

**Substitute Senate Bill 6400 Oversight Committee Interim Report
to the Washington State Legislature
on Moral Guidance of Incarcerated Persons
January 1, 2009**

Substitute Senate Bill 6400 (SSB 6400) directed the Department of Corrections (DOC) to “establish an oversight committee to develop an interagency plan to provide voluntary, nondenominational moral and character building residential services and supports for offenders who are incarcerated in prisons”.

From the developmental history of SSB 6400 and related testimonies before House and Senate committees, it is also apparent that a prime objective of this legislation is to facilitate and encourage community involvement with offender reentry by providing a means for community organizations – most notably those of various faith communities – to intensively work with offenders prior to their releases from incarceration.

General Committee Activities

As the effective date of SSB 6400 was June 12, 2008, the Oversight Committee (see attached list of members) was formed at that time and its initial meeting was convened on June 26, 2008. Five subsequent monthly meetings have been held and subcommittees have worked between these meetings to initially address the following tasks delineated in the bill:

- a. (1) Identification of existing Washington State programs and services; and
(2) Identification of other (e.g. out-of-state) recognized community based-services and programs; and
- b. Identification of methods to improve collaboration and coordination of existing services.

During these processes, committee members have been gathering and sharing extensive documentation to enable the completion of the following further tasks delineated in SSB 6400:

- c. Compilation of recommendations concerning new services and programs;
- d. Identification of evidence-based practices and areas for further research;
- e. Production of a plan for offering both nondenominational and secular programming; and
- f. Inclusion of a system to prevent diversion of public funds to religious (i.e. sectarian) activities.

Meeting notes were also taken and are preserved for future reference.

Definitions and Standards

For purposes of consistency with terminologies being employed by the corrections industry, the committee decided to adopt the following terms and definitions:

- a. *Character-based* refers to primarily secular programs (although it is not possible to completely exclude moral and ethical standards that are based on religious principles);
- b. *Faith-based* refers to programs that are principally religious in nature and include curricula based on theologies of the individual faiths of participants;
- c. *Residential* refers to programs that are conducted in separate prison housing units that are reserved for such purposes; conversely *Non-residential* (see Preliminary Findings

below) refers to programs that are available to the general inmate population on an extra-curricular basis; and

- d. *Multi-faith* was deemed by the committee to be the meaning of 'nondenominational' (as opposed to 'non-religious' or the 'interfaith' approach of focusing on commonalities of and/or attempting to homogenize religions).

With regard to faith-based programs, the committee heeded advice from the U.S. Department of Justice's Task Force for Community and Faith-Based Initiatives that to "stay on the right side of the courts" the following guidelines should be employed:

- a. Offender participation be totally voluntary;
- b. Programs be truly voluntary (e.g. by not offering any special incentives);
- c. A comparable secular component or separate program be made available; and
- d. Public funds not be used to further sectarian - but not necessarily all - religious interests.

Preliminary Findings

- a. (1) Existing In-State Services and Programs:

A handful of distantly related programs are being experimented with on a mostly ad-hoc basis within DOC facilities, including the 'Getting it Right' and inmate-driven 'Transitioning Offender Program (TOP)' reentry-oriented programs, a 'Therapeutic Community' rehab-oriented program, and loosely structured single faith programs being offered by various ministries. Similar programs are also being operated in some county jails; including single faith 'God Pod' style residential programs. However, the committee found that none of these programs meet the wide scope of services that are envisioned by SSB 6400.

- (2) Recognized (Out-of State) Services and Programs:

The committee quickly realized that it was not necessary to create a unique program as there are numerous programs operating around the country that could be adopted or adapted to Washington's objectives. Therefore, a nationwide survey was undertaken to identify those programs (see attached subcommittee report).

Subsequently, the committee held a telephone conference during its September meeting with the creator of Oregon's 'Home for Good' program and representatives from the 'Life Connections/Threshold' and 'Horizon Communities' programs traveled to Seattle (at their own expense) for presentations at the committee's October meeting.

It should also be noted that the committee considered that it might be possible to offer such programs in a *non-residential* manner so that many more inmates of a wide range of security levels might be able to participate.

Furthermore, the committee believes that it would be highly beneficial for a small team to observe selected programs in operation. However, such a venture would require funding (that has not been allocated).

- b. Improving Collaboration and Coordination of existing Services:

Several parallel community efforts are in the process of being established to assist offenders with reentry. However, there is little linkage between these groups or with developing DOC community-based reentry centers. At this point, it is therefore difficult for offenders, staff and volunteers to locate these resources and/or to even know what to look for. In this regard, the committee believes that a centralized information system

would greatly enhance reentry and reduce duplication of efforts. Furthermore, if information about community resources were better integrated with in-prison programs, it would likely produce more positive outcomes.

The committee also understands that counties have been mandated by Senate Bill 6157 to develop local resource lists. In this regard, the committee believes that it would be desirable to have an information center within each facility that would include counties' information and be accessible to staff and volunteers. If all those working with inmates were aware of, and able to provide information to inmates, it would make for smoother transitions to the community.

Most notably, the committee finds and stresses that community volunteers must be properly trained in how to effectively and safely work with offenders.

c. Additional Findings:

(1) Selection of Participants:

The committee considered that it may be more beneficial to focus on problem offenders for participation in faith/character programs rather than 'cherry picking' already well-behaved offenders (as is being done by some faith-based programs to produce statistically successful outcomes). This notion was reinforced by guest program operators who stated that their greatest successes have been with inmates that were considered 'high risk' prior to participation in their programs.

(2) Challenges:

The committee has identified the following challenges to providing the type of programs envisioned by SSB 6400:

1. Shortage of programming space in prison facilities;
2. Possible difficulties in securing separated housing units for residential programs;
3. Inadequate availability of community volunteers due to remote locations of some prison facilities, most notably a broad base of volunteers who can connect with the diverse faiths and ethnicities of offenders;
4. Lack of adequate reentry training for community volunteers;
5. Lack of integration of in-prison and community volunteer functions;
6. Some significant offender reentry needs currently being dismissed in favor of DOC and community agendas;
7. Shortage of chaplains to oversee programs (due to cuts of one-third of staff chaplain positions during 2006);
8. Some negative staff attitudes toward and misinformation about religious programs; and
9. Budgetary constraints that may prevent adequate funding.

Preliminary Conclusions

- From what anecdotal and empirical evidence is available on the relatively new concept of faith-based and character-based residential prison programs, it is already apparent that they positively impact prison populations by teaching inmates skills to properly process their behavior, thus resulting in them making better choices and improving their interactions with others.

- Faith-based and character-based programs show much promise toward properly preparing inmates for reentry by providing them with the moral and ethical direction needed to function as desirable community members. This should thereby translate into reduced recidivism.
- In order for faith/character programs to be most effective, there must be acknowledgment by corrections staff that such programs add value to both prison and outside communities. Thus, these programs need to be facilitated and this will require a cultural shift from a 'punishment' mindset to a 'restorative justice' model. Consistent with this, corrections staff will need to be assured that such a change will not detract from their ability to orderly manage facility operations and enforce necessary rules.
- Similarly, such programs will also need extensive, properly coordinated and supervised community mentor involvement, along with in-prison staff and peer support.
- Offenders need to be provided with linkage to community reentry resources.
- Community volunteers will need to be well trained in program curricula and goals, and in how to properly interact with offenders and prison staff.

Future Committee Activities

1. The committee intends to continue pursuing the tasks that it has already been addressing and move on to the other above listed tasks.
2. As previously noted, the committee would like to send a small team – possibly two or three persons - to observe firsthand selected programs operating in other jurisdictions. However, this would require funding for travel.
3. The committee intends to communicate with individual DOC facility administrators in order to determine the logistical realities of placing such programs at various facilities and units therein.
4. The committee intends to confer with other committees (e.g. 'Washington State Reentry Partnership') that are working on related legislation (e.g. House Bill 1422 regarding the impact on families and children of incarcerated adults) and parallel DOC and community efforts in order to ensure consistency and prevent duplication of work.
5. The committee hereby requests that it be provided opportunities to brief appropriate legislative committees on its progress, primarily in order to obtain input from legislators.
6. The committee further projects that although the final report is not due to the Legislature until June 21, 2010, the harmonious and expeditious work being accomplished should allow for that report to be produced much sooner than required.