

**REPORT OF THE
VIRGINIA STATE CRIME COMMISSION**

**PAYING INMATES FOR WORK
DURING INCARCERATION**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 47

**COMMONWEALTH OF VIRGINIA
RICHMOND
1997**



COMMONWEALTH of VIRGINIA

VIRGINIA STATE CRIME COMMISSION

R Isom
Vice Director

General Assembly Building

MEMBERS
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FROM THE HOUSE OF DELEGATES
Clifton A Woodrum Chairman
James F Almand
Jean W Cunningham
John J Davies III
Raymond R Guest Jr
William S Moore Jr

December 10, 1996

APPOINTMENTS BY THE GOVERNOR
Robert C Bobb
Terry W Hawkins
Robert J Humphreys

ATTORNEY GENERAL'S OFFICE
James S Gilmore III

To The Honorable George Allen, Governor of Virginia,
and Members of the General Assembly

House Joint Resolution 146, directed the Virginia State Crime Commission to study the Commonwealth's policy of paying prisoners to work, and to submit our findings and recommendations to the Governor and the 1997 session of the General Assembly

In fulfilling this directive, a study was conducted by the Virginia State Crime Commission in 1996. I have the honor of submitting herewith the study report.

Respectfully submitted,

A handwritten signature in cursive script that reads "Clifton A. Woodrum".

Clifton A Woodrum
Chairman

MEMBERS OF THE VIRGINIA STATE CRIME COMMISSION

From the Senate of Virginia

Janet D. Howell, Vice Chair
Mark L. Earley
Kenneth W. Stolle

From the House of Delegates

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Delegate Raymond R Guest, Subcommittee Chair

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HJR 146 -- PAYING INMATES FOR WORK DURING INCARCERATION

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I. Authority for the Study

During the 1996 legislative session, Delegate H Morgan Griffith sponsored House Joint Resolution 146 directing the Virginia State Crime Commission to study the propriety of paying prisoners for work

Section 9-125 of the *Code of Virginia* establishes and directs the Virginia State Crime Commission to "study, report, and make recommendations on all areas of public safety " Section 9-127 of the *Code of Virginia* provides that "the Commission shall have the duty and power to make such studies and gather information in order to accomplish its purpose, as set forth in Section 9-125, and to formulate its recommendations to the Governor and the General Assembly " The Virginia State Crime Commission, in fulfilling its legislative mandate, undertook the study of the policy of paying prisoners for work

II. Members Appointed to Serve

At the May 15, 1996 meeting of the Crime Commission, Chairman Clifton A Woodrum of Roanoke selected Raymond R Guest, Jr of Front Royal to serve as Chairman of the Corrections Subcommittee studying prisoner pay The following members were selected to serve on the Subcommittee

Delegate Raymond R Guest, Jr , Front Royal, Subcommittee Chairman
Delegate James F Almand, Arlington
Delegate Jean W Cunningham, Richmond
Delegate John J Davies, III, Culpepper
Sheriff Terry W Hawkins, Albemarle County
Senator Kenneth W Stolle, Virginia Beach
Delegate Clifton A Woodrum, Roanoke

III. Executive Summary

Information for the Crime Commission's study concerning prisoner pay was gathered from: site visits, interviews with federal, state, and local officials involved in corrections, discussions with academicians who primarily study prisoner pay programs, interviews with incarcerated inmates, and local, regional and national clearing houses of information relating to prisoner pay. During the course of the study, the Commission addressed and made recommendations on issues pertaining to inmate pay programs. The Commission made the following recommendations:

- The Department of Corrections should evaluate the increased use of inmates for both internal and external work projects, thereby reducing inmate idleness and providing an incentive to become productive.
- The Department of Corrections should aggressively pursue increasing the number of inmates employed by the Capital Construction Unit, particularly for on-site maintenance of DOC facilities.
- The Department of Corrections should formulate a policy of transitioning inmates from the work centers to the work release units as the inmates approach their respective release dates. Included in this policy should be the provision of transitional education programs, such as Life Skills, at the work centers.
- The Department of Corrections and the Department of Correctional Education should cooperate so that inmates can receive training that complements the programs that DOC currently has, such as Virginia Correctional Enterprises, the Capital Construction Unit and the Work Release program.
- The Department of Corrections should modernize the inmate trust accounting and tracking system, including the modernization of the inmate commissary system.

IV. Background

A. Current Statutory Guidelines

The General Assembly has given the Director of the Department of Corrections broad discretion for determining how prisoners are to be paid ¹ Virginia Code section 53 1-43 states

The Director may, subject to the approval of the Board, establish a system of pay incentives for prisoners confined in any state correctional facility. Such system may provide for the payment of a bonus to any prisoner who is assigned to employment in any position of responsibility or who performs his job in an exemplary manner.

Furthermore, the Director has a duty, to the extent feasible,² "to provide persons sentenced to the Department with opportunities to work and participate in vocational training programs."

B. Current Inmate Pay Programs

Virginia is one of 47 states that pay prisoners to perform work while they are incarcerated ³ There are five ways an inmate can receive pay for work within the current correctional system 1) Work within the prison system, 2) Capital Construction Unit; 3) Virginia Correctional Enterprises, 4) Work Centers, and 5) Work Release

1. TRADITIONAL WORK WITHIN THE PRISON SYSTEM

Inmates can be "hired" by the institution in which they are incarcerated. Jobs within an institution can range from those requiring standard labor to those requiring highly skilled craftsmanship. Also, if an inmate chooses to attend school, he is paid for that attendance. Inmates that receive pay within the prison system are classified according to whether or not they work and the type of work.

¹ The *Code of Virginia* requires that an inmate who performs satisfactory labor "shall be allowed" an amount of compensation set by the Board for each day of that labor. See Code § 53 1-42

² Additionally, Virginia Code § 53 1-32.1 requires that prisoners participate in a program assignment to help them with their return to society. The program assignment includes work activities and employment. The Code prescribes a mandatory minimum number of hours per week for the prisoner programs, for July 1, 1997- June 30, 1998, this number is an average 30 hours per week.

³ For a state by state comparison of inmate pay see the chart included in Appendix B

the inmate performs Within the prison, there are twelve levels of prisoner pay

- No pay ⁴
- Maintenance pay ⁵
- Grade I (unskilled)⁶ Rate 1-3
- Grade II (semiskilled)⁷ Rate 1-3
- Grade III (skilled)⁸ Rate 1-3
- Student status⁹ (nonworking)

A listing of the various in-house jobs which are performed by inmates is included in Appendix C of this study.

a. How an inmate receives pay

An inmate who receives a job from DOC enters the pay system when the institution where he is incarcerated completes a Grade Level Classification Card The card is forwarded to the Business Office at DOC where the information is entered into the system and an electronic file is created that links an inmate to an individual trust account which was created when he originally was incarcerated Once an inmate is registered in the system, he may begin earning wages and have those wages "deposited" electronically in the trust account

On a daily basis, the inmate's supervisor records the inmate's hours worked on an individual time card At the end of the week the card is totaled and the

⁴ Inmates placed on no pay status receive neither maintenance pay nor regular pay Generally these prisoners refuse to work or are ineligible to work (i e disruptive or in isolation)

⁵ Maintenance pay is a monthly allowance for prisoners who sign up to work when no work is available

⁶ Unskilled inmates require close supervision and are not required to make independent decisions

⁷ Semiskilled inmates are inmates that are learning a recognized skilled craft, require medium supervision, and exercise some independent decision making

⁸ Skilled inmates are inmates that have completed a specified training program or can provide documentation of their skills They require little or no supervision and are expected to make independent decisions

⁹ Inmates that participate in either educational or vocational programs are classified as students Students can be either working or non-working If an inmate works, however, he is paid at the rate of his job for both his regular work and his school work Inmates who are eligible for the Literacy Incentive Program (LIP) program but refuse to participate will be paid at a rate no higher than student status, regardless of the Grade and Rate of their job

inmate and his supervisor sign it. The card is then transferred to the local business office where it is keyed into the system linked to DOC headquarters. The local office also submits an invoice to the Commonwealth for payment of inmate funds, and creates a receivable account on the institutions accounting record. From DOC headquarters the inmate's pay, based on the hours worked, is "deposited" to his trust account. This is an electronic entry, no actual monies are involved. The payment process occurs once a month. After "deposit" by DOC, the local institution has access to the credit information for their inmates.

b. Pay rates

The following chart details the various levels of pay and the different pay rates inmates can earn in a traditional work program while confined within the prison system.

Type of Pay		Rate 1	Rate 2	Rate 3
No Pay		--	--	--
Maintenance Pay	\$5 00 per month	--	--	--
Non-working student		--	\$ 0 23/hr	--
Grade I		\$ 0 20/hr	\$ 0 23/hr	\$ 0 27/hr
Grade II		\$ 0 27/hr	\$ 0 30/hr	\$ 0 35/hr
Grade III		\$ 0 35/hr	\$ 0 40/hr	\$ 0 45/hr

2. CAPITAL CONSTRUCTION UNIT

The Capital Construction Unit (CCU) is a group of highly skilled journeymen inmates who travel and work on various building or repair projects throughout the state. The group is headquartered and dispatched from offices located immediately outside of the Powhatan Correctional facility. From this base, workers are dispatched to various locations throughout the Commonwealth where either new construction is needed or repair of existing facilities is required. Currently, approximately 50 inmates are employed by CCU.

The inmates receive their pay in the same manner as that of a regular inmate employee of DOC. However, when inmates are stationed at institutions different

from their receiving institution, the inmates pay follows him or her to that institution. Inmates working on the Capital Construction Unit are paid according to a four step scale.

- step 1, \$ 65 per hr.
- step 2, \$ 75 per hr
- step 3, \$.85 per hr.
- step 4, \$.95 per hr.

Inmates in the program receive performance reviews on a 30 day basis at which time the inmate may be moved from one pay grade to the next

The head of the CCU recruits employees from the various institutions by posting advertisements within the individual institutions. The inmates must then apply in writing to the manager of the unit. Once the manager receives an inmate inquiry, the inmates name is sent to DOC headquarters for screening. The screening process determines if an inmate is eligible to serve as a CCU employee.¹⁰ If an inmate qualifies for assignment, then he is placed in a position when one becomes available.

3. VIRGINIA CORRECTIONAL ENTERPRISES

"We ought to build our prisons as mini-industrial parks,
where people go to prison, they work "

- United States Senator Phil Gramm¹¹

10 Screening of Inmates for Capital Construction, Work Centers or Work Release.

DOC has devised an objective screening process to evaluate inmates that want to be admitted to work in either CCU, work centers or work release. The process for the programs is basically the same with only some variation in the variables used during the screening process. Referrals to the various programs come from either the Parole Board or the institution. The Central Classification Board makes all inmate assignments based on the following method.

Classification is a primarily objective assessment of the risk that the inmate poses to the public. There are three factors involved for determining risk: eligibility, suitability, and acceptability. Eligibility refers to objective criteria such as type of crime, length of time to release, custody level. This information is found in the Department's Operating Procedures manual. If an inmate is eligible for an assignment, he is then evaluated for suitability. Suitability is a subjective judgement of the Department based upon various reports such as pre-sentence, progress, and psychological. If an inmate is eligible and suitable he then must be acceptable. Acceptability is the effect the decision to place the inmate would have on the Department's credibility if the inmate should escape and commit another crime. Factors that are considered include the notoriety of the crime or the inmate, the nature of the crime, or the inmates prior criminal history.

¹¹ From a meeting of the Senate Judiciary Committee, reprinted by K N Rostad and Associates, November 3, 1995. See also Chief Justice Warren E Burger, "More warehouses or factories with fences?" New England Journal of Prison Law 8,1 (Winter 1982), ppg 111- 120

a. Introduction

Virginia Correctional Enterprises (VCE) is a self sufficient conglomerate of manufacturing and service businesses which employs inmates to manufacture and deliver a variety of labor intensive products and services VCE's customers include state agencies and institutions, political subdivisions and not for profit organizations VCE was created more than sixty years ago Despite several problems and setbacks in recent years, VCE has managed to grow and expand both the number of inmates employed and the sale of VCE products

b. Enterprises work - amount of pay

Inmates that work for VCE are classified according to the type of work the inmate performs There are nine levels of prisoner pay

- Grade I (semiskilled)¹² Rate 1-3
- Grade II (skilled)¹³ Rate 1-3
- Grade III (specialist)¹⁴ Rate 1-3

Type of Pay		Rate 1	Rate 2	Rate 3
Grade I		\$ 0 55/hr	\$ 0 58/hr	\$ 0 62/hr
Grade II		\$ 0 62/hr	\$ 0 65/hr	\$ 0 70/hr
Grade III		\$ 0 70/hr	\$ 0 75/hr	\$ 0 80/hr

Inmate pay levels and step levels are reviewed on a six month basis A step increase may be earned by receiving a "satisfactory" evaluation Inmates

¹² Unskilled inmates require close supervision and are not required to make independent decisions

¹³ Semiskilled inmates are inmates that are learning a recognized skilled craft, require medium supervision, and exercise some independent decision making

¹⁴ Skilled inmates are inmates that have completed a specified training program or can provide documentation of their skills They require little or no supervision and are expected to make independent decisions

evaluations emphasize performance rather than mere presence on the job. An inmate is paid for those hours on the job completed in a satisfactory manner.

An inmate may be dismissed from his job for various reasons including: poor attendance, inadequate production, poor workmanship, threats, insubordination, etc..

c. Facilities

VCE production facilities are located within DOC facilities throughout the state. Currently there are 21 production plants within 15 DOC institutions. These plants employ more than 1,200 inmates. For a complete listing of the plants, products, and number of inmates employed, please refer to Appendix D following this report.

VCE currently offers more than 600 products and services. The following are some of the products that inmates produce through VCE:

- Office furniture
- Dormitory furniture systems
- Institutional clothing
- Signs and name tags
- Printing
- License plates
- Data processing
- Work shoes

Products can be purchased by mail order from two professional color catalogues or can be seen at one of three showrooms within the state.

d. Organization

The organizational structure of Correctional Enterprises is similar to most modern production facilities in the United States. Inmates report to and are supervised by foremen who are guided by supervisors. The various supervisors report to a plant manager, plant managers report to a division manager and the division manager reports to the director. One aspect that distinguishes VCE from other private facilities is the level of supervision given employees. VCE is structured so that plant managers and production supervisors constantly supervise and instruct inmates during the production process.

Inmates work in a task-oriented environment where they are expected to comply with VCE's policies and procedures. Inmates are provided with the following

services training in machine operations, counselling on behavior in the workplace, and feedback on job performance. Every six months inmates are evaluated on how they contribute to the process and their level of individual effort. These evaluations determine if an inmate is to receive a pay increase per the schedule.

e. Goals and strategic plans - joint ventures

Over the last several years VCE has expanded many of its programs and increased its sales. Recently, VCE developed and received approval for several joint ventures with the private sector. The joint venture program is a mechanism whereby more inmates can participate in the opportunities offered by VCE, and more sales can be generated by VCE.¹⁵

Regulations for the program, including application procedures, were promulgated by the Board of Corrections and approved in January of 1995. For the current regulations governing joint ventures see Appendix E.

To receive approval to participate with VCE in the production of goods, a joint venture partner completes an application package and sends it to VCE. VCE reviews the application and forwards it to the Board with VCE's recommendation. The Board reviews the package and sends it to a Joint Venture Review Committee. The function of the Committee is to review the package, evaluate the merits of the proposal, and, if appropriate, submit it back to VCE so they can work with the Attorney General's office to draft a formal agreement¹⁶ which will be submitted to the Governor. The Governor issues the final approval.

One attractive aspect of the joint venture project is that it allows the partner to provide customer support services such as ordering, scheduling, production, and delivery, installation and billing so that VCE can concentrate on the actual production of finished goods.

¹⁵ With the joint venture program in mind, VCE applied for and received federal certification in 1995 for the private sector/Prison Industries Enhancement program (PIE). PIE certification allows VCE to be exempt from federal laws prohibiting the sale of inmate produced goods in interstate commerce.

¹⁶ If the Joint Venture Review Committee recommends that the venture not proceed then the process stops and the package will not be submitted to the Attorney General's office for formal drafting.

This year VCE began its first joint venture with five office furniture dealers in Virginia. VCE plans to begin delivery of finished product by the first quarter of fiscal year 1997. First year revenue projections for this project are approximately \$5,000,000. Two other agreements have been authorized by the Governor and are currently in the contractual stage. When fully operational these three joint ventures are expected to generate between six and eight million dollars in revenue

4. WORK CENTERS

Currently, Virginia has five work centers with a capacity of 1250 beds. The centers and their respective capacities are as follows:

Brunswick	200 beds
Greensville	300 beds
James River	300 beds
Unit-10, Cold Springs	300 beds
Unit-7, White Post	150 beds

Inmates at these centers are employed in a variety of jobs, some within the center itself and some within the various surrounding communities while under close supervision. Many of the jobs the inmates perform are community beautification projects which are unfunded and would not be accomplished if it were not for inmate labor. The pay for inmate work at the centers is the same as for internal prison positions, \$0.20 - \$0.45 per hour. From January 1996 until October of 1996 the inmates housed in these centers worked a total of 262,635 hours.

These centers operate on a structured schedule from wake-up call until the day's work is complete. In the evening the inmates are allowed to use the time as they wish. Programs such as the Life Skills program for work release, or the academic or vocational skills classes do not exist at the work centers.

5. WORK RELEASE PROGRAM

The Department of Corrections presently has three work release centers for inmates nearing the end of their sentences. Two of these centers serve males, Chesterfield County, and Southampton at Southampton Correctional Center, and one facility serves the female population. Each work center has the following capacities:

- Chesterfield 135 inmates
- Southampton 35 inmates
- Women's center 24 inmates

The work release centers are designed to provide closely supervised opportunities for the gradual reintegration of the inmate into society. Upon being assigned to the program, inmates undertake a rigorous orientation, training and evaluation program designed to prepare the inmates for work release. Following the program, each inmate is again evaluated for his or her suitability for work release. Upon completion of the orientation and training program, each inmate must find suitable outside employment. During employment each inmate receives continuous training and evaluation to prepare him for re-entry into society.

a. Entry into the program

An inmate can be referred to the program in one of two ways, either through the DOC Institutional Classification Committee or through the Virginia Parole Board. The institutions carefully screen each potential participant based on eight objective criteria: criminal offense history, parole eligibility, escape history, custody classification, good time earning level, medical status, program violations, and detainers. Additionally, any risk to the public is evaluated according to guidelines which contain twelve objective placement criteria.¹⁷ The inmate is also screened with consideration for factors such as adverse public sentiment and the likelihood that the inmate will be able to successfully complete the program in a reasonable amount of time. Once an inmate has cleared the screening process, the Deputy Director of Adult Institutions has approved the inmate, and the inmate has passed a drug screening, then he is transferred to a work release center.¹⁸

b. Program structure

¹⁷ The twelve criteria are: severity of the current offense, severity of previous criminal convictions, number of convictions, length of time as a class I good time status, length of time in minimum custody, drug/alcohol history, correctional program participation, literacy and educational progress, institutional work history, employment stability prior to incarceration, previous probation or parole, previous adjustment in a work release program.

¹⁸ When an inmate is approved for work release, the Sheriff, Chief of Police, and Commonwealth's Attorney for the jurisdiction in which the work center is located and jurisdictions in which the inmate may work are notified in writing. According to DOC policy each facility Director is responsible for ensuring that no inmate is released into the community until fifteen days after the issuance of the written notice.

i. Orientation and training

Once an inmate receives a transfer to a work release center, he is transported to that center to begin a rigorous 30-45 day orientation and training session. While at the center each inmate must remain drug and alcohol free and is subject to random drug testing ¹⁹ Any person who tests positive for drugs or alcohol is immediately removed from the program and returned to his assigned incarceration unit

The training program includes an institutional work assignment, daily exercise, individual and group counselling, and training in such areas as hygiene, job interviewing, work habits, and life skills After completion of the 30-45 day orientation and evaluation, the inmate is provided with contacts from various employers and he is required to locate suitable employment. During employment the inmate continues to receive counselling, training in life skills, instruction in physical fitness, and literacy, GED, or adult basic education instruction

ii. Employer relations and transportation

Prospective employers are made aware of and are required to sign an "Employer Community Work Agreement" ²⁰ This document explains the payment of funds, the employees required behavior while on premises, and the arrival and departure of inmates in the workplace The work release center provides transportation for its inmate employees to and from work Because the work center, in essence, delivers a drug-free employee, who is consistently on time for work to the employer's front door, several of the Superintendents expressed that employers consider the program a valuable asset to the efficient operation of their respective businesses

Many of the job placements from the center are within industries that are labor intensive and have a high turnover rate, such as fast food restaurants and production industries

iii. Inmate funds

All monies earned by inmates in the program are sent directly by employers to

¹⁹ For example, at the Chesterfield facility, each inmate must submit to a drug screening for cocaine, heroin, and marijuana at least once every thirty days In addition to this screening, random testing may dictate that an inmate is to produce a sample as often as once a week

²⁰ For a copy of the Employer Community Work Agreement, see Appendix F

DOC for processing in the inmate trust system. While in the work release program, inmates have only limited access to their pay for the purchase of personal items.

The Department has a policy which allows all necessary deductions to be made from the inmates pay before it is deposited into the inmates account.²¹ These deductions could include items such as court ordered family support, fines costs or restitution, travel expenses, and room and board. The remaining balance is credited to the inmate's account.²²

C. Total Institutional Amounts Disbursed for Inmate Work

For fiscal year ended June 30, 1996, inmates received a total of \$8,260,906.00 for work performed in the various jobs at the Department. The following list summarizes the type of activity and the collective amounts paid to inmates.

1. Disbursements for pay

• Regular internal payroll	\$ 5,722,653
• Capital Construction Unit	\$ 40,692
• Virginia Correctional Enterprises	\$ 953,704
• Work centers	\$ 441,183
• Work release	\$ 1,102,674

2. Other disbursements

The current computer system that the Department has in place makes tracking of disbursement of inmate funds difficult.²³ The capacity of the computer system appears to be reaching its limit. Last year when medical co-payments were

²¹ DOC policy prioritizes deductions from an inmates pay. The policy states that up to 60% of an inmates disposable earnings can be used to meet any judicial or administrative order (50% if the inmate is supporting a spouse or child other than the spouse or child named in the order). Additionally, no more than 15% of the remaining disposable earnings can be used to pay fines, costs, or restitution ordered by the court. Of the monies then remaining, 100% of the inmates travel costs to and from work can come from his pay and 100% of the costs associated with room and board can be deducted.

²² For example, in fiscal year ended 1996, \$ 297,889 was deducted from inmate funds for medical co-payments and \$ 238,728 was deducted to pay for room, board and transportation of work release inmates.

²³ For a general listing of the current sources and uses of the inmate trust accounts, see Appendix G.

required to be deducted, many man-hours and system failures were endured in an attempt to reconfigure the trust fund program. Tracking of the checks and money orders sent by inmates from the current system is difficult, if not impossible. The Management Information Systems employees do not feel that the current system can support any more changes without suffering a system failure with a records loss.

D. Changing Virginia's Current Pay System

Numerous articles and studies have been published which highlight the costs and benefits of paying inmates for work while they are incarcerated.²⁴ Upon examining the reports, many benefits emerge, including increased morale, increased structure in an inmates day, lower recidivism rates, and the increased ability to pay costs, fees and restitution.

Dr. Timothy J. Flanagan, Dean and Professor at Sam Houston State University and an expert on prison systems, stated:

[A]pproaching the issue of prison employment with an open mind and an appreciation of the beneficial effects of honest work for offenders allows us to think about a variety of methods for increasing and improving such work opportunities. Production of goods and services behind prison walls holds the promise of checking the spiralling cost of corrections, providing discipline and work experience to offenders who lack these attributes, making funds available for offenders' families and for restitution to crime victims, and providing offenders with an *earned* fund to support the transition from institutional to community life.²⁵

²⁴ For example, see L. Motiack and R. Belcourt, CORCAN participation and post-release recidivism, Forum of Corrections Research (January 1996). See also G. Sexton, Work in American Prisons, United States Department of Justice, National Institute of Justice, NCJ 156215 (November 1995), Brookings Institution, Report 1993 Summit on Federal Prison Industries (July 1993), United States Government Accounting Office, PRISONER LABOR - Perspectives on Paying the Federal Minimum Wage (May 1993), T. Flanagan et al., The Effect of Prison Industry Employment on Offender Behavior, The Hindelang Criminal Justice Research Center, State University of New York-Albany (January 1988), T. Flanagan, Revitalizing Prison Industries: Potential, Problems and Prospects, New York State Assembly Committees on Codes and Governmental Operations (May 1985).

²⁵ Timothy J. Flanagan and Kathleen Maguire, A FULL EMPLOYMENT POLICY FOR PRISONS IN THE UNITED STATES, Journal of Criminal Justice, Vol 21, pp 117-130 (1993)(emphasis in original)

The Federal Bureau of Prisons recognizes inmate employment as an important factor for maintaining well ordered prisons The Bureau states

The Bureau of Prisons recognizes inmate employment as an important factor in the safe and secure management of Federal prisons, as well as the successful post-release adjustment of offenders. While all able inmates are given work assignments, Federal Prison Industries, Inc (FPI), the Bureau's primary work program, employs approximately 16,000 Federal inmates It reduces inmate idleness, provides incentives for good behavior, integrates with other programs to enhance inmate performance, and promotes inmate responsibility A BOP study has shown that, compared to other Federal inmates, those who are employed by FPI are less likely to return to a life of crime and more likely to be employed after release from incarceration ²⁶

Furthermore, Mr William Saylor and Mr Gerald Gaes, conducted a 12 year follow-up study for the Bureau regarding recidivism rates of former prisoners The study indicates a significant reduction in the recidivism rates for inmates that participated in work skills programs while incarcerated For a copy of this study, see Appendix H ²⁷

The Virginia Department of Corrections also supports the policy of paying inmates for work In a letter to the Crime Commission, Director Ron Angelone highlighted the benefits of paying prisoners to work These benefits include eliminating or reducing costs associated with an inmates upkeep, reducing assaults and thefts, reducing "subversive prison economies," and providing an incentive to learn and become productive Mr Angelone states, " I believe the elimination of inmate pay would cause unrest among the inmates and increase the number of staff needed for supervision and control I urge your careful consideration of these issues " ²⁸

²⁶ United States Department of Justice Federal Bureau of Prisons, State of the Bureau Report, p 30 (1994)

²⁷ William G Saylor and Gerald G Gaes, Post Release Employment Project Study, Federal Bureau of Prison's Office of Research and Evaluation (1995)

²⁸ For the full text of this letter, see Appendix I

V. Findings and Recommendations

A. Finding: The current Department of Corrections practice of paying inmates for work is consistent with 47 other states and the Federal Bureau of Prisons. Furthermore, the hourly wage rates are comparable to the rates paid in other jurisdictions for similar work.

Recommendation:

1. The payment of wages to inmates for work and the method of payment (i.e. hourly wage) should not be changed.

B. Finding: Current inmate work positions are filled beyond capacity, with inmate labor being underutilized and inadequately prepared to reenter the workforce upon release.

Recommendations:

INTERNAL PAY POSITIONS/VIRGINIA CORRECTIONAL ENTERPRISES

1. The Department of Corrections and the Department of Correctional Education should coordinate their efforts so inmates can receive training that complements the programs that DOC currently has, such as Virginia Correctional Enterprises, the Capital Construction Unit and the Work Release program.

CAPITAL CONSTRUCTION

2. The Department of Corrections should pursue increasing the number of inmates employed by the Capital Construction Unit, particularly for on-site maintenance of DOC facilities.

WORK CENTERS

3. The Department of Corrections should aggressively implement the Department's policy of transitioning inmates from the work centers to the work release units as the inmates approach their respective release dates. Included in this policy should be the provision of transitional education programs, such as Life Skills, at the work centers.

C. Finding: Inmate trust accounting system is inadequate and obsolete.

Recommendation:

- 1** The Department of Corrections should modernize the inmate trust accounting and tracking system, including the modernization and automation of the inmate commissary system. The Department should require that any Offender Management System adopted by the Department include inmate trust accounting, pay, and commissary automation systems.

VI. Acknowledgements

The members extend a special thanks to the following agencies and individuals for their assistance to this study effort:

Mr. Ron Angelone, Director
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Virginia Correctional Enterprises

Dr. Patrick J. Gurney, Chief of Operations
Virginia Department of Corrections

Dr. Louis B. Cej, Chairman
Classification Board
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Mr. Wade Jewell
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Appendix A

1996 SESSION

961883254

HOUSE JOINT RESOLUTION NO. 146
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 6, 1996)

(Patron Prior to Substitute—Delegate Griffith)

Directing the Virginia State Crime Commission to study the propriety of paying prisoners for work

WHEREAS, the General Assembly and the citizens of the Commonwealth are concerned about the high and increasing cost of operating Virginia's corrections system, and

WHEREAS, the average annual cost of maintaining an adult prisoner in the state system of corrections is in excess of twenty thousand dollars, and

WHEREAS, the rate at which crimes against persons and property are committed in this Commonwealth is steadily rising, and

WHEREAS, under current sentencing policies, it is exceedingly difficult to reconcile the desire of the people for stricter enforcement of the law and greater certainty of punishment with the economic resources available to the Commonwealth for the construction and operation of new prison facilities, and

WHEREAS, while it has been shown that work and educational opportunities can contribute to the rehabilitation of the inmate by providing him with work training and experience, the Commonwealth may need to re-examine its policy of paying inmates for their work, either inside or outside the confines of the correctional facility, especially in light of how employment could previously be tied to good conduct time and parole, and

WHEREAS, inmates have been confined for the purposes of paying a debt to society, and this debt could be alleviated by providing labor in some form which can contribute to the operation of the correctional system, thereby reducing some of the costs of confinement, now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study the propriety of paying prisoners for work. The Commission shall examine, but not be limited to, the following issues (i) the impact of state and federal laws governing treatment of prisoners, (ii) the process and structure of work programs in other states, (iii) the impact which the laws governing deductions from inmates' wages to pay for support orders, fines and restitution, and the cost of their keep has had on the welfare of inmate families and the restitution to courts, (iv) how work can be used for true rehabilitation and work experience training and the effect of removal of wages earned for work, (v) how the facilities would substitute programs to take the place of work release and other programs which would be affected, and (vi) the effect on the morale and how this would affect control in the facilities

All agencies of the Commonwealth shall provide assistance to the Commission, upon request

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents

Official Use By Clerks

Passed By
The House of Delegates
without amendment
with amendment
substitute
substitute w/amdt

Passed By The Senate
without amendment
with amendment
substitute
substitute w/amdt

Date _____

Date _____

Clerk of the House of Delegates

Clerk of the Senate

Appendix B

STATE	STATUTE REQUIRING INMATES TO WORK?		ARE WAGES PAID?		ARE DEDUCTIONS WITHHELD FROM INMATE WAGES?		PROVISION FOR WORKER'S COMPENSATION COVERAGE FOR INMATES?	
	YES	NO	YES	NO	YES	NO	YES	NO
Alabama		◆	◆		◆			◆
Alaska	◆		◆		◆			◆
Arizona	◆		◆		◆			◆
Arkansas	◆		◆	◆	N/A	N/A		◆
California	◆		◆		◆	◆	◆	
California Youth		◆	◆		◆		◆	
Colorado	◆		◆		◆		◆	
Connecticut	◆		◆			◆		◆
Delaware	◆		◆			◆		◆
District of Columbia		◆	◆			◆		◆
Florida		◆	◆			◆		◆
Georgia	◆			◆	N/A	N/A		◆
Hawaii	◆		◆		◆		◆***	
Idaho		◆	◆			◆	◆	
Illinois	◆		◆		◆			◆
Indiana		◆	◆		◆****			◆
Iowa	◆		◆		◆		◆	
Kansas	◆		◆			◆		◆
Kentucky	◆		◆			◆		◆
Louisiana		◆	◆		◆			◆
Maine	◆		◆ ¹		◆		◆	
Maryland		◆	◆			◆	◆	
Massachusetts		◆	◆			◆		◆
Michigan		◆	◆			◆		◆
Minnesota		◆	◆		◆			◆*
Mississippi		◆	◆			◆		◆
Missouri		◆	◆			◆		◆
Montana		◆	◆		◆		◆	
Nebraska	◆		◆		◆****		◆	
Nevada		◆	◆		◆		◆	
New Hampshire	◆		◆			◆		◆
New Jersey		◆	◆		◆ ²			◆
New Mexico	◆		◆		◆			◆
New York		◆	◆			◆		◆
North Carolina		◆	◆			◆	◆	
North Dakota	◆		◆		◆			◆
Ohio	◆		◆			◆		◆
Oklahoma		◆	◆		◆		◆****	
Oregon		◆	◆			◆	◆	
Pennsylvania	◆		◆			◆	◆	
Rhode Island		◆	◆			◆		◆
South Carolina		◆	◆			◆	◆	
South Dakota		◆	◆			◆	◆	
Tennessee	◆		◆			◆	◆	
Texas		◆		◆	N/A	N/A		◆
Utah		◆	◆		◆		◆	
Vermont		◆	◆			◆	◆	
Virginia		◆	◆**			◆		◆
Washington		◆	◆		◆		◆	
West Virginia		◆	◆		◆			◆
Wisconsin		◆	◆			◆	◆	
Wyoming		◆	◆			◆	◆	
Federal		◆	◆		◆ ⁴		◆	
Canada	◆		◆		◆ ³		◆	
TOTAL	20	33	51	3	25	26	25	29

1 Maine pays inmate wages for some industries 2 New Jersey Deductions are withheld from inmate wages by the superintendent of the institution for any penalty assessment restitution or fine assessed as part of any sentence not withheld by State Use Industries 3 Canada Deductions are withheld for the inmate welfare fund inmate savings accounts and court imposed fines as applicable 4 Deductions are withheld for the financial responsibility program i.e. fines assessments & obligations imposed by the Sentencing Court. * Minnesota covered via legislative appropriation used from WC law ** Virginia wages via inmate payment plan pay for performance *** Hawaii has worker's comp for private sector/correctional industries ventures **** Same for Oklahoma, Indiana and Nebraska only in PS/PIE operations

Appendix C

**EXAMPLES OF JOBS IN
INMATE EMPLOYEE GRADE LEVELS**

Grade Level 1

Dishwasher
Vegetable Preparation
Garbage Room
Janitor - General
Dining Hall
Serving Line
Groundskeeper
Recreation Assistant
Laundry
Laborer, Construction Worker
Secure Labor
Secure Gangs
Primary & Vocational Education (0-8.9)
Miscellaneous

Grade Level 3

Electrician
Plumber
Carpenter
Welder
VAC*
Welding Mechanic
Heavy Equipment Operator
Quality Control
Headman (Skilled advanced)
Journeyman (Skilled master)
Associates Degree Program
Head Cook
Head Baker
Head Barber
Teacher Aide III

Grade Level 2

Cook
Baker
Pastry
Employee Dining Hall
Milk Room
Meat Cutter
Issue Clerk
Library Aide
Carry Out Lunch
Power Plant
Glass Shop
Dogmen
Painter
Small Engine
Clerk - Warehouse
Clerk - Typist
Tailor
Equipment Operator
Barber
Body Repair
Sewer Plant Assistant
Waste Plant Assistant
TV Repair
Inmate Advisor
Gardener
Feedmill Operator
Herdsman
Milk Processor
Crop Planter
Truck Driver
Trustee - Garage
Trustee
Janitor - Trustee
Clerk
Trainee (Skilled helper)
Apprentice (Skilled basic)
Teacher Aide II

Heating, ventilation and air
conditioning

Appendix D

**VIRGINIA CORRECTIONAL ENTERPRISES
OPERATIONAL LOCATIONS**

PLANTS INDUSTRY / LOCATION	PRODUCTS	INMATES EMPLOYED	CIVILIAN STAFF	POTENTIAL FOR EXPANSION / FUTURE PLANS
MANUFACTURING				
WOOD PRODUCTS				
Greensville	Office Furniture	160	10	Second shift (150 inmates) to support JV Conversion to assembly to support JV Production dedicated to JV
Nottoway	Dorm Furniture	70	5	
Lunenburg (1)	Tables	40	3	
	Chairs			
METAL PRODUCTS				
Buckingham	Office Furniture	50	6	5 - 10 additional inmates to support JV 5 - 10 additional inmates to support JV
Dillwyn	File Cabinets	60	4	
	Metal Shelving			
	Cell Furniture			
KEY OFFICE SYSTEMS				
Brunswick	Modular Office Panels	65	7	5 - 10 additional inmates to support JV
Indian Creek	Ergonomic Seating	65	4	
	Component Assembly			
JANITORIAL PRODUCTS				
Keen Mountain	Cleaners Solvents	20	1	Potential JV in evaluation stage
VINYL BINDERS/SIGNS				
Keen Mountain	Vinyl Binders Signs / Name Tags	20	1	
TEXTILES				
CLOTHING				
Augusta	Correctional Officer Uniforms	75	1 (2)	85 inmates during FY 1997
Staunton	Inmate Clothing	115	2	
Coffeewood	Maintenance/Toll Uniforms	35	2	
Haynesville	Linens	85	4	
Dan River/Halifax		40	3	
SHOES				
Augusta	Inmate Boots	45	3	
SERVICES				
PRINTING				
Powhatan	Forms	45	5	Potential JV in evaluation stage Transfer to VCE effective 7/1/96
DOC Atmore St	Letterhead/Envelopes	5		
	Duplicating/Coloring/Binding			
LICENSE TAGS				
Powhatan	License Plates	40	4	
MICROFILM				
Tidewater Unit #22 (3)	Microfilm Records	15	1	
DENTAL LAB				
Southampton	Dental Prosthetics	10	1	
LAUNDRY				
VCCW	Laundry/Linen Services	110	7	
DATA SERVICES				
VCCW	Data Entry/Keypunch	40	2	
CENTRAL OFFICE				
Richmond	Warehouse/Distribution	15	22	
	Sales/Customer Support	0	24	
	Administrative Support	0	23	

NOTES

- 1) To become operational in third quarter of fiscal year 1997
- 2) There are currently two vacancies at this plant
- 3) To become operational July 1, 1996

Appendix E

REGULATIONS FOR PUBLIC/PRIVATE JOINT VENTURE
WORK PROGRAMS OPERATED IN A STATE CORRECTIONAL FACILITY

COMMONWEALTH OF VIRGINIA
BOARD OF CORRECTIONS
Adopted: November 16, 1994
Effective: January 12, 1995

VR230-01-005: REGULATIONS FOR PUBLIC/PRIVATE JOINT VENTURE WORK
PROGRAMS OPERATED IN A STATE CORRECTIONAL FACILITY

PART I.
GENERAL PROVISIONS.

§ 1.1. Definitions.

The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

"Agreement" means a legal arrangement between the Director of the Department of Corrections and a public or private entity to operate a work program in a state correctional facility for prisoners confined therein.

"Board" means the Board of Corrections.

"Committee" means the group appointed by the Governor which reviews any proposed agreement between the Director of the Department of Corrections and a public or private entity to operate a work program in a state correctional facility for prisoners confined therein. The committee consists of representatives from an employee association or organization, the business community, a chamber of commerce, an industry association, the Office of the Secretary of Commerce and Trade, and the Office of the Secretary of Public Safety.

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

"Prevailing wage" means a rate which is not less than that paid for work of a similar nature in the locality in which the work is to be performed

§ 1 2. Purpose.

These regulations govern the form and review process for proposed agreements between the Director of the Department of Corrections and a public or private entity to operate a work program in a state correctional facility for inmates confined therein

VR230-01-005: REGULATIONS FOR PUBLIC/PRIVATE JOINT VENTURE WORK
PROGRAMS OPERATED IN A STATE CORRECTIONAL FACILITY

PART II.
REVIEW PROCESS.

§ 2.1. Review Process.

- A. Any proposed agreement between the department and the public or private entity shall consist of an application form (see example attached) which shall be completed by the public or private entity. The completed application form shall be submitted directly to the department, which shall then forward the application to the appropriate organizational unit for initial research and evaluation of the proposed agreement. This initial research and evaluation shall be conducted in a timely manner, not to exceed 30 calendar days from the receipt of the completed application from the public or private entity.
- B. The department shall submit the proposed agreement with a submission package to the board. The submission package shall include, at a minimum:
 - 1. A prospectus of the public or private entity
 - 2. A description of the size and scope of the proposed operation.
 - 3. An assessment of the project's financial viability.
 - 4. A recommendation for entering or not entering into the proposed agreement
 - 5. Draft formal agreement papers, if the department recommends entering into the agreement.
- C. The board shall review the proposed agreement and submission package and submit the package to the committee with a recommendation for entering or not entering into the agreement.
- D. The committee shall evaluate the proposed agreement according to the criteria listed under §3 1
- E. Upon approval by the committee, any contractual documents implementing the agreement shall be forwarded to the Office of the Attorney General to ensure compliance with state statutes.
- F. Upon the assurance of the Office of the Attorney General that the agreement is in compliance with state statutes, the Governor shall review the agreement.

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PROGRAMS OPERATED IN A STATE CORRECTIONAL FACILITY

- G. Upon the Governor's authorization, the director and the public or private entity may sign the agreement.

PART III.
CRITERIA.

§ 3 1. Criteria

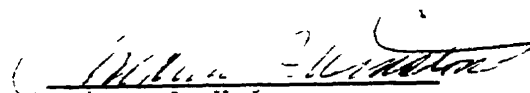
- A. The committee shall review the provisions of any proposed agreement according to the following criteria:
 - 1 The proposed agreement shall provide adequate job skills to inmate participants Any proposed agreement which requires relatively unskilled labor may be acceptable providing the work project establishes good work habits.
 - 2. The public or private entity shall be environmentally sound, with appropriate certification, as required by applicable state and federal regulations.
 - 3 The public or private entity shall provide prevailing or minimum wage, whichever is applicable.
 - 4 The public or private entity shall provide Equal Employment Opportunity for all inmates involved in the proposed agreement
 - 5 The proposed agreement shall demonstrate financial viability.
 - a If the department acts as a subcontractor in the proposed agreement, the proposed agreement shall be evaluated by its capability both to meet the required goods or services as well as to provide an acceptable rate of return to the department
 - b If the department acts as a supplier of labor in the proposed agreement, the proposed agreement shall be evaluated upon its capability to provide a gross margin both to cover the expenses of the department as well as to generate a sufficient return on investment to the department
 - 6 The proposed agreement shall not displace civilian workers.

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PROGRAMS OPERATED IN A STATE CORRECTIONAL FACILITY

7. Any rent paid to the department for space occupied by the participating public or private entity shall be at a reasonable rate.
 8. The product produced by the proposed agreement may be sold on the open market.
 9. The proposed agreement shall meet any provisions listed in §§ 53.1-41 through 53.1-62 of the Code of Virginia pertaining to "Employment and Training of Prisoners."
- B. All criteria listed in § 3.1. A shall be met before the committee approves a proposed agreement.

These regulations are full, true, and correctly dated.

Approved and adopted by the Board of Corrections on November 16, 1994.



Andrew J. Winston
Chairman
Board of Corrections

11/16/94
Date

Appendix F

VIRGINIA DEPARTMENT OF CORRECTIONS - ADULT INSTITUTIONS
EMPLOYER'S COMMUNITY WORK AGREEMENT

DOP 828
ATTACHMENT 2

The procedures of the Department of Corrections' Work Release Program are as follows:

1. No inmate in the Work Release Program is to be considered an agent of the state.
2. This Work Agreement neither constitutes nor implies a contractual agreement between the Department of Corrections and the Employer.
3. All wages earned by an inmate in Community Work Release employment shall be paid to the Director of the Department of Corrections for (inmate's name:). Failure to comply or failure to provide wages on the designated pay periods will result in legal action against the employer on behalf of the inmate.
 - (a) At no time should a check be issued directly to an inmate nor should advances or loans of any kind be made against his paycheck.
 - (b) Only standard deductions for Federal, State, and Social Security taxes may be made from the inmate's paycheck without prior approval from the Superintendent of the Work Release Housing Unit.
 - (c) An inmate's paycheck and stub should be mailed to the Chief Accountant, Work Release Program, 6900 Atmore Drive, Richmond, Virginia 23225, on the same day that other employees receive their paychecks. Failure to receive the paycheck within one week and not more than two weeks, will result in termination of the inmate's employment and legal action on the inmate's behalf.
4. An inmate is expected to perform his work tasks in the productive manner that is required of other employees. Failure to do so must be reported to the Superintendent of the Work Release Housing Unit to which the inmate is assigned.
5. An inmate must receive wages commensurate with those received by comparable workers.
6. While employed, the inmate shall be covered by the employer's insurance and/or Workmen's Compensation Insurance as required by law.
7. In the event of a strike, each inmate working at the affected business will be offered the choice of continuing to work during the strike, or of refusing to cross any picket line. In the event of violence or in any situation where the safety or security of inmates may be endangered by reason of a strike, the Department reserves the right to preclude inmates from crossing the picket line for the duration of the violence or other danger.
8. The consumption of alcoholic beverages by the inmate is prohibited.

VIRGINIA DEPARTMENT OF CORRECTIONS - ADULT INSTITUTIONS
EMPLOYER'S COMMUNITY WORK AGREEMENT

9. The use of narcotics, or other drugs not lawfully possessed by or prescribed to an inmate is prohibited.
10. The inmate must return to the work release housing unit immediately upon the conclusion of each day's work. An inmate may not leave work early without prior approval of the Unit Superintendent or his designee.
11. The employer will notify the Superintendent of the Work Release Housing Unit in the event of any unusual incident involving the inmate or in the event of any unauthorized absence or tardiness.
12. An inmate may be allowed to work overtime only if a request is made in advance by the employer to the Superintendent of the Work Release Housing Unit and provided that suitable transportation arrangements can be made.
13. Deviation from the work schedule and hours designated at the time of employment is not allowed unless authorized in advance by the Superintendent of the housing unit or his designee.
14. An inmate is not allowed to operate a motor vehicle unless it is required by the employer and approved in advance by the Superintendent of the Work Release Unit. Operation of a motor vehicle to and from the housing unit may be authorized only by the Deputy Director of Adult Institutions, Department of Corrections.
15. If a man is injured on the job, he is permitted to receive outpatient treatment at a hospital or doctor's office used by the employer; however, the Superintendent of the Housing Unit must be notified immediately of any such injury or hospitalization.
16. In the event that the inmate's employment is terminated for any reason, the employer will notify the Work Release Housing Unit.

I understand the above procedures and agree to cooperate fully with the Department of Corrections in carrying out these regulations. I understand that this agreement does not obligate me to employ any inmate and any offer of employment to an inmate will be at my discretion and will be contingent upon the availability of the position when the inmate is approved.

SIGNATURE: _____

TITLE: _____

COMPANY/ORGANIZATION: _____

ADDRESS: _____

DATE: _____ TELEPHONE: _____

Appendix G

DEPARTMENT OF CORRECTIONS
INMATE TRUST FUND

Source and Application of Cash Statement
Fiscal Year Ended June 30, 1996

RECEIPTS

External			
Mail		\$11,077,948	
Visitors		2,268,590	
Work Release Payroll		1,102,674	
Bank interest		83,019	
Other		7,052	
		-----	\$14,539,283
Department of Corrections			
Payroll			
Regular	\$5,722,653		
Va. Corr. Enterprises	953,704		
Work Centers	441,183		
Capital Construction	40,692		

		7,158,232	
Hold Reimbursement (53.1-190)		23,308	
		-----	7,181,540
Other			
Net transfers in		53,336	
Advances (net of collections)		33,945	
		-----	87,281
Total Receipts			\$21,808,104

DISBURSEMENTS

Commissary			\$15,263,912
External			
Checks & Money Orders		4,448,243	
Parole		1,087,183	
Clubs		245,824	
Inmate Welfare		113,930	
Other		7,202	
		-----	5,902,382
Department of Corrections			
Medical Co-payments		297,889	
Work Release Fees		238,728	
Miscellaneous Fees & Charges		159,791	
		-----	696,408
Total Disbursements			\$21,862,702
Net Decrease in Trust Fund Balance			-54,598

Appendix H

Interim Report

**The Effect of Prison Work Experience, Vocational and Apprenticeship Training on the
Long-Term Recidivism of U.S. Federal Prisoners**

William G Saylor and Gerald G Gaes
U S Federal Bureau of Prisons

October 26, 1995
Revised November 6, 1995

The opinions expressed in this article are solely those of the authors and do not represent the official position or policies of the U S Bureau of Prisons or Department of Justice

The Post-Release Employment Project (PREP) was designed to evaluate the impact of prison work experience and vocational training on an offender's behavior following his or her release to the community. The evaluation began in 1983 and data were collected through October 1987 on over 7,000 offenders. We reported preliminary findings in 1991, when all offenders in the study had been released to the community for at least one year. The present report looks at a much longer release horizon, covering 10 years for many of the offenders. We will first review the study design and methodology, briefly list the initial findings, and then provide greater detail on the long-term results.

Study Design and Methodology

Unlike most studies of prison vocational training or work experience, PREP was designed as a prospective longitudinal evaluation. Inmates were selected as study group members prior to their release if they had participated in industrial work within the institution setting or had received in-prison vocational instruction or apprenticeship training. Based on these criteria, 57 percent of the study group participants worked exclusively in prison industries, 19 percent had a combination of work experience and vocational training, and the remaining 24 percent had received either vocational or apprenticeship training, or a combination of the two.

Since it was not possible to randomly assign inmates to a study or control group, a quasi-experimental design was used in which comparison subjects were chosen from the "reservoir" of all other inmates released in the same calendar quarter as study group members. The nature of participation in industrial work and vocational training programs imposes a significant problem for this and other evaluations which precludes the use of random assignment techniques. Instead, we had to rely on alternative techniques to control for the potential bias resulting from the way in which participants were selected. This is a common problem in evaluation studies and has been termed selection bias. Selection bias implies that there is a process which determines how people are selected (or self-select) to participate in a particular program. It also implies that there may be unique characteristics of the selected group that increase the probability of a successful outcome even in the absence of any program intervention.

To overcome this problem, we adopted a statistical matching procedure developed by William G. Cochran and Donald B. Rubin and further refined by Paul R. Rosenbaum and Donald B. Rubin¹. The procedure is a two-step approach. In the first step, the researcher models the selection process, contrasting program participants and non-participants on variables related to their participation. As a result of the modeling, a "propensity score" is generated, indicating the likelihood that an offender would be selected for participation in prison industry or vocational training. In the second step, the propensity score is used in conjunction with other variables to select matched comparison subjects. Theoretically, the matched comparison subjects are equivalent to the study group participants in every respect except for their participation in the work or vocational training program.

Previously Reported Findings

We will briefly review the findings that we have previously reported. These can be grouped into institutional adjustment, halfway house, and post-release results.

The PREP results demonstrated that inmates who participated in the work, vocational training, or apprenticeship programs, or a combination of these programs were less likely than comparison group members to have a misconduct report during their last year of incarceration. When program participants did receive a misconduct report, it was less likely to have been for serious misconduct. Program participants were also rated by their unit teams to be more responsible.

Many Federal inmates are released to a halfway house rather than directly to supervision in their community. A halfway house provides a structured setting that allows an inmate to work in the community yet receive closer supervision than under ordinary post-release supervision. Comparison subjects were just as likely as study group participants to complete their halfway house stay without committing misconduct which would warrant their return to prison. Study group participants were 24-percent more likely than comparison subjects to obtain a full-time job or a day labor job at some point during their halfway house stay.

After inmates were released to the community, researchers gathered initial post-release outcome data by calling supervising probation officers. In the U.S. Federal criminal justice system, probation officers supervise and monitor offenders who receive sentences of probation as well as offenders who receive prison sentences and are subsequently released to a term of supervision. We gathered information on rearrest and supervision revocation, whether offenders were able to gain employment, and the legal wages they earned during the period. We were able to follow offenders for one year during their supervised release.

By the end of the year, 6.6 percent of the study group and 10.1 percent of the comparison group had been rearrested or had their supervision revoked. This was statistically significant. Furthermore, by the end of the year of supervision, 72 percent of the study group and 63 percent of the comparison group had found and maintained employment. This difference also achieved statistical significance. Finally, although not statistically significant, study group members who were working at the end of one year were earning, on average, \$821 per month, while comparison subjects who were working were earning \$769 per month.

Recent Long-Term Findings

Although the initial results of the PREP project were encouraging, we were interested in whether the study-comparison group differences would hold up over a much longer time period. Although we are unable at this point to reassess employment and earnings, we were able to analyze recidivism among the study and comparison group members. For the purposes of this analysis, we culled the automated Bureau of Prisons records to determine whether the study or comparison group participants had been recommitted to a Federal facility for a new offense or had been returned due to a supervision revocation violation. Most of the participants in this followup study had been released for at least 8 years, some for as long as 12 years. It was

possible for offenders in this study to be convicted and committed for a state offense, a status we could not record or evaluate using Federal data exclusively. However, we have no theoretical reason to believe that offenders would be prosecuted and convicted contingent upon their status as our study or comparison group members thus introducing some unknown bias into the followup data.

The analysis examined the amount of time an offender was in the community prior to his or her recommitment. If industrial work experience and vocational training had a salutary effect, we would expect study group members to have spent a longer time in the community. The analysis was conducted on males and females as separate strata, since it is well known that women are less likely to recidivate than men. Confirming our expectations, we found that 19.3 percent of the women and 31.6 percent of the men followed for this study were recommitted within the followup period. When we compared the survival times for men and women who were recommitted, on average, men had a much longer survival time (811 days) than women (647 days). Thus, although fewer women were likely to fail, those who did failed much earlier than their male counterparts. This may have some interesting implications for the design of men and women's programs.

The study group participants were divided into three subgroups representing participation in prison industries exclusively (57 percent), participation in training programs-- vocational and apprenticeship (24 percent), and participation in both prison industries and training programs (19 percent).

There were two different recidivism measures that could be culled from our automated records: recommitment based upon a new offense or recommitment based upon a supervision revocation. Several analyses were conducted which examined the different program effects for men and women separately and which analyzed the program effect with respect to the different recidivism measures.

For males, there were significant program effects when recidivism was defined as recommitment based upon a new offense. Specifically, men employed in prison industries had survival times that were 20 percent longer than comparison group members. Furthermore, men completing vocational or apprenticeship training had a 28 percent longer survival time than comparison members. Although the effects for men who participated in both work and training programs did not reach statistical significance, the results indicated that the effect was consistent with the other two program groups. It is likely that this latter group did not reach statistical significance because it was a relatively small group of participants. When recidivism was defined as recommitment for a new offense or supervision revocation, there were no program effects for men.

For women, as with men, we found that training did not increase their survival time in the community when outcome was defined as either a revocation or a new offense combined. However, contrary to our finding for men, we found that training did not increase women's survival time in the community when outcome was defined as commission of a new offense only. Although the effect of vocational and apprenticeship training was in the desired direction it did not achieve statistical significance due to the small number of study group women.

involved in this type of training. Our inability to find any program effect could be related to the small number of women in this research study who were recommitted for a new offense (only 52 women out of 913, or about 6%, during the 8 to 12 year followup). The method of analysis that we used is designed to summarize the influence of individual characteristics or experiences on failure rates (i.e., recommitments). However, of the women in this study 94% did not fail and consequently there is little information for the statistical procedure to analyze. The method does not provide any information about the study and comparison group members who did not fail (virtually all of the women in this research study). Further analysis of the women is required in order to understand any differences that may exist between the study and comparison groups. Additional analysis may also require the collection of additional outcome measures (e.g., related to employment). It is plausible that while the training does not make any difference in the rate of recommitments, because of the small incidence of recommitments among women in general, the training could have significant effects that are not detected by the particular outcome measures and statistical methods we have employed in this analysis.

In summary, it appears that the impact of in-prison employment in an industrial work setting and vocational or apprenticeship training can have both short- and long-term effects reducing the likelihood of recidivism especially for men. Although the program effects do not seem to have an impact on supervision revocations in the long term, they have an important impact on recommitment for new offenses. On average, offenders who receive new sentences will spend a much longer time in prison than those who only have their supervision revoked. Thus, in-prison work and training programs could have a benefit in reducing prison populations due to recidivism.

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PREP Study Links UNICOR
Work Experience
With Successful
Post-Release Outcome



May 22, 1991
Revised January 8, 1992

By
William G. Saylor and
Gerald G. Gaes

Office of Research and Evaluation

PREP Study Links UNICOR Work Experience With Successful Post-Release Outcome

By William G Saylor and Gerald G Gaes

This report summarizes some of the initial findings of the Post Release Employment Project (PREP) conducted by the Office of Research and Evaluation. The PREP study was designed to answer fundamental questions about the effect of prison vocational training and work experience on offenders' behavior when they are released to the community.

PREP is primarily an analysis of the differences between Federal offenders who received training and work experience (the study group) and similar offenders who did not participate in these activities (the comparison group).

The study and comparison groups were also contrasted with a "baseline" group of offenders who represented all other inmates released in the same time frame as the study and comparison offenders.

Background and Methodology

Preparation for the Post-Release Employment Project began in 1983. Data collection on post-release outcomes for more than 7,000 inmates continued, for the most part, into early 1987, although some data came in as late as October 1987.

Throughout the duration of this project, in which study and comparison inmates were released from the Bureau (1984 through 1986), about 35 percent of inmates in institutions with Federal Prison Industries (UNICOR) operations were employed by UNICOR. Currently, 32 percent of inmates in such institutions are employed by UNICOR.

We do not know whether there is an optimal level of UNICOR employment in an institution. Increasing or decreasing the percentage of inmates employed in prison industries may or may not increase the positive effects of employment. Consequently, the conclusions of this study could be influenced by the proportion of inmates employed by UNICOR.

Unlike most studies of prison vocational training or work experience, PREP is a prospective, longitudinal study. Study inmates were identified by case management staff at the institution over a period of several years. Inmates were selected for the study group prior to their release if they had participated in industrial work for at least 6 months or had received vocational instruction. The study group is composed primarily of inmates with UNICOR work experience –

57 percent had exclusively UNICOR work experience, while 19 percent had a combination of UNICOR work experience and vocational training, or apprenticeship training. The remaining 24 percent were involved in some combination of vocational or apprenticeship training

The comparison group was chosen to be as much like the study group as possible. A comparison observation was selected specifically for each study group member from a cohort of individuals who were released during the same calendar quarter. Each pairing was based on an exact match of gender and individual security level and on the closest possible match in criminal, educational, and employment histories and characteristics of the current offense.

While the study and comparison groups were similar to each other in terms of expected length of stay, individuals in these groups were much more likely to have a longer expected length of stay than inmates in the baseline group.¹ In addition, the conviction offense for study and comparison groups tended to be more serious than the baseline group. These differences are especially significant because they underscore the fact that PREP study participants were by no means those individuals who seemed most predisposed to succeed in either a prison program or in the community after release. See Table 1 (page 3) for specific information on these three groups.²

Institutional Adjustment

An argument for continuing or even expanding industrial work opportunities in prisons is that such programs are necessary to cope effectively with inmate idleness and

that they help to ensure the orderly running of correctional institutions. This is not an issue directly addressed by the PREP study. To explore this issue, a research design would have to evaluate changes in institutional misconduct patterns related to the expansion or contraction of prison industries. Comparison among prison systems that have varying degrees of industrial work programs is very difficult since prison systems are often different in many other ways as well.

In this section, we address a more focused question: *Do inmates working in prison industries or participating in vocational training evidence better institutional adjustment than their matched comparison counterparts?*

Table 2 (page 5) shows the results of three measures that suggest *study group participants did show better institutional adjustment*. First, study group members were less likely to have a misconduct report within their last year of incarceration and, second, when they did, it was less likely to have been for serious misconduct. Third, study group participants were rated by their unit teams to have a higher level of responsibility than their comparison counterparts. An inmate's level of responsibility refers to his/her level of dependability, financial responsibility, and the nature of his/her interaction with staff and other inmates.

Halfway House Outcomes

The Bureau of Prisons contracts with halfway houses to provide qualifying inmates an opportunity, prior to the end of their imprisonment, to work in the

Table 1¹

Comparison Among Study, Comparison, and Baseline Offenders

Severity of Current Offense²

	Comparison Group		Study Group		Baseline Group	
	%	# obs.	%	# obs.	%	# obs.
Lowest	7.7	(219)	7.6	(152)	11.8	(1619)
Low Moderate	34.2	(977)	30.1	(606)	38.7	(5331)
Moderate	33.9	(968)	34.8	(700)	32.0	(4400)
High	16.6	(474)	16.4	(331)	13.1	(1808)
Greatest	7.6	(217)	11.1	(224)	4.4	(602)
Total		(2855)		(2013)		(13760)

Type of Prior Commitments

	Comparison Group		Study Group		Baseline Group	
	%	# obs.	%	# obs.	%	# obs.
None	44.1	(1259)	49.5	(966)	50.5	(6952)
Minor	17.8	(507)	17.7	(356)	17.2	(2370)
Serious	38.1	(1089)	32.8	(661)	32.3	(4438)
Total		(2855)		(2013)		(13760)

Projected Length of Incarceration

	Comparison Group		Study Group		Baseline Group	
	%	# obs.	%	# obs.	%	# obs.
0-12 Months	25.3	(721)	27.0	(544)	43.4	(5977)
13-59 Months	71.6	(2045)	67.7	(1361)	53.9	(7421)
60-83 Months	2.4	(68)	4.4	(88)	2.1	(282)
84 + Months	0.7	(21)	1.0	(20)	0.6	(80)
Total		(2855)		(2013)		(13760)

¹ The results reported in this table are statistically significant. Percentages may not total 100.0 due to rounding.

² Offense severity categories presented above are those used by the Bureau of Prisons to classify inmates. "Greatest" severity offenses include homicide, rape, kidnaping, and espionage, while "lowest" severity offenses are primarily personal drug use and property offenses (up to \$2,000).

community. This is also the first opportunity to recidivate. Although most study offenders were released through a halfway house, many of the comparison inmates were released directly to community supervision. Table 3 (page 6) depicts some of the important halfway house outcome information collected in the PREP study.

The variable disposition shows that *almost the same proportion of study (83.9 percent) and comparison (83.3 percent) inmates successfully completed their halfway house stay.* On average, study inmates spent 98.0 days in the halfway house environment prior to their release to community supervision, while comparison inmates spent 93.5 days. Table 3 also shows that *study observations were 24.4 percent more likely than comparison observations to obtain a full-time job at some point during their halfway house stay.* Of the 3,070 study inmates released through a halfway house, 86.5 percent obtained a full-time job, while only 62.1 percent of the 1,043 comparison inmates released through a halfway house had worked at a full-time job. Study observations were also 7.7 percent more likely to obtain day labor employment (e.g., a 1-day job performing unskilled labor at a construction site). Nevertheless, both study and comparison group members who obtained employment spent the same proportion of their entire halfway house stay on their job (on average, about 4.1 and 1.5 days per week on full-time and day labor jobs respectively).

One of the responsibilities of staff at halfway houses is to provide employment counseling. As can be seen from Table 3, most offenders get jobs through their own resources. Study inmates, however, were

more likely to get employment help from their friends or from an employment agency than were comparison inmates. This was true for the longest and most recently held job. Finally, for inmates who left their longest held job at the halfway house, most study offenders quit in order to get a better job, although 7.8 percent were fired and 23.8 percent were laid off. Comparison subjects were more likely to quit their jobs for reasons other than to get a better job.

In summary, at the point of halfway house release, both study and comparison offenders were equally likely to successfully complete their halfway house stay, although study inmates were far more likely to obtain a full-time or day labor job.

Post-Release Outcome

Once released to community supervision, offenders in the PREP study were followed by making phone calls to their supervising probation officers. Follow-up occurred at 6- and 12-month intervals. However, monthly information was collected over the entire interval.

Table 4 (page 9) shows the 6- and 12-month dispositions for study and comparison subjects. At both the 6- and 12-month follow-up points, *study group offenders were less likely to have been revoked from supervision.* Although not depicted in Table 4, study and comparison groups were statistically indistinguishable in their reason (parole violation vs. new offense) for being revoked at both the 6- and 12-month junctures. Nevertheless, the predominant reason for

Table 2¹

Institutional Adjustment

Frequency of Disciplinary Reports Within the Last Year

	Comparison Group		Study Group	
	%	# obs.	%	# obs.
None	73.8	(766)	77.7	(587)
One or More	26.2	<u>(272)</u>	22.2	<u>(168)</u>
Total		(1038)		(755)

Type and Frequency of Most Serious Disciplinary Reports

	Comparison Group		Study Group	
	%	# obs.	%	# obs.
Any "Greatest"	2.6	(27)	1.6	(12)
More than One "High" within the Last 2 Years	3.5	(36)	2.4	(18)
Only One "High" within the Last 2 Years	10.5	(109)	9.3	(70)
More than One "Moderate" within the Last Year	2.9	(30)	2.4	(18)
Only One "Moderate" within the Last Year	8.4	(87)	9.1	(69)
More than One "Low/ Moderate" within the Last Year	3	(3)	0.0	(0)
None	71.3	<u>(740)</u>	73.9	<u>(558)</u>
Total		(1038)		(755)

Level of Responsibility

	Comparison Group		Study Group	
	%	# obs.	%	# obs.
Poor	7.4	(77)	2.9	(22)
Average	40.7	(423)	37.5	(283)
Good	51.8	<u>(538)</u>	59.6	<u>(450)</u>
Total		(1038)		(755)

¹ The results reported in this table are statistically significant. Percentages may not total 100.0 due to rounding.

Table 3¹

Halfway House Outcome Data

Disposition

	Comparison Group %	Study Group %
Escapes	6.8	5.2
New Arrests	0.1	0.5
Return to Custody	9.1	8.4
Successful Completion	83.3	83.9
Other	0.7	2.0
Number of Observations	(1042)	(3070)

Percent Obtaining Full-Time or Day Labor Employment²

	Comparison Group %	Study Group %
Full-Time Job	62.1	86.5
Day Labor Job	1.3	9.0
Number of Observations	(1043)	(3070)

Person or Agency Responsible for Finding Most Recently Held Job

	Comparison Group %	Study Group %
Halfway House	13.6	15.7
Offender	57.3	51.6
Friends	4.8	13.6
Relatives	6.8	8.2
Employment Agency	2.5	6.2
Other	15.0	4.7
Number of Observations	(646)	(2649)

(Continued on next page)

¹ The results reported in this table are statistically significant. Percentages may not total 100.0 due to rounding.

² These two categories, full-time and day labor, are not mutually exclusive.

Table 3 (continued)
Halfway House Outcome Data

Person or Agency Responsible for Finding the Longest Held Job³

	Comparison Group %	Study Group %
Halfway House	18.9	16.1
Offender	51.4	49.8
Friends	2.7	15.0
Relatives	8.1	6.7
Employment Agency	6.4	8.6
Other	13.5	3.8
Number of Observations	(37)	(257)

Reason Why Offender Left Longest Held Job

	Comparison Group %	Study Group %
Fired	3.0	7.8
Laid Off	9.1	23.8
Quit for a Better Job	33.3	44.1
Quit - Other Reason	54.6	24.2
Number of Observations	(33)	(256)

³This subtable excludes individuals whose longest held job is also their most recently held job

revocation during each 6-month period (60 - 70 percent) for both groups was a parole violation rather than a new offense

Furthermore, inmates who participated exclusively in UNICOR were also less likely to have their supervision revoked than were comparison group offenders. Although the magnitude of difference may seem small, the differences are both statistically significant and substantively meaningful.

At the 12-month time period, 10.1 percent of comparison offenders had been revoked, while only 6.6 percent of study offenders had been revoked. In other recidivism studies conducted by the Bureau, about 20 percent of released inmates were revoked or rearrested within a year of their release. In 1980, the percentage was 19.4, in 1982, 23.9, and in 1987, 19.2.

The differences among study, comparison, and baseline groups indicate several important conclusions: (1) Due to the research design and the matching methodology, there are characteristics of both study and comparison offenders that decrease their likelihood of recidivating, (2) UNICOR work experience and vocational training further increases the likelihood of post-release success, (3) Had we compared the study group to a normal baseline group, even with statistical controls, it is likely we would have exaggerated the differences between offenders who participated in work and vocational training and those who did not.

Table 5 (page 10) shows the proportion of study and comparison group offenders who were employed during the follow-up period in any given month. It also shows the

average wages earned in each month, as well as the 6- and 12-month totals. Although not indicated in Table 5, there is a tremendous amount of variability in post-release wages, which is probably why most comparisons did not reach statistical significance. The table shows that study group offenders were more likely to be employed in any of the 12 months following their release to the community. At the end of 12 months, study group inmates had averaged about \$200 more in wages than comparison group offenders. Although this result was not statistically significant, it seems to be a pattern worthy of continued observation.

In summary, inmates who participated in UNICOR work and other vocational programming during their imprisonment showed better adjustment, were less likely to be revoked at the end of their first year back in the community, were more likely to be employed in the halfway house and community, and earned slightly more money in the community than inmates who had similar background characteristics, but who did not participate in work and vocational training programs.

Future Analyses and Reports

The analyses discussed in this report represent only the most fundamental differences between study and comparison offenders. Future analyses will address mobility issues - the impact of prison work and vocational training on changes in occupations before, during, and after release from prison. We will also analyze specific occupational work and training effects to the extent the

Table 4¹
Post-Release Outcome Data – Disposition²

Disposition - 6 Months

	Comparison Group %	Study Group %
Completed	12.7	10.0
Under Supervision	81.2	85.1
Revoked	6.2	4.9
Number of Observations	(2495)	(2236)

Disposition – 12 Months

	Comparison Group %	Study Group %
Completed	8.5	7.9
Under Supervision	81.4	85.6
Revoked	10.1	6.6
Number of Observations	(1829)	(1502)

¹The data reported in this table are statistically significant. Percentages may not total 100.0 due to rounding.

²The data in Table 4 show that about 600 - 700 fewer inmates from each group were represented in the 12-month followup than in the 6-month followup. The reason for this is that when the PREP study was terminated, there were about that number of offenders still in the "pipeline" for whom no 12-month outcome data was collected.

Table 5¹
Post-Release Outcome Data – Employment²

Percentage of Offenders Employed in
Each of the First 6 Months.

	Comparison Group %	Study Group %	Statistical Significance
Month 1	65.6	74.7	*
Month 2	65.5	75.1	*
Month 3	65.8	74.2	*
Month 4	64.7	72.8	*
Month 5	63.7	71.1	*
Month 6	61.1	68.6	*
Number of Observations	(2506)	(2253)	

Percentage of Offenders Employed in
Each of the Latter 6 Months

	Comparison Group %	Study Group %	Statistical Significance
Month 7	71.8	79.2	*
Month 8	70.7	77.1	*
Month 9	68.8	76.1	*
Month 10	66.7	74.3	*
Month 11	64.9	72.9	*
Month 12	63.1	71.7	*
Number of Observations	(1831)	(1503)	

(Continued on next page)

¹In this table, significant contrasts are noted with an “*,” while “n s” is used to indicate “not significant.” Also, percentages may not total 100.0 due to rounding.

²The increase in the percentage employed between months 6 and 7 for both groups is a statistical artifact. This is because the percentages are based on the number of observations still under supervision at the end of each 6-month interval. However, this does not influence the monthly comparisons between the two groups.

For the same reason, the average wages (shown on the continuation page of Table 5) diminish over each 6-month interval. This is because the wages earned during the month (the numerator) are zero for any individual who was unemployed during a month and consequently earned no money, while the number of observations (the denominator) used to calculate the average is determined by the observations still under supervision at the end of each 6-month interval. *(footnote continues)*

Table 5 (Continued)
Post-Release Outcome Data – Employment²

Average Wages Earned in
Each of the First 6 Months

	Comparison Group \$	Study Group \$	Statistical Significance
Month 1	668 25	723 57	*
Month 2	693 45	737 17	*
Month 3	703 32	727 80	n s
Month 4	701 09	733 82	n s
Month 5	693 12	720 77	n s
Month 6	676 35	701 29	n s
Total 1 - 6 Months	\$4,135 59	\$4,344 42	n s
Number of Observations	(2506)	(2253)	

Average Wages Earned in
Each of the Latter 6 Months

	Comparison Group \$	Study Group \$	Statistical Significance
Month 7	851 02	846 10	n s
Month 8	835 92	845 98	n s
Month 9	828 03	833 50	n s
Month 10	815 57	822 21	n s
Month 11	793 06	822 97	n s
Month 12	769 45	820 97	n s
Total 7 - 12 Months	\$4,893 06	\$4,991 72	n s
Number of Observations	(1831)	(1503)	
Total 1 - 12 Months	\$9,665 88	\$9,862 82	n s

² (continued) Although some individuals retained a job over the entire observation period and may have maintained, or even increased, their remuneration, the average wage for the group declined due to the increase in the number of individuals who became unemployed for some period of time and therefore earned zero dollars for those months

Summary of the Initial PREP Findings

- *Study group members demonstrated better institutional adjustment than did the participants in a comparison group. Study group members were less likely to have misconduct reports within the last year of their confinement, and when they did, it was less likely to have been for serious misconduct. Study group participants were also rated by their unit teams to have a higher level of responsibility than their comparison counterparts. An inmate's level of responsibility refers to his/her level of dependability, financial responsibility, and the nature of his/her interaction with staff and other inmates.*
- *At the point of halfway house release, both study and comparison offenders were equally likely to successfully complete their halfway house stay, although study inmates were far more likely to obtain a job.*
- *Inmates who participated in work and vocational programming during their imprisonment showed better post-release adjustment. They were less likely to recidivate by the end of their first year back in the community, were more likely to be employed in the halfway house and community, and earned slightly more money in the community than inmates who had similar background characteristics, but who did not participate in work and vocational training programs.*

data allow. Every inmate's job or vocational training was classified according to the Department of Labor's Dictionary of Occupational Titles (DOT). These DOT codes will allow us to look at broad, as well as more refined, classes of occupations and their impact on post-release outcome.

We have also collected economic climate data. Data such as unemployment statistics, industrial sector information, and information on the demographic characteristics of the areas to which inmates were released will allow us to examine the relative impact of these economic climate data in relation to work and vocational training.

As part of the data collected on study inmates while they were in prison, work evaluations conducted by the inmates' supervisors were gathered, as well as ratings of the inmate's performance in the vocational training courses. This performance information will allow us to examine whether the intensity of the inmate's work performance affects post-release success.

Although the impact of work and vocational training in Federal prisons has produced differences that could be viewed as modest, they are nevertheless substantial and statistically significant effects. It is also possible that further analysis will show us how to optimize our training through

specific skills acquisition. It is also likely that the economic climate of an area is an important determinant of an offender's community employment. We are well aware that many ex-offenders not only must overcome low skill levels, but also the local and global conditions that compound the already for-

midable challenge of finding and keeping a job, given the stigma of past incarceration.

If you have any questions or comments about the information presented in this article, please contact Bo Saylor or Gerry Gaes at 202/724-3118.

¹Actual time served was computed for the study and comparison groups and, as one would expect, based on the projected length of incarceration, the study group served more time than did the comparison group. On average, study group inmates served about 6 months longer than comparison group inmates.

²All of the results in Tables 1, 2, 3, and 4 are statistically significant. In Table 5, significant contrasts are indicated with an "**," otherwise, "n.s." is noted for "not significant." Statistical tests in Tables 1 through 4 and the employment data for Table 5 are chi-square tests for differences in proportions. The statistical test for employment wages in Table 5 were based on t-tests of differences in group means. We have also noted in each table the different number of observations. Not all information was collected or available on all observations in this study. Furthermore, as the study progressed through the post-release outcome stages, inmates would be revoked, or otherwise "drop out" of the study (e.g., successfully complete their period of supervision).

Appendix I



COMMONWEALTH of VIRGINIA

Department of Corrections

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GELONE
JR

July 22, 1996

John R. Isom, Executive Director
Virginia State Crime Commission
910 Capitol Street, Room 915
Richmond, Virginia 23219

RE: HJR 146, Study of Inmate Pay for Work

Dear Mr. Isom:

As requested, enclosed is a statement of the Department's position on inmate pay.

Paying inmates a nominal wage for work is a well established, sound correctional practice. It creates many advantages for the prison system. A pay system enables inmates to purchase their own personal hygiene items, eliminating a cost that would otherwise be borne by the general fund. Further, inmate purchases are made through the prison commissary where State taxes are collected. Commissary proceeds are used by the prisons to purchase constitutionally required law library books, and other items used by the general prison population, offsetting general fund costs.

Inmate pay benefits prison control by reducing inmate on inmate assaults and thefts which would occur if inmates became indebted from a lack of funds for basic necessities and tobacco. It reduces inmates' involvement in subversive prison economies.

Inmate pay also enables the Department to lower health care costs by charging inmates a co-payment for medical appointments, an activity which has the operational benefit of reducing frivolous medical complaints. Pay provides an opportunity for inmates to assist their families, and to save some money for housing and transportation upon release from prison. It also provides an incentive for learning vocational skills and higher productivity.

I believe the elimination of inmate pay would cause unrest among inmates and increase the number of staff needed for supervision and control. I urge your careful consideration of these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Angelone".

Ron Angelone

RA:HSR

July, 1996

VIRGINIA DEPARTMENT OF CORRECTIONS

Position Paper

Inmate Pay

The Department of Corrections supports paying inmates minimal wages for work. Inmate pay is a well established, sound correctional practice. For a nominal expenditure of public funds in inmate pay, the taxpayers receive a large return on their investment in the form of lowered operational costs and more secure prisons. The benefits of inmate pay and the impact of eliminating inmate pay are described below.

Inmate Purchase of Personal Necessities - By receiving pay for work inmates are able to purchase necessary personal hygiene items, such as shampoo and deodorant. The cost of these items would otherwise have to be provided by the General Fund at a significant additional cost to the State. Inmate purchases of hygiene items and tobacco are made through the prison Commissary where taxes are collected, further benefiting the State.

Offsetting Costs of Prison Operations - The Code of Virginia allows the Department to use proceeds from inmate Commissary purchases to fund services for the general prison population. The Department currently uses Commissary funds to purchase constitutionally required law library books and recreation materials. If inmate pay were eliminated, inmate Commissary purchases would be drastically reduced and materials or services currently purchased from those funds would need to be assumed by the State at a significant cost.

Medical Co-Payments - Inmates are required to make co-payments for all non-emergency medical visits. Additional fees are charged for prescriptions and prosthetics. These payments are made possible by the inmate pay system and help offset the costs of inmate health care. In addition to reducing the State's cost of medical services, co-payments have had the operational benefit of reducing frivolous medical requests. Recoveries from inmate co-payments are used to fund telemedicine projects in the Department.

Family Support/Restitution/Court Costs - Pay for work allows inmates to assist their families by sending wages home. This benefits the State by reducing the family's need for public assistance. Families also benefit from inmate pay because inmates are able to buy basic necessities and are not dependent on the family to send them money in prisons. Many inmates pay child support, restitution and court costs while serving sentences, some voluntarily and others under Court order. The Department of Taxation often collects inmate pay earnings to recover inmate tax debts.

Safer, More Secure Prisons - Allowing all inmates to earn a nominal income to purchase necessities, tobacco, and snack items reduces inmate on inmate violence which results in safer, less expensive prison operations. Without an inmate pay system, inmates would be dependent on their families and friends for assistance. Some inmates would receive assistance while others would not, creating a situation where inmates would go into debt to one another or steal from each other. These incidents would create security problems, require more staff time for inmate supervision and control, and increase medical costs for injured inmates. Allowing inmates to earn a small income reduces conflicts and incidents.

Incentive to Develop Skills - The inmate pay system is an incentive for inmates to work hard and develop skills. The system is designed to reward skilled work and good performance. It encourages inmates to develop job skills and reinforces productive employment habits. This benefits the prison system by providing effective labor. The community benefits when inmates are released with jobs skills and good work habits because the inmates are better prepared to support themselves through legal means.

Demonstration of Responsibility - Allowing inmates to earn small wages for work gives them the opportunity to learn budget habits and choose spending priorities. The taxpayers benefit because inmates who learn responsible budgeting are better disciplined for a law abiding life after release.

Preparation for Release - The pay system allows inmates to save money that will be needed for a successful transition from prison to life in the community. The Code of Virginia allows the Department to withhold a portion of an inmate's pay to give them at the time of release. Having some funds for food and transportation when the inmate leaves prison makes it less likely that he will become desperate and re-offend.

Inmate pay is an effective management tool used by correctional administrators across the nation. It offsets taxpayer costs, improves safe and effective prison operations, benefits inmate families with less inmate dependence, and increases public safety by offering incentives for inmates to learn work skills and habits.

If inmate pay were eliminated, taxpayer costs of operating the prison system would significantly increase. The General Fund would have to bear the cost of providing inmates with personal hygiene items, would pay for increased health care costs, and would have to purchase items currently funded with Commissary proceeds. The taxpayers would ultimately pay the cost of increased prison unrest and inmate conflicts. Inmates could not pay child support, restitution, court costs and delinquent taxes while incarcerated. Public assistance for inmate families may increase. Public safety would ultimately be jeopardized because there would be less incentive for inmates to develop vocational skills, budget discipline and responsibility while incarcerated leaving them less prepared for law abiding behavior upon release.

Inmate pay is a well established, sound correctional practice which benefits the prison system and the taxpayers.

