



## Crime & Punishment

James Alan Fox on criminal behavior and the justice system

### CORI reform – too little, too late

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At long last, the Massachusetts legislature is moving ahead on CORI reform. Without much discussion or debate, a bill that would seal the criminal records of certain former offenders who successfully avoid re-offending (at least officially) for a significantly long period of years (five years for misdemeanants and ten years felons other than murderers or sex offenders) sailed through the House by a 138-17 vote. And Governor Patrick, who had made reshaping the CORI system one of his priorities, remains eager to receive and sign this progressive legislation.

Don't get me wrong--I'm all for CORI reform. But let's not be fooled into believing that this policy shift will do much to bring about the necessary change. Though a tiny step in the right direction--at least symbolically, the reforms will only have a marginal effect on improving the employment prospects of former inmates and thus ultimately their ability to succeeding on the street.

For former inmates, succeeding on the street requires being off the street and on the job. Unfortunately, much of what the pending CORI legislation provides is just a bit too little and a bit too late.

The critical time period after release from imprisonment is the first few years, long before the 5 or 10 year rule takes effect. Even though one additional provision of the CORI reform legislation prohibits employers from asking about criminal history on an application, thereby allowing former offenders to get at least a foot past the recruiter's door, questions about prior convictions are still allowed after the initial application stage.

The struggles that former inmates confront in attempting to find employment, especially in a tight job market, go well beyond the stigma associated with their criminal backgrounds. The other two strikes are their own limitations educationally and vocationally. It is difficult, at best, to remain competitive while spending years sitting in a prison cell.

Just two decades ago, inmates regularly enrolled in prison-based college education programs, initiatives supported largely through federal Pell grants. Yet, as the costs of college education continued to soar, taxpayers, struggling to put their own children through school, increasingly complained about the “free ride” given to prisoners. Then in 1994, the concern became moot, as the landmark Federal Crime Bill eliminated inmate eligibility for financial aid. Whereas previously there had existed as many as 350 prison-based college programs around the country, today there are as few as a dozen.

In Massachusetts, once the federal funding disappeared, so did most of the institutions whose extension programs had extended into makeshift classrooms behind the walls of correctional institutions. As one exception, the Boston University prison program persevered, but only through successful efforts to secure private support. Still, the BU program is limited in size and scope, reaching inmates in only two correctional facilities and two pre-release centers.

The statistics don't lie about the dramatic drop-off in educational programming. In the 1992-93 academic year, just prior to the Pell grant elimination, 2,301 Massachusetts inmates participated in college courses; today only 302 prisoners are enrolled.

Lanny Kutakoff, Executive Director of College Behind Bars, is adamant about the need to restore the educational services that have been lost since the mid-1990s. “College education is the single most significant factor for increasing an inmate's chance of success upon release from prison,” insists Kutakoff, whose group partners with the BU program to provide mentoring and correspondence classes for short-term prisoners and those in pre-release programs.

Besides education, former inmates must also, of course, have marketable job skills. Many decades ago, in an era when correctional philosophy was much more strongly focused on rehabilitation, prison industries thrived across America. Through public-private partnerships that were eventually eliminated due to labor union opposition, companies operated factories behind prison walls, taking advantage of the available pool of cheap labor. If nothing else, these contracts provided valuable job training for inmates at little or no cost to the taxpayer. Nowadays, prison industries are much more restricted in their business models, limited to producing furniture, clothing, flags, and other wares for state use or direct sale to consumers.

A recent cost-benefit analysis by policy group at Washington State University indicated that every dollar spent on vocational training for inmates eventually saves the taxpayers 6 dollars in terms of future justice system costs, and every dollar invested in education saves 5 dollars. So, besides modest reforms to the CORI system, it is time for us to reinvest in educational and vocational services for inmates and provide sufficient incentives for employers to take a chance on the men and women who are attempting to make a new life and career for themselves in something other than crime.