

**REPORT OF THE
VIRGINIA STATE CRIME COMMISSION
TO
THE GOVERNOR
AND
THE GENERAL ASSEMBLY
ON
FINANCIAL ASSISTANCE TO
MANDATORILY RELEASED CONVICTS
(INTERIM REPORT)**



SENATE DOCUMENT NO. 32

**COMMONWEALTH OF VIRGINIA
Department of Purchases and Supply
Richmond
1975**

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COMMONWEALTH OF VIRGINIA



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TO THE HONORABLE MILLS E. GODWIN, JR.

GOVERNOR OF VIRGINIA

AND

THE GENERAL ASSEMBLY OF VIRGINIA

Pursuant to Senate Joint Resolution No. 45, 1974 Session,
the State Crime Commission, as listed below, offers the following
report on Financial Assistance to Mandatorily Released Convicts.

This report is also included with other information as a
part of the Annual Report of the State Crime Commission

Respectfully submitted,


Stanley C. Walker
Chairman

MEMBERS

From the Senate of Virginia
Stanley C Walker *Chairman*
George S Aldhizer II
George M Warren Jr

From the House of Delegates
Claude W Anderson
L Ray Ashworth
Arthur R Giesen Jr
John L Melnick
Theodore V Morrison Jr
A L Philpott

Attorney General of Virginia
Andrew P Miller
Appointments by the Governor
Erwin S Solomon *Vice Chairman*
William N Paxton Jr
George F Ricketts

MEMBERS OF COMMISSION

Stanley C. Walker, Chairman
Erwin S. Solomon, Vice Chairman
George S. Aldhizer, II
Claude W. Anderson
L Ray Ashworth
Andrew P. Miller
Theodore V. Morrison, Jr.
William N. Paxton, Jr.
A. L. Philpott
George F. Ricketts
George M. Warren, Jr.

STAFF

Lewis W. Hurst, Executive Director

SENATE JOINT RESOLUTION NO 45

Directing the Virginia State Crime Commission to consider and report on the feasibility and advisability of providing financial assistance to mandatorily release convicts from State penal institutions, until employment is secured

Agreed to by the Senate, March 1, 1974

Agreed to by the House, March 9, 1974

Whereas, the Commonwealth of Virginia recognizes a continuing and growing need to protect its citizens from crime, and

Whereas, there are approximately two thousand inmates mandatorily released from State penal institutions in the Commonwealth each year upon expiration of their prescribed sentences, without the benefit of parole supervision for any length of time; and

Whereas, approximately seventy-five percent of the recidivists returned to State penal institutions within the Commonwealth have never been paroled, having been mandatorily released upon expiration of their previously prescribed sentences, and

Whereas, the newly, mandatorily released inmate has difficulty securing employment because of his felony record, is ineligible for unemployment compensation, and, if his family has been on welfare, the payments can stop on the day of his release from prison, and

Whereas, these newly, mandatorily released inmates tend to be bitter toward society and fear society because of their need to readjust to life within society; now, therefore, be it

Resolved by the Senate, the House of Delegates concurring, That the Virginia State Crime Commission is hereby directed to consider the need for providing financial assistance to mandatorily released inmates from State penal institutions with parole supervision for a pre-determined period of time and report upon the following:

1 The existing and future needs of financial assistance by mandatorily released inmates and their families,

2 Whether such needs reasonably justify the expenditure of sums and financial assistance to such mandatorily released inmates

Senate Joint Resolution 45

and their families,

3. Whether such financial assistance is permissible under the existing laws of the Commonwealth;

4. Whether parole supervision should be provided for a predetermined length of time for mandatorily released inmates;

5. Whether such program of financial assistance to newly, mandatorily released inmates is permissible under the Constitution of the United States of America

6. To study all other aspects of financial assistance in mandatory parole supervision for a pre-determined period of time for mandatorily released inmates from State penal institutions.

All agencies, officers and employees of the Commonwealth and all of its political subdivisions shall cooperate with and assist the Commission in its work as required.

The Commission shall complete its work and report to the Governor and General Assembly no later than December one, nineteen hundred seventy-four.

FINANCIAL ASSISTANCE TO MANDATORILY RELEASED CONVICTS

Senate Joint Resolution No. 45, passed during the 1974 General Assembly Session, directed the Crime Commission to consider and report on the feasibility and advisability of providing financial assistance to mandatorily released offenders from State penal institutions, until employment is secured.

Specifically, the resolution directs the Commission to study the following six areas:

1. The existing and future needs of financial assistance by mandatorily released inmates and their families.
2. Whether such needs reasonably justify the expenditure of sums and financial assistance to such mandatorily released inmates and families.
3. Whether such financial assistance is permissible under the existing laws of the Commonwealth.
4. Whether parole supervision should be provided for a predetermined length of time for mandatorily released inmates.
5. Whether such a program of financial assistance to newly, mandatorily released inmates is permissible under the Constitution of the United States of America.
6. To study all other aspects of financial assistance in mandatory parole supervision for a predetermined period of time for mandatorily released inmates from State penal institutions.

Mandatory releasees are those inmates who have served their full sentences minus the time reduction for good behavior. These inmates are returned to society without having progressed into a work release program. Neither did

they make parole and consequently are under no parole supervision during the initial weeks following discharge. Such time is considered to be the most crucial in the process of readjusting to life outside of prison.

The Commission's study has been concentrated in two major areas.

1. A review of services, financial and otherwise, presently provided mandatory releasees upon discharge from correctional institutions in Virginia; and
2. An investigation of funding sources used in other States having direct financial assistance programs for mandatory releasees.

In 1972-1973, there were 835 inmates released due to expiration of maximum sentence. Each received up to \$20, a suit of clothes, and transportation within the state or to the state line. As far as could be determined, this represents the only assistance provided upon release.

It is from this category of inmates that the correctional system receives its largest number of recidivists, or those offenders who commit additional crimes for which they are sent back to correctional facilities. While recent statistics on recidivist rates are not complete, it has been recorded that in 1972-1973, 281 mandatory releasees were reconfined in state penal institutions for new offenses. In contrast, only 58 parolees recidivated back into the system. See chart below:

CHART OF PRISONERS RELEASED IN 1972-1973

Total number of prisoners released	2,333
Discharged due to expiration of maximum sentence	835
Discharge due to parole	1,489
Discharge on conditional pardon	9

Recidivists

On parole at time of offense	58
Discharged from parole	38
Discharged on conditional pardon	1
Not paroled, not pardoned from previous offense	281

The Commission met with staff and counsel from the Virginia Employment Commission and with members of the Probation and Parole Board to determine whether a means for providing financial assistance to mandatorily released inmates exists.

Until a few years ago, the Virginia Employment Commission had a contract to facilitate the job placement of discharges. Under the agreement, the Division supplied the central office of the Virginia Employment Commission with a list of inmates to be discharged 20 days prior to release. The central office sent copies of the list to all Virginia Employment Commission offices around the state. The Superintendents of several institutions were responsible for seeing that each dischargee was given the opportunity to apply to the Virginia Employment Commission for employment assistance. This contract, first agreed to in July, 1946, was renewed in February, 1952, and then in January, 1962, but does not exist at present.

In investigating various avenues of funding, it was originally thought that mandatory releasees could qualify for unemployment compensation under the Virginia Unemployment Compensation Act, Title 60.0 of the Code of Virginia. It was later determined that although the Act does not disqualify those who have been confined in penal institutions, under law the compensation is based on an individual's earnings over a specified period of time. Therefore, most mandatorily released inmates, due to their length of confinement, would not be eligible for benefits.

THE WASHINGTON STATE PROGRAM

Washington State's "Gate Money" program does provide a stipend to releasees during the initial weeks after discharge. The enabling legislation was Washington State Substitute House Bill #561, which became effective August 9, 1971.

The program was funded by a combination of Federal (LEAA) grant money and state-matching funds beginning April 1, 1972.

The program allows the superintendent of an institution to approve one of two options to anyone leaving an adult penal institution. Option #1 provides the releasee with gate money amounting to \$40, transportation allowance up to \$100, clothing and/or an additional \$60 to cover other expenses. Option #2 does not provide the initial gate money. Instead, it provides the eligible releasee with a stipend of up to \$55 per week for a period of six weeks. The first check is given to the releasee at the institution, and the additional five checks are mailed weekly to the releasee's parole officer who has the authority to recommend continuance of this weekly stipend program for an additional 20 weeks.

All releasees are eligible, including those granted discharges, released via court order, released when maximum term expires, or even those deported under certain conditions. The program presumes that financial assistance early in a parole experience will reduce the probability that a releasee in need of sustenance will revert to illegal activity.

The LIFE (Life Insurance For Ex-Prisoners) Project, Baltimore, Maryland:

The Manpower Administration's office of Manpower Research and Development has been funding the LIFE program since 1971. It was designed to test whether financial aid during the immediate post-release months can help reduce the re-arrest rate of ex-prisoners for crimes of theft. The study excluded persons who were drug addicts, alcoholics, females, one-time offenders over 45 years old, or had over \$400 in savings.

The original idea of the project grew out of surveys which indicated that half of the prisoners released from Federal prisons had \$50 or less in their

pockets to begin their rehabilitation process. Other surveys showed that many long-term prisoners coming out of state prisons had less than \$10 in their pockets.

The Baltimore project, involved the random assignment of ex-offenders to one of the four groups which respectively received the following kind of assistance:

- A. \$60 a week for 13 weeks with no job placement.
- B. \$60 a week for 13 weeks and job placement assistance, if needed.
- C. Job placement assistance only.
- D. Neither financial nor job placement assistance.

One half the participants have, therefore, been provided the \$60 a week stipend. Persons who were employed got less than \$60 a week in aid; the exact sum was determined on a sliding scale by the amount of income earned.

The Manpower Administration estimates that the project costs approximately \$600,000 per year of operation. Cost to the state is \$280,000 with the Manpower Administration providing the bulk of the financing.

Although statistics were not available, tentative results indicate that financial assistance does serve to decrease the rate of recidivism. Men receiving direct aid had a lower re-arrest rate for property crimes (robbery, burglary, larceny) than those not granted such aid. As of June, 1974, the rate was 25 percent lower.

In discussions with staff from the Virginia Employment Commission, the consensus was that the best possible source of funding would be through CETA, the Compensation Employment and Training Act of 1973. Title I of the Act specifies that funds available to the state may be used for "carrying out special model training and employment programs including programs for offenders".

During 1975 a Crime Commission subcommittee will be meeting with officials from the Department of Corrections, the Virginia Employment Commission, and the Department of Probation and Parole to further examine the possibilities of obtaining funds to establish a program of financial assistance to mandatorily released inmates.

The program, if established, would provide financial assistance to the discharges for a specified period during the job training or until employment is secured. The program will be evaluated periodically to determine whether or not any significant decrease in recidivism rates is found for those involved in the program.

Members of the subcommittee serving from the Crime Commission include Delegate L. Ray Ashworth, Delegate John L. Melnick, Mr. Erwin S. Solomon, and Reverend George F. Ricketts.