeting, creating and keeping good credit scores, and potential investment strategies. There is also evidence that many of the negative effects of a lack of financial literacy disproportionately affect Black Americans. There are third-party organizations that develop programs such as these for individuals inside prison systems and after their release, such as Project 180.

Santa Clara County Industries

County-specific factors can negatively affect ex-offenders' job prospects. The breakdown of industries in Santa Clara County creates an environment that compounds the hardship of re-entry. Industries that are considered “felony-friendly” include construction, manufacturing, food services, retail, and temporary work.⁴² However, only 35.63% of jobs in the county fit into these categories. When removing sectors that generally offer part-time jobs, the share of stable felony-friendly employment drops to 21.5%.⁴³ Manufacturing, in particular, has a smaller relative

³⁹ County of Santa Clara Reentry Services, “Employment,” County of Santa Clara, <https://reentry.sccgov.org/reentry-network/employment>.

⁴⁰ Rucks-Ahidiana et al., “Race and the Geography of Opportunity in the Post-Prison Labor Market,” *Social Problems* 68(2) (May 2021): 438-439. DOI: 10.1093/socpro/spaa018.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Datawheel and Deloitte, “Santa Clara County, CA.” Data USA. April 2021. <https://datausa.io/profile/geo/santa-clara-county-ca#economy>.

presence, in Santa Clara County. This makes finding sufficient employment more difficult, as manufacturing is one of the higher-paying jobs among the felony-friendly industries.⁴⁴

According to data from the U.S. Census Bureau, the largest employment sectors in Santa Clara County are professional, scientific, and technical services, healthcare and social assistance, and manufacturing.⁴⁵ This industry breakdown reveals a clear hardship in reentry due to the number of formerly incarcerated individuals who lack employable skills. As 76% of probationers in the county reported being unskilled or only semi-skilled, there is a large barrier between ex-offenders and employment in the highest paying sectors.⁴⁶ There is a lack of digital and computer literacy that is needed to acquire increasingly digitized jobs. Healthcare, for example, requires more familiarity with the digital realm for even entry-level jobs. Being unskilled with technology would effectively close ex-offenders out of this portion of the labor market. The lack of digital literacy and other site-specific skills can bottleneck people into less stable industries after release.

Some of the fastest-growing industries do not pay substantially enough to meet the cost of living in Santa Clara County. Leisure and hospitality, Santa Clara County's fastest-growing industry as of early 2021, provides full-time jobs that on average only account for 72% of the county's cost of living for a single adult.⁴⁷ However, the leisure and hospitality industry has the same limitations as retail and food services due to its job offerings often being part-time.

Overall, in the event that an ex-offender does find employment after release, they are not guaranteed stability.

Mental Health

Incarceration is often associated with poor long-term mental health. People who suffer from mental illness and substance abuse, especially among low-income communities of color, are more likely to end up in the criminal justice system. More than 50% of incarcerated individuals have diagnosable mental illnesses. Local jails have the highest percentages of mental illness among inmates: 63% of Black inmates and 71% of white inmates report experiencing mental health difficulties or have diagnosed mental health conditions. 16-24% have serious mental illness. Among the female population, they commonly experience Post Traumatic Stress disorder

⁴⁴ Rucks-Ahidiana et al., "Race."

⁴⁵ Datawheel and Deloitte, "Santa Clara."

⁴⁶ County of Santa Clara Reentry Services, "Employment."

⁴⁷ Marte, Jonnelle and Ann Saphir, "U.S. leisure and hospitality pay surges to a record. Now will workers come?" Reuters, June 4, 2021, <https://www.reuters.com/business/us-leisure-hospitality-pay-surges-record-now-will-workers-come-2021-06-04/>; MIT, "Living Wage Calculator for Santa Clara County, California," Living Wage Calculator, 2019, <https://livingwage.mit.edu/counties/06085>.

(PTSD). About a third of female inmates experienced physical abuse, and about a third experienced sexual abuse before being incarcerated.

Drug use is also a major factor in determining involvement in the criminal justice system. Over 50% of inmates meet the criteria for drug dependency, and these numbers are even more inflated among female prison populations. However, only about 15% of inmates who need treatment for drug use receive it while incarcerated. Formerly incarcerated people are also more likely to suffer from hypertension, infectious diseases, stress-related illnesses, and mental health issues.⁴⁸

Mental illness has a significant impact on the likelihood of an individual being terminated from or quitting their job. Additionally, the challenges formerly incarcerated people face because of poor mental health can increase the risk of substance use and recidivism. About 75% of formerly incarcerated people who struggle with mental illness also have substance abuse issues.⁴⁹ Increased likelihood to reoffend and drug use negatively impact the economic prosperity of formerly incarcerated people.

⁴⁸ <https://www.sciencedirect.com/science/article/pii/S2352827319302228#bib20>

⁴⁹ Wallace, Danielle, and Xia Wang. "Does in-Prison Physical and Mental Health Impact Recidivism?" *SSM - Population Health* 11, (2020): 100569.

Policy Recommendations

Job and Skills Training

We recommend that Santa Clara County implement increased job and skills training for individuals while they are incarcerated. In-prison training programs have significant benefits on post-release results; a study by the Federal Bureau of Prisons' Office of Research found that inmates who participated in job training programs were 14% more likely to be employed and 24% less likely to be reincarcerated a year after release.⁵⁰ These findings are consistent with other in-prison job training programs.⁵¹

One reason for these higher employment and lower recidivism rates is that starting training during incarceration eliminates the gap in employment that results from post-release training programs, meaning that individuals can get jobs more quickly after release. A study of release results in Illinois, Ohio, and Texas found that former prisoners who are employed two months after release are less likely to return to prison the first nine to 12 months after release, suggesting that the first few months after release are essential.⁵² Additionally, eliminating this gap in employment reduces the amount of time in which formerly incarcerated individuals do not have a stable source of income, in turn reducing the need to revert to illegal forms of income.⁵³

In-prison training is also essential because many released individuals face barriers to accessing training programs. In the same sample of released individuals in Illinois, Ohio, and Texas, almost half of the respondents were interested in training programs but unable to participate for various reasons, including being unaware of opportunities, being too busy, classes being full, and lacking transportation. Implementing training during incarceration eliminates these accessibility barriers.⁵⁴

Job and skills training is essential in Santa Clara county given the relative lack of unskilled labor and common felony-friendly industries. For this reason, we suggest job training target the most prominent industries in Santa Clara, specifically technology and healthcare.⁵⁵

⁵⁰“FPI and Vocational Training Works: Post Release Employment Project (PREP).” FPI and Vocational Training Works: Post-Release Employment Project (PREP). Bureau of Prisons’ (BOP) Office of Research and Evaluation, May 1, 2012. https://www.bop.gov/resources/pdfs/prep_summary_05012012.pdf.

⁵¹Visher, Christy, Sara Debus, and Jennifer Yahner. “Employment after Prison: A Longitudinal Study of Releasees in Three States.” Urban Institute Justice Policy Center, October 2008. <https://www.urban.org/sites/default/files/publication/32106/411778-Employment-after-Prison-A-Longitudinal-Study-of-Releasees-in-Three-States.PDF>.

⁵²Visher, Christy

⁵³Ibid

⁵⁴Ibid

⁵⁵“Santa Clara County, CA.” Data USA, n.d. <https://datausa.io/profile/geo/santa-clara-county-ca>.

Some examples of successful programs to mimic in the technology and healthcare industries include The Last Mile Project and CALPIA's Health Facilities Maintenance Program.

The Last Mile Project is a program that integrates technology education and vocation in prisons. The program teaches inmates web development fundamentals in two six-month segments. After completing the training, inmates can then work on client-funded projects through the Last Mile's web development shops while incarcerated. As a result of this program, individuals have both the technical skills and a portfolio of work upon release, making them much more employable. The program is currently in 17 facilities, and has been extremely successful; their 313 graduates have a 0% recidivism rate and an 86% employment rate. Given the prevalence of jobs in the technology industry in Santa Clara county, adopting a similar program that includes education and vocation would be especially effective.⁵⁶

The California Health Facilities Maintenance Program is a state-wide training and accreditation program for cleaning healthcare facilities. Incarcerated individuals go through several training modules and learn to clean various medical settings while attaining accredited, certified training. When offenders graduate from the program and leave prison, they can work at state hospitals through California's Department of General Services and in the private sector.⁵⁷ By increasing the employability of inmates upon release, the recidivism rate of individuals that go through this program is 26 to 38 percent lower than the average California offender in state prison.⁵⁸

Santa Clara County should consider implementing programs similar to those listed above, as they both target industries that are large in the county and that require significant skills for employment.

Computer literacy

Computer literacy is necessary to increase job prospects for ex-offenders. As many job postings are found on the internet, an inability to access them will hamper the employment-seeking process. Digital literacy is also increasingly necessary to get an employee's foot in the door even in jobs that are closer to entry-level. An Illinois case study reveals the increasing digitization of the healthcare sector, and basic computer skills will be needed for ex-offenders to branch out of

⁵⁶“The Last Mile Project 2021 Annual Report,” n.d.

<https://drive.google.com/file/d/15zWL29YTbGo3ku0tWwX4wbxSx8f-5XjD/view>.

⁵⁷ “California Inmates Graduate with Certifications in Healthcare Facilities Maintenance.” Cleaning & Maintenance Management, June 10, 2021.

<https://www.cmmonline.com/news/california-inmates-graduate-with-certifications-in-healthcare-facilities-maintenance>.

⁵⁸Kane, Michele. “Healthcare Facilities Maintenance Program Provides Jobs to 1,000 Offenders.” The Free Library, July 1, 2015.

<https://www.thefreelibrary.com/Healthcare+facilities+maintenance+program+provides+jobs+to+1%2C000...-a0422624449>.

unstable felony-friendly jobs to higher-paying opportunities in other sectors. These skills could improve the likelihood of transitioning into more specialized industries.

Promoting computer literacy at the Office of Reentry Services is highly feasible in Santa Clara County, as free programs through the public library already allow county residents to gain computer skills at their own pace. In order to facilitate this process, the Office of Reentry Services should make it an aim to ensure constituents have a library card shortly after release so that they can access these free resources. Following up on their progress through the library's material will be important to ensure that ex-offenders are overcoming the barriers from a lack of familiarity with technology.

Improving Physical and Mental Healthcare

Increasing mental and physical healthcare pre and post release is important to ensure that formerly incarcerated individuals can find and keep a job. Currently, there is limited access to mental health care in prisons. Furthermore the environment in prisons can cause and exacerbate mental illness in incarcerated individuals⁵⁹. People with depression or other psychiatric disorders are more likely to be unemployed⁶⁰. It is therefore important to increase mental health care in prisons and post release.

We also find that improving the mental health of individuals in prison lowers the chances of recidivism. Moreover, when individuals are given the opportunity to improve their mental health post release, they are even more likely to stay out of prison⁶¹.

Physical illness has also been found to negatively impact employment. There are multiple ways to help reduce the risk of poor physical health in prisoners, including improving diet, physical activity, and reducing barriers to medical treatment. Studies have shown that prisoners are often frustrated with the poor quality of food in prison. The low-quality food has been linked to worsening the medical conditions of prisoners. Studies also found that incarcerated individuals who have special dietary needs are served the same food as people without dietary restrictions which negatively impacts their health.

Increasing opportunities for physical activity can also help improve the physical and mental health of incarcerated individuals. Additionally, it is important to increase access to physical therapies for individuals who have more serious health concerns.

⁵⁹ Wallace, Danielle, and Xia Wang. "Does in-Prison Physical and Mental Health Impact Recidivism?" *SSM - Population Health* 11, (2020): 100569.

⁶⁰ <https://ps.psychiatryonline.org/doi/full/10.1176/appi.ps.55.12.1371>

⁶¹ Dumont, Brockmann, Dickman, Alexander, & Rich, 2012

Additionally, it is necessary to improve medical treatment and access to medical treatment for people in prison. It is common for incarcerated people to be charged fees for medical treatment which prevents people from accessing care. Another issue in prisons is that medical staff are overwhelmed. It is typical that there are only a few staff members caring for hundreds, if not thousands, of patients and people do not receive the care they need as a result.

Lastly, another way facilities can improve the mental and physical health outcomes of incarcerated people is by increasing family ties for prisoners. This can be achieved by increasing visitation/communication among families and reducing the distance between prisons and the homes of their families⁶².

Reducing Legal Barriers to Employment

It is important to advocate for changes in laws that prohibit formerly incarcerated people from being employed in certain economic sectors or from obtaining certain occupational licenses. Changing these laws is especially essential in Santa Clara County given the lack of felony-friendly industries in the county. Improving job access for formerly incarcerated people in elder care and health care can greatly increase job prospects for formerly incarcerated people because these are growing economic sectors in the county.

Guaranteed Income Program

We recommend Santa Clara County institute a guaranteed income (GI) program at \$750/month for a two-year duration to formerly incarcerated people. This GI program will have little to no stipulations on how the money is spent to ensure individuals and families have the most control over their own expenses. The Santa Clara GI program can be modeled after a successful program in Stockton for Universal Basic Income. The program provided 125 people a GI with no strings attached in neighborhoods at or below the city's median income.⁶³ Stockton reported a 12% increase in full-time employment amongst participants along with decreased measures of anxiety and depression. Despite the gap in economic prosperity between the two regions, there are many demographic similarities, so it is likely these conditions could be replicated in Santa Clara County. In Stockton, the program had a fixed \$500 amount for two years, but we suggest a 50% increase to account for Santa Clara County's cost of living being over 50% higher than Stockton's.⁶⁴

The benefit of a post-carcerual guaranteed income program is most pronounced directly after reentry. Firstly, it eases the buffer zone between incarceration and stable employment. Perhaps more importantly, it reduces the opportunity cost between employment and further education or training. Due to the low-skilled nature of many ex-offenders, employment opportunities are

⁶² <https://onlinelibrary.wiley.com/doi/10.1111/1745-9125.12213>

⁶³ <https://www.npr.org/2021/03/04/973653719/california-program-giving-500-no-strings-attached-stipends-pays-off-study-finds/>

⁶⁴ <https://www.bestplaces.net/cost-of-living/santa-clara-ca/stockton-ca/100000>

limited and generally of a lower wage level. Guaranteed income would allow individuals to acquire new skills through further education or skills-training programs by essentially compensating for the sacrificed wages. The Stanford Basic Income Lab has also collected research about the positive effects of GI programs on unemployment and how it overcomes the stigmas around unemployment and subjectivity of employment.

A challenge to implementing a guaranteed income program is public support. Specifically, people may more readily support funding programs with transparent budgets rather than entrusting the funds with individuals directly. Despite negative perceptions of guaranteed income, prior studies suggest that GI programs can effectively work towards alleviating poverty.⁶⁵ As such, the benefits of a GI program should be properly communicated and marketed to the public. First of all, the potential recipients of guaranteed income will be reentering the community and economy regardless and, as discussed earlier, this group faces higher rates of poverty and unemployment. Therefore, addressing these issues will positively affect the local community and economy as a whole, as more skilled labor will become available, homelessness may decline, and more people will contribute to the economy in general. Additionally, the majority of Californians consider homelessness in the state an issue, yet the link between incarceration and homelessness is rarely discussed.⁶⁵ According to the Santa Clara County Office of Reentry Services, around 60% of the formerly incarcerated population in the county is homeless. The issues of poverty among ex-offenders and homelessness are thoroughly intertwined and an explanation of this intersection may generate more support for GI programs.

Job training programs and services can be offered in conjunction with guaranteed income. Many existing programs focus on basic skills necessary for low-wage jobs, however, such positions are often related to high recidivism rates as individuals lack the ability to build asset wealth. We recommend establishing a social enterprise program. This would connect formerly incarcerated individuals with local businesses that are willing to offer skills training in industry. One example of a similar existing program is Defy Venture's comprehensive entrepreneurship training and education program.⁶⁶ Compared to California's 2019 3-year recidivism rate of 46%⁶⁷, graduates of this program have a 3-year recidivism rate of less than 15%.⁶⁸ Additionally, they have an 80% employment rate after completion of the program.⁶⁹ By opening the doors to better employment opportunities, social enterprise programs, and improving economic prospects for formerly incarcerated individuals, it is possible to reduce both recidivism and asset poverty among the group.

⁶⁵ <https://www.ppic.org/publication/ppic-statewide-survey-californians-and-their-government-march-2022/>

⁶⁶ <https://www.theguardian.com/social-enterprise-network/2013/jan/22/social-enterprise-reduce-reoffending>

⁶⁷ <https://www.bsa.ca.gov/pdfs/reports/2018-113.pdf>

⁶⁸ <https://www.defyventures.org/static/uploads/files/2020-defy-ventures-annual-report-wfeyrryodmth.pdf>

⁶⁹ <https://www.defyventures.org/static/uploads/files/2020-defy-ventures-annual-report-wfeyrryodmth.pdf>

Conclusion

Job prospects for individuals upon release are limited, and income rates tend to be low even for individuals that do find employment after release. These sparse job prospects are caused by a multitude of systemic factors, most of which are exacerbated by race. Some key factors are lower education levels, gaps in employment, and mental and physical health problems. Targeting these causes of low job prospects, the specific recommended policies we urge Santa Clara County to implement immediately are the following:

- Skills training during incarceration. This has several benefits over post-release training programs: inmates can start working more immediately after release and there are fewer barriers for individuals to access programs during incarceration than after. Specifically, these programs should target the high-skill industries that dominate Santa Clara County, include vocational working (allowing inmates to have a portfolio of work and work experience upon release), and include accreditation in specific industries.
- Improving physical and mental healthcare. Incarceration is associated with poor mental and physical health, both of which negatively impact formerly incarcerated individuals' ability to find and maintain employment.
- Changes to occupational licensing restrictions that prohibit formerly incarcerated people from working in specific industries. This is especially important in Santa Clara county due to the lack of low-skill, felony-friendly industries.
- Programs that target digital literacy, both during and after release, since digital literacy makes individuals more employable and is necessary for many parts of the job application process.
- A guaranteed income program at \$750/month for a two-year duration to formerly incarcerated people, with little to no restrictions on how the money is spent. This would eliminate the period of time between release and employment where individuals have no income, and would make it more feasible for individuals to further their education, which is generally financially beneficial long-term.

It is important to note that while post-carceral employment efforts can make a significant difference, they will never be perfect, since incarceration will always have negative impacts on employability (for example by creating gaps in standard employment and harming mental health). Therefore it is essential that these policies are implemented in conjunction with changes on the pre-carceral side that reduce unnecessary incarcerations.