I. INTRODUCTION

The National Criminal Justice Reform Project (NCJRP) is a long-term technical assistance opportunity provided by the National Governors Association Center for Best Practices (NGA Center) and the National Criminal Justice Association Center for Justice Planning (NCJP) to assist with our criminal justice reform agenda. The NCJRP theory of change is that a governor’s commitment to reforming the state’s criminal justice system creates the mandate necessary for transformational change. Further, efforts must bolster the State Administering Agency’s (SAA) capacity for implementing and sustaining a data-driven strategic planning process to establish policy priorities and promote wider adoption of evidence-based programming.

The project is funded by the Laura and John Arnold Foundation which is dedicated to crime reduction, the increase in public safety and ensuring that the criminal justice system operates as fairly and cost-effectively as possible.

Delaware was selected to participate in March 2017 as one of five selected states due to the leadership of Governor John C. Carey and the commitment of the Delaware Criminal Justice Council to reduce recidivism. Delaware is dedicated to pursuing a reduction in the number and rate of individuals reoffending and violating post-release, and returning to prison by improving its prisoner reentry process and providing better correctional treatment methods for targeting criminogenic (crime-producing) risk factors. In addition, the reform project also focuses on the mental health and substance use disorder populations. Delaware convened its statewide Committee on Criminal Justice Reform (CCJR) to address the need to reduce recidivism and increase public safety. Officials assembled the cross system body to identify gaps in services for offenders following release and to coordinate with providers of existing programs. In addition to reducing recidivism, the reform project also focuses on the mental health and substance use disorder specialized populations.

The purpose of this report is to provide the Project’s vision, mission and goals, early results, recommendations for several important policy considerations, and general plans to move forward under the NCJRP for the next two years - if continuation funding is provided for by the Foundation.

II. VISION, MISSION AND GOALS

The complex nature of these specialized populations requires additional measures to ensure a smooth transition into the community. The CCJR discussed the issues facing formerly incarcerated persons, divided itself into issue-specific subgroups, and evaluated the state’s criminal justice system. Based upon these discussions, the report divides recommendations into five sub-categories: overall reentry, behavioral health, housing, employment and education.
CCJR’s vision, mission and goals for the Project are as follows:

**VISION:** Delaware’s Strategic Plan for Prisoner Reentry is a collaborative, system-wide effort developed as part of the state’s Recidivism Reduction System Blueprint. This effort reduces recidivism through the use of data-driven and evidence-based practices, resulting in fewer violations and crimes committed by formerly incarcerated persons, fairer approaches, and increased cost effectiveness, and increased public safety in Delaware communities.

**MISSION:** In order to achieve this vision, Delaware engages in a continuous evidence-based, policy-driven, data-informed, strategic planning process that: (1) acknowledges the complex dynamics associated with justice involved populations; (2) emphasizes collaboration, partnerships and data sharing across agencies and institutions to reduce barriers to reentry; (3) addresses the risks and needs of justice-involved individuals through a seamless case planning and implementation process for supervision and services; and (4) underscores the nexus between recidivism and programs targeting crime producing risk and need factors along with effective services for housing, employment, health care, mental health, substance abuse, and education.

**GOALS:** The goals of the Delaware Strategic Plan for Prisoner Reentry are to:

1. Further develop and streamline current criminal justice initiatives in Delaware, particularly in the area of prisoner reentry, to maximize planning, reduce duplication of efforts, and improve the state’s capability to leverage its resources.

2. Engage in a collaborative strategic planning effort with Delaware justice stakeholders and NCJRP technical assistance providers that focuses on evidenced-based and national best practices for recidivism reduction to help achieve goals for criminal justice reform.

3. Assist in the development of approaches to fully engage Delaware communities in criminal justice reform efforts through improved partnerships with nonprofit organizations, particularly those involved in prisoner reentry services.

4. Assess recidivism reduction efforts, particularly with current and former prisoners, to efficiently identify current assets, barriers, and gaps in its policies, practices and intermediate measures of performance.

5. Provide recommendations on policy and process improvements that will strengthen the prisoner reentry system including an increase in the number of former prisoners seeking state services, strengthening the case planning process, and improving coordination with community agencies.

6. Provide recommendations to enhance current efforts to increase and improve service delivery for mentally ill and substance abusers, as part of Delaware’s response to recommendations of the American Civil Liberties Union.

7. Enhance data collection, and data and information sharing between state agencies and between the state and local communities to improve justice processes and performance.

8. Develop methods for ongoing evaluation of the collaborative strategic planning process.

9. Develop the methodology and funding plan for a third-party evaluation of Delaware’s recidivism reduction efforts beginning with the focus on improved prisoner reentry.
In order to address the vision and mission and meet the goals of the Project, a robust organizational structure has been developed that will develop the policy recommendations and implementation approach for the initiative.

III. ORGANIZATIONAL STRUCTURE

The organizational structure for the Project includes the Delaware Committee on Criminal Justice Reform, the Committee’s Core Team, Work Groups dedicated to evidence-based Practices, date and evaluation, prisoner reentry policy and practice and Subgroups focused on housing, education, employment and behavioral health (See Appendix A: Project Roster).

The Delaware Committee on Criminal Justice Reform (CCJR)

The CCJR has been established to guide the Strategic Planning for Prisoner Reentry Process and report to the Delaware Criminal Justice Council. The CCJR has met four times and is the governing body for the NCJRP. This cross system representation ensures comprehensive planning and collaboration. The Committee is diverse and represents all facets of the criminal justice system and is chaired by Romain Alexander, Governor Carney’s Criminal Justice Policy Advisor, and Christian Kervick, the Executive Director of the Delaware Criminal Justice Council, the state’s Single Administering Agency.

In addition to Council administrative staff and the Statistical Analysis Center, members include high level policy-makers in the departments or divisions of Corrections, Labor, Social and Human Services, Health and Human Services, Transportation Education, Youth Rehabilitation Services; and the Delaware State Housing Authority, the Delaware Superior and Justice of the Peace Courts, the Office of the Attorney General, the Delaware State Police, the University of Delaware, the Delaware Center for Justice, law enforcement officials, and community leaders.

The CCJR Core Team

A Core Team has also been identified that reflects the leadership of the CCJR. The members provide day-to-day guidance to the work and sub groups along with maintaining direct and frequent communication with the NCJRP technical assistance team. Chaired by Romain Alexander and Chris Kervick, the Core Team includes the Honorable Charles Butler (Superior Court), Nancy Dietz (Youth Rehabilitative Services), Darryl Chambers (Community Activist; University of Delaware), Jim Elder (Department of Correction), and Dan O’Connell (University of Delaware).

CCJR Work Groups

Three workgroups have been established: the Evidence-Based Practices Workgroup, the Data and Evaluation Workgroup and the Prisoner Reentry Workgroup. The three workgroups meet a minimum of monthly and more often as needed. Each group has outlined deliverables and together they are responsible for the primary work products for the Project.

Under the umbrella of the Prisoner Reentry Workgroup, four subgroups have been established (Housing, Employment, Education and Behavioral Health) to identify Delaware’s prisoner reentry assets – such as the I-ADAPT process, the state’s Reentry Court, the prison system’s Risk, Need and Responsivity Project and the work of Connections Community Support Programs Inc. – and the barriers to improved system and individual offender success.
IV. BACKGROUND OF THE PROBLEM

Delaware has a high serious crime and incarceration rate when compared with national averages. The state’s prison population is routinely above capacity. Over 25,000 offenders are released from Delaware prison facilities yearly. The population stability is at 108% of capacity. It costs about $35,000 a year to incarcerate one inmate which is 20 times as costly as probation. Delaware has a rate about 46% higher than the national average number of probationers and a rate about 12% higher than the national average of incarcerated adults. With such an incarceration rate and prison statistics, the state has an astounding need for successful reentry programs and services.

Studies have found a high level of recidivism in Delaware - most notably a study by the Delaware Statistical Analysis Center that tracked cohorts of inmates for 3 years following release. The study found that by the end of three years, nearly 76% of offenders released in 2012 had been rearrested. 68% had a reconviction, and 65% a recommitment.

V. THE STRATEGIC PLANNING PROCESS

Through the NCJRP, Delaware has received technical assistance for the past seven months through NCJRP’s strategic planning process that expect will reduce the return to prison recidivism rate and effectively lower Delaware’s prison population through improved prisoner reentry policies and practices and improved access to services, especially for prisoners with substance use and mental health challenges. The assistance has included four on-site visits and access to valuable tools and resources for our prisoner reentry reform efforts.

The initiative is targeting the offenders with moderate to high risk for re-offending for whom recidivism is most likely. The Committee, the Core Team, the Workgroups and the subgroups have been meeting regularly since April 2017 and have produced some remarkable results in that short time. The team feels quite certain that as efforts continue, there will be a demonstrable decrease in the state’s 65% recidivism rate through improved reentry policies and practices.

During this strategic planning process, the Committee, informed by the workgroups, developed several documents that serve as tools to guide the work. The results thus far include the Delaware Recidivism Reduction System Blueprint, the Delaware Prisoner Reentry Initiative Framework as the model for the policy reforms, improved procedure and intermediate performance measurements, the Charge of the Evidence-Based Practice Workgroup that will guide the work moving forward, and most importantly, the Preliminary Policy Recommendations for Recidivism Reduction from the work groups for your consideration. Finally, the team has developed preliminary recommendations for a Survival Analysis that will allow monitoring of the intermediate performance of the reforms once they are enacted. All deliverables have been presented and gained consensus support from the Committee on Criminal Justice Reform. These are described in detail below with separate sections of the Report dedicated to the policy recommendations and general approaches for on-going technical assistance for the Project if funded.
PROJECT DELIVERABLES

The Delaware Recidivism Reduction System Blueprint

The system blueprint serves as a high-level, recidivism reduction logic model (See Appendix B). The blueprint has been completed and guides all project activities. The Blueprint was highlighted in the recent Vaughn Report as an example of a strategic planning approach to improve performance expectations and outcomes.

The Charge of the Evidence Based Practices Work Group

It is the charge of the EBP workgroup to collaborate with the full range of reentry stakeholders and to serve as leaders, teachers and researchers in the construction and evaluation of an improved offender system that touches not only the individual offender and agency culture but also the reaches beyond the criminal justice system into the communities to which offenders return. The work group views EBP as the conscientious use of the best evidence currently available, to inform decisions about the supervision of individual offenders, as well as the design and delivery of policies and practices, to achieve the maximum, measurable reduction in recidivism. The EBP group also stresses that reentry is a process and not a program and will look at EBPs across the continuum. The implications of the charge will be that the DOC will be more successful in reducing recidivism rates as both policies and practices focusing on proven evidence based programs and services are adequately resourced and effectively implemented. It is the EBP mission to see this through from planning to implementation - based on rigorous evaluation – to continuous quality improvement. (See Appendix C)

The Delaware Prisoner Reentry Initiative (DE PRI) Framework

The Reentry Workgroup and sub groups were provided copies of the Reentry Policy Council Report. The report includes a series of “policy statements” and recommendations to guide the re-entry planning and development process through the development of sound, evidence based policies to guide decision-making. The Report is used together with the National Institute of Corrections’ Transition from Prison to Community (TPC) Model, to develop state-specific approaches to improve prisoner reentry. The TPC Model provides a model consisting of three phases and seven decision points. The Model helps guide the improvement and expansion of existing policies for states that are intent on adopting new approaches that improve the justice system as it relates to prisoner reentry. The Strategic Planning for Prisoner Reentry (SPR) Framework provides guidance for specific justice policies that should be considered by states as their “Targets for Change” to improve prisoner reentry.

The EBP and Reentry Workgroups along with all four subgroups conducted numerous meetings and began compiling information into the framework document. The framework is the basis and essential tool for guiding the strategic planning process. Following the System Blueprint, the DE Framework acts as an initial strategic plan for the state’s first reform project. The Framework is first focusing on an Asset and Barrier assessment - that will lead to a Gaps Analysis - but begins with specific plans of action (who, what, when) to bust the barriers especially on housing, employment, education, behavioral health. The Reentry Workgroup and four subgroups have completed numerous sections of the framework. The groups are still working through additional sections and will continue to update sections as needed. This is a dynamic document that will guide and track reentry reform progress. (See appendix D)
Former Prisoner Cohort Survival Analysis
To measure the immediate impact of the Framework on violations and returns to prison (recidivism), the state will develop a success rate analysis that includes methodology, data specification, and access and sharing capability. This analysis is a collaborative approach to measure performance with the DOC, the SAA and an independent, third-party, the University of Delaware. The Data and Evaluation Work Group met throughout the summer of 2017 to discuss evaluation methods and how these might best serve the larger initiative. The team recognizes both the need for short term feedback to the CCJR, as well as the need for more in-depth and rigorous examinations of recidivism. The Data Workgroup has completed the methodology for the analysis and identified needed resources to complete the work. (See appendix E)

VI. PRELIMINARY POLICY RECOMMENDATIONS

The CCJR met September 27, 2017, to review the progress on the project deliverables and discuss preliminary recommendations. All of the work and sub groups reported progress to the members. The Charge of the Evidence-Based Practices Work Group and the general approach for the Survival Analysis of the DE-PRI cohorts were adopted.

The Prisoner Reentry Work Group and its four subgroups identified and provided to the CCJR policy, process, data and information gaps, Delaware’s assets in the prison reentry arena and barriers in the state to connect prisoners – particularly those with moderate to high likelihood of returning to prison.

All recommendations are driven by the Delaware Recidivism Reduction System Blueprint and included within the Delaware Prisoner Reentry Initiative Framework. The CCJR members vetted the recommendations in order to identify the top 14 priorities for the Project. (For more detail and context, references are provided to the DE-PRI Framework - Appendix D).

POLICIES TO GUIDE THE OVERALL PRISONER REENTRY INITIATIVE

1. Fully develop and implement the Delaware Prisoner Reentry Initiative (DE-PRI)
2. Develop an evidence-based “overarching” prisoner reentry policy to guide all reentry work in the state in order to improve state and local coordination
3. Develop improved data access and sharing protocols to increase transparency and communication among prisoner reentry state and local stakeholders
4. Develop and implement a Survival Analysis to monitor performance of new reentry policies and protocols so that reforms can be assessed and adapted as needed over time
5. Develop a process to fully engage communities in the prisoner reentry process
6. Synchronize state criminal justice initiatives into a unified structure as part of the DE-PRI

Additional Policy Considerations include:
- Develop a Case Logic Model for reentry offenders/data
- Develop community engagement development process
- Synchronize state criminal justice initiatives into a unified structure
### HOUSING POLICIES (See Framework Targets for Change 3.2 & 3.3 - pgs. 51, 56)

7. Create a Department of Corrections (DOC) policy that expresses the agencies commitment to not release prisoners to homelessness so that, whenever possible, prisoners have a sustainable housing plan for at least the first 90 days after release.

8. In order to address the policy, expand affordable housing for former prisoners.

**Additional Policy Considerations include:**
- Assess vulnerability for homelessness prior to release
- Develop family reunification policy (especially regarding housing)

### EDUCATION POLICIES (See Framework Targets for Change 2.7 & 2.8 - pgs. 32, 33, 39)

9. Initiate at prison intake the existing academic assessment and add a vocational/educational assessment so that all incoming prisoners are assessed for their academic and vocational needs.

10. Develop a policy to guide the development of “distance learning” for prisoners so that they are better able to address their academic and vocational needs prior to release.

**Additional Policy Considerations include:**
- Fund post-secondary education at level 5 (college)
- Clarify classification by risk level policy
- Develop baseline information for offender employability post release

### BEHAVIORAL HEALTH POLICIES (See Targets for Change 2.2-2.4 - pgs.17, 20, 24)

11. Review existing and drafted policies that guide interaction with alcohol and other drug (AOD) dependencies that are evidence-based.

12. Develop policies that assure pre-and post-release continuity for mentally ill and AOD dependent prisoners.

**Additional Policy Considerations include:**
- MOU between DOC/DHSS for service provision
- Fidelity and adherence to AOD/Mental Health policies
- Improve consistency and uniformity language into policies

### EMPLOYMENT POLICIES (See Framework Targets for Change 3.4 & 3.5 - pgs. 60, 64)

13. Develop a Memorandum of Understanding (MOU) between DOC, the Department of Education (DOE) and the Department of Labor (DOC) for continuation prison-based services for education and workforce development upon release to the community.

14. Create within the DOL a policy and resources for skill training developed specifically for former prisoners.

**Additional Policy Considerations include:**
- Revisit DMV MOUS funding for offender IDs
- Integrate reentry initiative into WIOA state plan
• Determine statutory and certificate barriers to employment
• Fund an additional business service representative to DOL/BSU

VII. CONCLUSION – RECOMMENDATIONS FOR ON-GOING ASSISTANCE

The first cycle of technical assistance from the NCRP has been very positive resulting in excellent deliverables and recommendations for policies which, if enacted, will reduce criminal activity by former prisoners, reduce victimization, reduce technical violations of post-release supervision and set into motion activities that will further the goals of the state of Delaware for prison reentry reform.

In a short period of time we have addressed at least the preliminary steps for achieving each of our nine goals as progress toward meeting our mission and realizing our vision. We are very thankful for the assistance provided to date, summarized below.

Services provided to date for the initiative by NCJRP include:
• Defining what is meant by reentry and by evidence-base practices
• Sharing evidence-based practices;
• Providing guidance for developing and implementing a strategic planning process within the executive branch, with coordination of a strategic plan for prisoner reentry;
• Assistance in the development of a recidivism reduction system blueprint as a logic model that articulates how interventions will produce anticipated outcomes, and forms the basis for evaluating the success of implementation efforts;
• Supporting a Working Group for the development of a strategic plan for prisoner reentry that emphasizes recommendations for changes to policies, programs, and practices;
• Supporting the Delaware Committee on Criminal Justice Reform to identify and engage other critical stakeholders in the reform process;
• Assistance in the development and coordination of in-state meetings;
• Aiding the development, advancement, and implementation of policy recommendations;
• Providing strategic guidance for third-party, independent evaluation of Delaware initiatives.

The Core Team is supportive of an annual technical assistance schedule that includes quarterly, three day on-site visits and monthly check in calls that are scheduled well in advance so that the workload and calendar is able to be managed. Technical assistance and support that would be beneficial for the future work for the Project include five specific activities, indicated below.

1. **Create opportunities for interstate networking:** Committee members have expressed the value and importance of networking with other states and localities that are developing policies and programming to improve reentry in order to share ideas, challenges, and successes. Additional opportunities to network and learn from other states will assist Delaware develop strategies to implement selected policies and identifying areas for further consideration.
2. **Consider sustainable state organization structures:** As part of the efforts to sustain the efforts of this project, Delaware seeks to explore and identify ways in which the project’s Committee and workgroups, and its members can integrate its work long-term into the state’s criminal justice system in order to carry-on the vision and mission of this work in the coming years.

3. **Coordinate project with BJA Second Chance Act grants:** Delaware was recently awarded funding through the Bureau of Justice Assistance Second Chance Act grant and seeks to leverage this funding, along with existing funding, and align its priorities to further the vision, mission, and goals identified through this project. Since the grants provide funding for staff support and additional technical assistance, joining the efforts will have benefits for the Project but also for the federal grants.

4. **Presentations and trainings by experts:** Similar to state networking opportunities, the Committee and workgroups have expressed the value and need for additional presentations and training by experts and organizations on providing reentry services. Organizations such as Delancey Street, which is the country’s leading residential self-help organization for former substance abusers, and the formerly incarcerated, can provide additional insights on how Delaware can continue to build on services provided throughout the state.

Each of the four subgroups (Housing, Employment, Education and Behavioral Health) have expressed the desire to meet with other state officials who are involved in the Project – or who are familiar with the strategic planning model being used in Delaware (for example, Alaska, Georgia, Montana and Louisiana).

5. **Consider legislation, and additional codification as needed:** The Committee will continue to explore opportunities to codify policies within the preliminary policy recommendations, and other topics examined by the workgroups, to further the sustainability of the work and also consider legislative changes or enactments that further the goals, vision and mission of the Project.