

NDRN

Developing Reentry Services for Formerly Incarcerated People with Disabilities

Wednesday, November 3, 2021

2 p.m. Eastern Time

Remote CART Captioning

Communication Access Realtime Translation (CART) is provided to facilitate communication accessibility. CART captioning and this realtime file may not be a totally verbatim record of the proceedings.



Redefining Communication Access

www.acscaptions.com

>> Recording in progress.

>> Good afternoon. Or good morning in the west coast. My name is Philip Fornaci. I'm a senior attorney at National Disability Rights Network. I'm an older white bald man, wearing a coat and tie, with an NDRN background. This is the second of our three webinars on the topic of reentry for formerly incarcerated people with disabilities. A recording of the first session which was presented last week is available on the NDRN website and on the TASK website. The third webinar, housing for people with a criminal record will happen a week from today, November 10th, at 1 p.m. Eastern Time. You can register for that webinar on the TASK website and I'll put a link for the registration in the chat box. Today I'm joined by two great guests, Natasha Wall Smith, attorney with Disability Rights D.C. at University Legal Services, that's a long one. And by Libby Whiteside Kiger, program manager for Disability Rights Louisiana. I'm also joined by our extraordinary intern Halle Finegold, who will be helping us with the webinar today. One of our goals of this webinar series is to encourage P&As to address the needs of formerly incarcerated people. I'm certain that all of you are already working with people with criminal records and histories of incarceration. People with psychiatric disabilities make up an enormous part of the incarcerated population. And people with disabilities are often the poorest people in this country and are often people of color, which also describes people in incarceration in this country. To address the needs of people with disabilities we need to address the needs of people who are incarcerated and those who are formerly incarcerated. Finding the time to do reentry work is challenging. But we need to find out how it's possible to do reentry work in a PNA that can have a huge impact on the lives of people with

disabilities. We hope these sessions will give you useful information and ideas about how to serve this important population of people. More importantly, we hope these sessions help you to recognize the importance of prioritizing reentry-related services, which can help to prevent reincarceration and institutionalization of our community members and enable them to live more fulfilling lives in the community. Both of our presenters today will be discussing innovative programs that are unique in the PNA world. For some of you this information will be brand new or unfamiliar. Recognizing this, we've adopted a slightly different format for this session than in typical webinars. We want to encourage questions and comments from all of you watching today. Both of our speakers will give short presentations describing their respective programs, but after that, I'm going to ask each of our presenters some questions to get the conversation started. We want you to ask questions, as well, and to join this conversation. There's two ways you can ask a question. As you're listening, you can just put a question in the chat, which Halle will read out loud at the appropriate moment. Alternatively, if you'd rather ask a question or make a comment directly and verbally, just raise your hand in the box and Halle will let us know that we have a question or a comment. We'll announce that we have that and state your name and you can unmute yourself. If you're listening on the phone only, press * 9 to raise your hand so we know that you want to say something, and we'll follow the same process. We only ask that you be respectful of all of participants and try to keep your questions and comments focused and relevant to the topic. We'd rather not have an argument on the webinar. We want to have as broad a discussion as possible in this virtual format, but we likely won't get to every question or comment. There's lots of you here, which is great. Contact information for each of our presenters will be available to you and you can also send questions to me to forward to them after the session if you prefer. And of course, NDRN is available to help you figure out how to replicate some of this work in your own P&A. Finally, like all of you are way more Zoom savvy than I am, but for those who are not, I suggest you switch to speaker view, so you can focus on the person who is speaking rather than array of boxes with names on them, which drives me a little bit crazy. I would like to introduce Natasha. A mitigation monitoring attorney with the D.C. Jail and Prison Advocacy Project at Disability Rights D.C. Thank you, Natasha for joining us.

>> Thank you very much for the introduction. I'm excited to be here and to talk about this subject. I'm going to go ahead and share my, and I am a light-skinned Black woman with dark curly hair for those of you who know curl type, a 3C curl type, wearing a wine-colored blazer with a black shirt underneath. And my pronouns are she/her. Okay, is that showing for everyone? So, today I'm speaking about supervision and accommodations and different tools that you will hopefully be able to use to help your clients successfully complete community supervision requirements. Now, one of the reasons why I'm talking about this and I'm focusing on this is because accommodations, that's a really important piece, especially under the reentry side or just criminal side of things that's frequently overlooked. People aren't necessarily thinking about that as there are usually a lot of other things at stake like liberty. And so that kind of falls by the wayside frequently. But it's a really important piece of this, which can really just help people make it through this top period of time of supervision. So, I'm a

self-advocate. My disability isn't immediately apparent and it's the kind of disability, developmental disability, that invites questions, such as how can such a smart girl be so stupid? And don't you have any common sense? And although my talents made it possible for me to do well in most areas, it wasn't until I was given accommodations much later in school that I realized how hard I had been working all along, how much I was misunderstanding and overlooking all these things that I hadn't noticed before and how exhausting it was to use such an extreme amount of sheer will at all times. I realized that my previous lack of accommodations had consequences in other areas of my life and left me little energy to understand myself, what it means to exist with a disability, and to effectively engage in socially or just other activities or even just engage effectively at work. And because of that and because of the difference that I've seen in my own life, I believe that this is a key part of allowing people to have the dignity they need to reenter society and be successful at completely supervision. I know what differences accommodations can make, or what difference accommodations can make just over I understand the exhaustion, the miscommunications, the decline in ability to function that can occur without accommodations. And it is essential that people with disabilities who are on supervision are able to manage that and don't have to just use all of their energy to complete these tasks, which are overwhelming. They deserve the ability to fully participate in their reentry and to understand. And we need to understand that we can really make such a difference and help I think supervision accommodations really help in decreasing recidivism rates. That is a little bit why I'm passionate about this subject, whether it's accommodations in court, or as I said supervision. A lot of times when people are talking about other accommodations, they think there is some sort of risk. Like there could be a stigma. Maybe for strategy rbs they don't want to do it when it comes to court, but for supervision, there's really no reason not to pursue accommodations. It's not something that's going to come back on you. It can really only just help. I encourage everyone, if you can, to do this work. I'm part of the D.C. Jail and Prison Advocacy Project, which I will refer to as JPAP. We assist people who are reentering society after usually long periods of incarceration, but that's not necessarily part of the qualifications. People who are specifically have psychiatric disabilities or intellectual psychiatric disabilities, traumatic brain injuries, as well. The core of our group. The core of our group is set up around the reentry advocate. The reentry advocate starts working with somebody about ideally six months out from release and then they continue working with people for six months after release.

The reentry advocate, because of that relationship they built early on while the person is still incarcerated, they are usually able to move things along pretty quickly when that person gets out, whether that's like picking them up, getting their identification, connecting to medical services and just other services generally. And then they help that person, basically they're the connection between all the different services that that person may be receiving and kind of keeps everyone on task to make sure that they're doing what they should be doing. We also have a peer navigator, and our peer navigator is a great asset because he assists clients with a lot of the day-to-day and is very much a mentor to our clients. We're fortunate enough to have somebody who is actually, who was part of JPAP and went through the program as a client and

understands the project on a personal level. So, that's also like very helpful for our other clients coming out who are new to JPAP. I am a lawyer on the team and usually that means that I am doing things like accommodations, but I also do some work prior to release, which may be mitigation efforts or dealing with abuse or discrimination-related complaints. Now, 90% of our clients are chronically homeless and over 90% are people of color. Our reentry methods, it's an evidence-based client-centered approach. By client-centered, I mean they really are the ones who are guiding this entire process. We're not in any way substituting our judgment for theirs. It really does have to be client centered for this program to be successful. What is supervision? I'm not sure the backgrounds of everybody here, so I'm not sure how familiar you may or may not be with criminal defense. But supervision, there are generally two types of post-release supervision. You have parole and probation. Now parole, that's something that is usually implemented after someone is released from serving ascendants of incarceration. You may hear the term parole or supervision, but generally they're the same requirements. And then you also have probation, which is community supervision requirements that you usually get in lieu of having to complete a period of incarceration. Let's say you have a client who was charged with a misdemeanor, and instead of doing six months' time, they do a year of probation instead. We don't usually work with clients on probation, because part of our requirement to be a client is returning from incarceration. But if that person had maybe been incarceration prior to sentencing and then released as a result of sentencing that may be a client that we could work with. Okay. So, some of the standard requirements for supervision, this of course differs based on federal level and state level, but overall I'm hopefully presenting a sort of generalized standard that will apply to everyone across the states. And I don't want to focus too much on D.C. because we're weird. Everything is kind of very different. But some of the requirements you see is once you're released you have a short time to report to your supervision officer. Most people have supervision after doing more than a year of incarceration. They have some sort of time. Usually it's between 1-5, if we're excluding some of the weird things that may be going on previously. But most of the time you'll see 1, 3, or 5 years supervision. And depending on the program, you usually have about 24 hours, I believe, federally you get about 48 hours. Maybe some states even give you up to 72 hours. But that's the time from when you were released to when you must show up in person and introduce yourself to your supervision officer. If that doesn't happen, usually some sort of notice goes out and now they're looking for your client. Home visits. If you don't have a verifiable address, this becomes a problem for a lot of our clients, who you saw previously, 90% of our clients are unhoused. And sometimes a shelter will work as an address. But if you can't get in the shelter all the time or maybe you had an address and you were living with family members and something happened and you're no longer living there, all of those sort of situations can become very difficult things to navigate. Employment checks. Once you get out, you're supposed to get employment, which is also difficult for a number of reasons, especially for a lot of our clients who are being released. And then whether or not they come out. A lot of our clients may be on medication and they may or may not have received that medication upon release and have been given a certain amount to last until they get to a doctor. Sometimes they

don't get that medication at all and they're having to go through the changes that really, really just the changes of not being on the medication and all of a sudden like cutting it off without tapering or anything like that. And so that's a whole knottier thing to add onto supervision, the difficulties with supervision, as people are usually going through some sort of adjustment with medication. Employment checks, trying to get employment while also getting your medical stuff figured out, finding a place to live. You usually have weekly meetings with supervision officers. This can vary. Sometimes it can be up to two times a week. Other times you could go down to one time every three months or one time every six months depending on where you are at during supervision, or where your client is at during supervision. And on top of that, you usually have weekly drug testing. A lot of times they will have the drug testing on one day and then your meetings with your supervision Officer on another day. So, it takes, you have to show up usually at least two times even if you're not meeting with your supervision officer both times. You also have your financial obligations depending on where you are. I know some places have really, really intense fines and fees that people have to pay. Fortunately, most of our clients don't have that or they only have like a \$50 amount that they have to pay. So, it's not as terrible as some of what you see in other states. Another big issue is you're not supposed to associate with people who have criminal records. Again, this can be very difficult because if you're living in a community that is being overpoliced, then it's likely that other people within that community have criminal records and then you don't really have, you may not be able to return to that area without creating more problems with your supervision. That can be very difficult for communities in general in being able to support returning community members. Depending on what's going on with you, you may be assigned to rehab programs. A lot of our clients, they have to go through a mental health screening and then they have some sort of mental health program they have to do on top of all the other requirements. Or you might have a drug rehab program or alcohol rehab program that they also have to go through. Your movement is limited. You usually can only go within a certain number of miles from the area that you're allowed in. D.C., that can be very difficult because we're so small. But other places, you might be able to go to whole state. It really just depends. And then on top of all of this, you may just have additional special conditions. A lot of times people who might have like, who may have been charged with child pornography related offense, they will not be able to use the internet or not be able to use computers generally or only like very specific computers. So, sometimes depending on the charge, depending on what you were convicted of will determine what additional requirements you have. If any. Okay. So, if you make the decision to get involved in supervision in a reentry area, which I hope you do, the first step you need to take is talking to your client. You need to know do they even want you to be involved with supervision? A lot of clients, if you don't have that relationship, they may not want you to get involved with supervision, because it's so, supervision is so strict and so important that one mess up could send them back. And they don't necessarily trust anyone to handle that because for supervision, it's usually you have to be 100%, you have to be perfect at it. And if you're not, that could send you back. Of course, most officers are going to give you a couple of things, technical violations. But you never know which officer your client may get and how

they'll respond. So, if they do want you involved, you have to ask them what are their goals. Have they been on supervision before? If they have, were they successful? Or were there certain things they struggled with? Are they just being released because there was an issue with supervision before? That's what they went back for and are now being released. How can you help them be successful this time around? What did they struggle with? Did they get sent back for missing their appointments? Was it maybe getting positive drug tests? That information is very important to know so you can help them come up with a plan to be successful moving forward. Part of that is understanding the conditions of their release, if they do have any special conditions. If they are required to complete additional health screening. These are all things you'll want to know up front and of course have them sign some sort of release so you can talk with the supervision officer and once you get that information, you can start to talk about the type of accommodations they need.

And now I'm realizing I'm going over time. So, let me quickly go through this. But some examples of accommodations. Getting afternoon appointments. People on medication frequently have trouble waking up and getting to those earlier appointments. So, sometimes it's just as simple as requesting afternoon appointments. Maybe you can limit the number of weekly visits by getting the drug testing and the meeting with the supervision officer on the same day. One thing we like to do is become collateral contacts. So, that way maybe if the supervision officer hasn't talked to our client, they can contact us and see if we've spoken with them. And they'll use that to not violate your client. Alternate meeting locations. Sometimes it's very difficult to go into the maybe that very specific office or just even getting transportation to get to a place. I've had a client who was basically being retraumatized every time he went into supervision because they were changing supervision officers every three months and that meant that he had to explain everything, basically start all over with the new supervision officer because he's only seeing them once every three months. So, that was a request that we've made before, just keeping the same supervision officer. Asking for substantial compliance instead of absolute perfection. That's another thing. Alternate programming. Maybe if they're suggesting a specific program, there might be another one that you are aware of that could be a better fit for different reasons and then also asking to be included in the meetings as long as your client wants you there or any updates or issues the supervision officer may be having with your client. Introducing, is it okay if I take about four more minutes? Okay. So, introducing yourself to the supervision officer. You are the advocate, not the attorney. A lot of times supervision officers do not want to talk to the attorney. So, make sure it's clear you are not the criminal defense attorney because that might get you shut out very quickly. And if you're asking for an accommodation, you may very well have to teach them the supervision officer about a certain disability, why accommodations are needed, why it will be beneficial, and why they're required to give reasonable accommodations. Of course, this may end up going, you may have to go to a supervisor or really maybe you'll have to talk to somebody else to help make this process work depending on who the supervision officer is. Now the big issue with supervision and the reason why your client may not want you involved is because sometimes even when you're well meaning, you may get your client arrested. So, tip, don't do that. Easier said than

done. So, if you're taking the client-centered approach and you remember what your role is, which is to help your client, not to help the supervision officer keep track of your client, then I think you will be in a good position, because this isn't about what you think is best for your clients. So, if your client is not showing up to a program that you think they should be showing up, that's not something you would disclose. You're not reporting on the movements or behavior of your client. Sometimes you'll have supervision officers call and they'll say hey, I haven't seen this client in a while, have you spoken with them? I don't want to say oh, actually, I haven't seen this client since three months ago or whatever. I don't want to say that. So, I might just say something like I will let a client know that you're looking for them. You don't want to just say that you haven't spoken with them could cause problems for your client. Again, just making sure you're keeping that in mind as you're talking to supervision officers. And another thing. Like your client should be wanting to do this. They should not have to be ordered to do this. And you don't want to then be put in that position of showing up to court and saying no, judge, the client is not participating in this program. You don't want that to be put on your client and you don't want that to be put on you. So, it's best not to make this a requirement for anything. A lot of times you'll have some supervision violations. There are two types of violations. Law violations and technical violations. Technical violations are just things like missing appointments, maybe getting a positive drug test, that sort of thing. They're not new crimes that somebody is being charged with. And I'm actually just going to go ahead and skip past the rest of this. And perhaps this is something we can talk about a little bit more later, which is just what happens if your client does, what happens if your client is violated for supervision. That's something we can maybe talk about later and what to do when that happens. Thank you.

>> Thank you very much, Natasha. That was really great. I think we have maybe one question, though, that you might want to answer right off the bat. Halle?

>> Yes. Natasha, what is the role of the criminal defense attorney in the process of setting up the conditions of supervision, if any?

>> So, criminal defense attorneys aren't usually part of the setting up the conditions. Maybe they saw the judge five years ago and now they're being released. Supervision is usually very separate from the criminal charge process. Sometimes you will have certain states where the criminal attorney will still be assigned to the case if once that person is released.

But then again, it's usually only for, you know, maybe if there was a violation or something and they need to be represented in court. Then that's when the defense attorney will come back in. Here, in D.C., again, it's completely separate and they don't have a defense attorney during supervision at all. It's not usually the one they have before, if there is a violation. That's when somebody gets appointed. But besides that, they're kind of just left on their own. And even people will try to reach out to their old attorney sometimes and their attorney is like sorry, I can't help you with this. I'm not appointed to their case.

>> Thank you. We'll save a couple questions until after Libby speaks, who is program manager for Disability Rights Louisiana. Take it away, Libby. Muted.

>> Thank you. Can you guys see my slides?

>> Yes.

>> Yep. All right. Awesome. So, I'm Libby. And I am a white woman in my 30s. I have blonde hair and I am wearing a white T-shirt with a navy jacket, and my pronouns are she/her. I work at Disability Rights Louisiana. And I'm here to talk to you about what we've learned about the needs of formerly incarcerated people with disabilities through our program and the strategies we're using to support this population in case they might be helpful for you guys down the road. So, our reentry program at Disability Rights Louisiana is called FAIR, which stands for Financial Access Inclusion and Resources, and FAIR works to improve the financial outcomes for formerly incarcerated people with disabilities by providing wrap-around financial coaching and case management services. We launched with a grant from the Kessler Foundation and we're funded through 2024. And we have four staff. While none of us are attorneys, we're supervised by one, and that is Debbie Wineburg. We developed FAIR, because we understand between 20-30% of people to who are incarcerated have disabilities and we couldn't find any programming in our state that was specifically built around the needs of this population. We launched a program that targets two of the major predictors of incarceration, unemployment and poverty, because those are also factors that disproportionately impact people with disabilities. For example, people with disabilities are more than twice as likely to live in poverty and to be unemployed and to be unbanked as people without disabilities. And these financial challenges only get more difficult after incarceration where formerly incarcerated people are five times as likely to be turned down for a job and they are typically released from jail or prison with little to no money with an average legal debt of over \$13,000. And in our state, that includes when people are released on parole, they have to pay \$63 a month for that supervision. So, before I dive into how we operate, I want to tell you a little bit about who we're working with. So, on this slide, I've outlined our eligibility guidelines for this program. And first, our clients have to have a disability. The vast majority of our clients have multiple disabilities, with two-thirds reporting serious mental illnesses. 30% of our clients report physical disabilities, and 20% report cognitive disabilities. And next, our clients have to have been incarcerated within the last 10 years. Now, over two-thirds of our clients come to us within their first year of release. And some of our clients have spent just a few months in jail or prison, more likely jail, where others have spent up to 43 years in prison. I think the average sentence among all of our clients is 10 years. So, I think it's really important to reflect on what that means for a person when you're meeting somebody who has been incarcerated for even 1-2 months. That means they've often lost their jobs, their housing, cell phone bills have gone unpaid. They may have lost custody of their children. They may not recognize their neighborhood anymore if they've been gone for a very long time. They may not know how to use a smartphone because our world has moved very fast. So, if you're working with someone who has been incarcerated for any length of time, it's important to really realize what other barriers they might be facing besides the one that they reached out to you for help for. And then all of our clients for this program are just living in Orleans or Jefferson Parrish, which is the same thing as a county. They must also want to work. We found that many people with disabilities and same for formerly incarcerated people with disabilities are dissuaded from employment for a number of

reasons. That could be because they were told by the Department of Corrections that they would absolutely be eligible for disability benefits because they were incarcerated, but if they try working at all, then they'll lose that opportunity. Or it could be because they used to receive disability benefits and have concerns about losing those. It could be because they aren't aware of reasonable accommodations that could be provided to them that could make a job successful for them. And it could be a number of things. A lot of these issues do have solutions and we need to get a better understanding of why somebody is saying they don't want to work. And throughout this conversation, there is a part of them that would be interested in working, then if they're interested in our services, we'll work through those barriers with them to see if there's the right solution out there. And then all of our clients are between 18-70 years old. And most of our clients have been, I think the average age is 47. So, we have fewer younger clients than older. That has started to change a little bit recently. And then it's worth noting that half of our clients have less than a GED or high school diploma. And by comparison, a study found that a quarter of the general population of people in jails and prison have less than a GED or high school diploma, so our clients with disabilities have double that rate. And additionally, almost 90% of our clients in our program are Black. And these figures are pretty astounding and I think they are important to reflect on and make us realize that the clients that we serve in this program are facing not are just barriers with their disability, but most of them are also facing structural racism. So, our process is really informed by the coaching approach. Similar to Natasha's program, our program centers around the client. It's a client-centered service. And we work to empower the client to lead the process of our program, to set the goals and the pace of their services, and we also focus on accountability and clear expectations. And we enable the client to participate in the solutions to those challenges they're facing. So, we start our meetings, or we start our services in a meeting with a client that can take place in our office or it can take place in the client's neighborhood or on the phone. And in our first meeting, we do what's called our baseline assessment, which most importantly helps us identify the client's goals. So, we're engaging the clients in a conversation around how they envision a successful future for themselves. So, really we're trying to get to what does that look like for them? Where do they live? Who are they close with? How do they get around and what do they do every day? And what might need to change to make that possible? And through that, we're trying to identify some tangible and measurable financial goals that they can work towards, like saving to get an apartment, saving to get a car or improving their credit so that they can get a loan for a car or having emergency savings.

And what we're really looking for are goals that are forward thinking that our clients are passionate about and that aren't likely to change very frequently. And then we're screening for barriers that our clients are facing that could, you know, impact their ability to achieve these goals. And so we're screening for barriers in areas like housing, healthcare, job readiness, transportation, education, income and expenses, debt, credit, banking, and legal issues. And most often, when a client is referred to us, it is for a very specific reason and a lot of times it will have to do with housing or health care or needing a job. So, a client knows what they need first and most, but also we can be helpful in identifying other areas that might be impacting them, as well, that we can

address them down the road when they're ready and if they want our help with that. So, once we've identified the priorities with the client and what they want to tackle in the first few months with the services, we create an action plan and we outline target dates, and we usually schedule meetings at least twice a month from there on out to get together, see what's been accomplished on each other's ends, see what issues anybody ran into, and what next steps we all can take to propel them forward. And this process can continue until either all these feasibly addressed barriers are addressed or until the client decides they don't need our assistance anymore. And for some clients, that might be a couple of months and for others that has been two years and counting so far. It really depends on what a client needs and also wants from us. So, on this slide, I've listed the most common barriers that our clients face and that we screen for in our baseline assessment. And on the right column, I've listed what kind of interventions we use to address these barriers. As you can see, there are some of these issues that are directly addressed by us in the FAIR program and the clients. And those are things like working on benefits applications, searching for apartments, looking for jobs, building resumes, pulling credit reports, addressing fines and fees. And I'll get into that a little bit more because we do that with a partner. I'll talk more about that later. And then finding bank accounts. Those are examples of things we do directly. However, there are other issues that we are not the best suited to handle, like counseling and healthcare and other legal issues, like job training or job placement. It is our job to figure out what other program exists that may be able to meet those needs better than us, and to do a warm hand off. We want to make sure our clients are eligible for any service that we're referring to, that we know that they're actually going to get accepted by that program or service, that they know who to ask for, or that we can make that call with them. So, on this slide, actually on the next two slides, I've listed some of the most common issues that come up with our clients during our pilot phase. For the sake of time, I can't go over all of them. But I'm just going to focus on two, being public benefits and employment. But there may be opportunity to talk about others later on. But first, the number one thing that our clients needed help with during our pilot is accessing public benefits. And the reason for this is because usually when we meet a client they have no income and no permanent residence. And in these scenarios, people are having to rely on other people for just the basic necessities, which is extremely stressful and unreliable and makes it very difficult for somebody to focus on other, you know, future activities. So, because of that, we spend a pretty considerable amount of time in this program helping our clients access public benefits like SNAP and social security disability benefits, unemployment insurance, stimulus checks when those were coming out, and more recently FEMA funds in the wake of Hurricane Ida. As a part of this, in order to help somebody apply for some of these benefits, we need to make calls with the clients to these agencies that administer the benefits. We need to help clients do things like reset their passwords or create those online accounts to fill out the applications online. Help the clients gather up all the documentation that they need to verify their identity and eligibility for these programs. And for SNAP and Medicaid, that usually means proof of identity, which most times we meet clients they do have a state ID or a birth certificate, but sometimes they don't, so we need to help them figure out how to get that, if that's the case. We also need to help get proof of income,

get proof of any medical expenses, and throughout these processes, other issues and topics might come up. For disability benefits, it's a much more complicated process if somebody has to apply from scratch. But if somebody was on SSI prior to incarceration and it's been less than a year that they've been incarcerated then we can help them get their release letter and provide that to Social Security so that they can reinitiate the payments. Same goes for SSDI beneficiaries after any length of incarceration. But when it comes to applying for disability benefits from scratch, it's a lot of information gathering. And that might be a whole other training for another time, but when it comes to that, my coworkers, Pat and Juliana are certified to support people with disability benefit applications. And then once our clients are already on benefits, we need to help them understand what their reporting requirements are and how to do that. How often, how to get in touch to report different changes, how wages and other income is going to impact their benefits so they can make informed decisions about employment opportunities. And for that, we've all had some training on that topic through Virginia Commonwealth University and I'm a certified benefits counselor through them. So, when our clients receive SSI and SSDI, it can get a bit more complicated, in which case I can do a full analysis with the client and discuss it with them and their case manager, their family, if that's helpful, whoever the client wants involved. And then also on the topic of benefits, we often do have to work with clients to address benefits issues such as suspensions, requesting critical payments, and addressing overpayments. And then our clients do usually need assistance with a job search. And quite often our clients have no job history at all beyond their responsibilities in incarceration or they've had a very checkered job history with some large gaps. And the intention of this program is not just placement because that's a very specific role and it requires a lot of relationship building, a lot of training that we haven't done, but that already exists in our area. There are a lot of reentry-focused job placement programs. When possible, we try to help clients figure out which of the programs would meet their needs the best depending on their interests, their job history, their skills, their disabilities, all the above. So, for some clients, that might be vocational rehab or an employment network funded by Social Security. And for other clients, it might be a reentry-focused job placement provider. We have a specific job placement specialist who specializes in reentry cases at our American job center. There are all four-week reentry courses with follow-up job placement services around here. We also have a couple of programs that provide paid job opportunities to formerly incarcerated people while they're looking for more permanent job fits. There are a lot of good resources out here. But despite that, some of our clients may not want to connect with anybody yet or at all beyond us, for many reasons. One is it could be very overwhelming to have so many people involved in case. And others could be they don't want to wait any longer for another intake process and have anymore delay to the job search when most of the people we're working with do need money now. Some clients will opt to just get our help with developing resumes and cover letters and looking online for available jobs, which we will do with them. Some of our clients kind of choose all of these approaches at the same time. And that's okay, too. Whatever works best for the client. And whatever provides the solution fastest is what we are in favor of. So, I'm going to skip that slide. That's just some more examples of common

issues during our pilot. And then so now outcomes. What did this work mean for our clients' financial and employment outcomes during our pilot. And so what we found is we've served 98 active clients, and what we mean by that is clients who were eligible for our program and attended three or more meetings. 51% of those clients got jobs, and 76% were employed for over 90 days. By comparison, in 2019, before COVID, just 33% of all work age Louisianans with disabilities regardless of criminal records were employed. This is significant. We know it's difficult for someone with a record to get employment, and we know during COVID unemployment rates were significantly higher than in 2019.

And we found that our clients were three times more likely to maintain their job for 90 days or more than were the formerly incarcerated clients of our vocational rehab agency in the same service area that we were working on. And additionally, two-thirds of our clients, or almost two-thirds of our clients increase their income by a collective total of 65,163 dollars a month. And that's what has been reported to us. It's only appropriate to collect that information when it's relevant to the client. And some of that is due to earnings, and some of that is due to increases in benefits. And over half of our clients reduced their debt. And at this point, I do want to talk about our partner, the Justice and Accountability Center because they were largely a part of our debt reduction outcome. So, they, we have a contract with them where they can work to screen all of our clients with our clients' permission, to screen for any outstanding attachments, fines, and fees that predated our clients' period of incarceration. And this was something that I was not aware of, but somebody at least in Louisiana can spend over 20 years in prison and come home and then get rearrested because they have some attachment from the '90s that was never addressed. So, in cases like that, our partners are able to flag those and then go request credit for time served for our clients. And as a result they have actually helped our clients reduce over \$85,000 in fines and fees. Some of those clients didn't end up becoming like what we called our active clients. They didn't attend three or more meetings. They just went to one meeting and signed the paperwork, but million of the others did continue on with the program. But it's a highly effective service. So, I don't know if that's an issue in every state, but that has certainly been prevalent here and very important and impactful for our clients. And with that, I'm going to stop for now. And here is our contact for me, Pat, and Juliana, if you need to reach any of us.

>> Thank you, Libby. That was very interesting. We have a couple questions in the chat I wanted to ask you. But I wanted to first ask you in terms when we were planning this, you made the reference or the notion of warm referrals. You talk a lot about referrals. I wonder if you could elaborate on that and sending someone to voc rehab or someplace else, how does that work?

>> Yeah, I think in our program, and probably every program we can't do every service. And we shouldn't try. Sometimes there are established organizations and services that have really learned how to perform a service perfectly or we're just not the right person to do it. In cases like that, I really, in really any situation, I would caution anyone from ever just giving a client a phone number, especially if it's a number you haven't called in years, because resources change very rapidly. So, any time we are connecting one of

our clients to another resource, we want to make sure we know exactly how to get them through that phone tree. Usually there's very complicated menus now when you call any agency, you to press one and two and eight and star. And we want to prep clients for that because that's overwhelming for everybody, especially somebody who may have not done that in years. Or sometimes we'll make that call with clients if you would benefit from that and if they want to be on that call. Or sometimes we will reach out to a specific contact over at those agencies ahead of time just to make sure we can take on the case and tell our clients what kind of buzzwords to say to make sure they get through to the right person.

>> Thank you. That's one of my pet peeves about giving people a list of referrals they can't possibly navigate. Halle, do we have some questions out there?

>> Yeah, I have two quicker questions for Natasha first and then a more expansive question I would like both of you to answer. Natasha, is there any exception to associating to others with criminal records if your employer, peer navigator, et cetera, is formerly incarcerated. Otherwise it seems impossible to get employment if you are unhoused and keep missing work and have to show up for supervision appointments. There you go.

>> If I'm understanding this correctly, the associations with people who have criminal records, I think that's what we're discussing.

>> Correct.

>> And you can get special permission for that. That is definitely something that you are able to do and pursue. Of course it has to be something where you know. If you are, you may not know that your employer may or may not have a prior record. So, that's a little bit different. But your everyday contacts, if you are going to live somewhere or move somewhere and maybe a family member has a prior record, that's one of those things that maybe they'll approve, maybe they won't approve. The other aspect of this, though, is yes, it is very difficult with employment. It is very hard to keep employment while you're on supervision because a lot of people don't want to hire people who have been charged with certain crimes or they, I've had clients where the supervision officer was kind of harassing the employer and then the employer decides actually I don't really want to deal with this or I can't have this person coming around this often and decides to let the person go. There are those problems. But if you do get employment, that is another thing that you can work out with your supervision officer, possibly changing the times of your meetings. But yeah, it's difficult. It is something that is a real problem and supervision officers frequently aren't very understanding of the sort of how their actions can end up affecting the long-term success of our clients.

>> That's a nice segue into my next question. In your advocacy efforts, do you have concerns about or see retaliation against your clients?

>> As far as accommodations for supervision, no, do not have that problem of retaliation. But that very much depends on like how you're going to go about establishing those relationships with supervision officers. And if, you know, you're going to end up going over somebody's head or getting people in trouble, you know, that may be a concern, but for the most part, try to work with a supervision officer and then does the client want you to push on that harder, then you can do that. Sometimes

it's like okay, are there other things we can do to help the client be successful that doesn't necessarily involve the supervision officer? Like can I contact other service providers and say okay, can this person provide transportation and get the client to their meetings? So, it really just depends on what the client wants, how maybe brave they are, or at least how much risk they can endure at that point because there is a possibility of retaliation. So, just being mindful of that. But I haven't seen that in the area of supervision accommodations. When I go into the jail, I see that of course, but not in supervision accommodations.

>> Thank you. Now this question is for both of you. I'll ask Libby to start with the answer first. Every so often our P&A will hear an appalling story about an individual violating the terms of their probation or parole and getting reincarcerated by what seems like serious failures by service providers. Often we learn of these situations after the fact when the person has already been sentenced for violating the terms of their supervision or is facing new criminal charges. Have either of you encountered similar issues? And do you have any suggestions for where we could start in getting a better handle on this problem? Are there strategies that you have found effective for intervening in these situations and/or encouraging better individualized service planning around these issues?

>> That's a good question. I think we have had five clients that we're aware of who have been reincarcerated since we started the program and I don't currently recall the details of what brought them to incarceration, nor were they shared in every situation. But I think the tough thing about mental health services is, well, first of all, we want to make sure that the clients have access. That could be the first issue. They may not have even had access to a mental health provider. Or if they were referred, they might not have had the tools they needed to be able to go to those appointments, whether it's for transportation issues or whether it's for something we saw a lot especially during COVID was everybody switched to virtual services. So, for a client who doesn't have a smartphone or has never used Zoom, they can't go to the appointment. So, I think trying to really talk through the mechanics of those connections first would be to understand, that's step one. Making sure they can access the resources that you've connected them to. And then I think another issue is, I mean sometimes clients will drop out of a service and that is their choice. And we did just recently have a conversation with somebody who runs Forensic Community Assertive Treatment program over here about how to connect people to those services. Sometimes they are court ordered. But that can be, I don't know, that can be a little sticky territory, as well, if somebody is, I don't know, court ordered to a mental health service that they don't want. I don't know. I'll stop there.

>> Yeah. This is something that we definitely run into frequently, which I am happy to have a longer conversation about this some other time. Please feel free to contact me. I will put my contact information in the chat. But because my background is in criminal defense, there are a lot of times where I will be contacted and maybe I'll handle their revocation. So, my card would get passed around, but also we, just like other agencies, we introduced ourselves to them, but they also know about our services. And when somebody is, let's say it's presentencing or prerelease, that's when I step in with mitigation usually. I will put together a plan, explain our services that will go as

part of their sentencing packet or a prerelease motion depending on what stage they're in. And then also depending on what's going on our services or not. Based on those mitigation efforts, a lot of times clients will be released because we are connecting them to these other services and are assigning them a reentry advocate. So, sometimes, I mean that will frequently stop kind of prevent them from getting as far as sentencing, especially if they have worked with you before. If it happens afterwards, again, this depends on if you're talking about a law violation or a technical violation, my response is a little bit different for both of those. Again, feel free to talk about those and we can talk about this a little bit more in depth.

>> Great. Thank you. Halle, do we maybe have somebody on the phone or wants to ask a question out loud?

>> I did have someone who had their hand up. Their hand is no longer up, but I do want to give them the space to ask if they would still like to. Debra, do you still have a question?

>> Yeah, this is Debra Wineburg. I'm actually the attorney that supervises the FAIR program. Sorry, Libby for breaking in. I wanted to kind of mirror what Natasha was saying and what you guys have been doing with working with our public defenders' office and writing letters to the court about explaining what limitations folks may have based on their disability, why certain conditions of release might be inappropriate and also why your services would help on release. So, I just wanted to make sure that you guys get the credit for the incredible work you're doing, Libby.

>> Thanks for bringing that up. Yeah. There have been some situations and I hope there's more of them down the road where so far we have gotten to team up with the public defenders to support clients. The first scenario was when there was the public defenders had been trying to get somebody resentenced for over a year in a way where he would have been released if they had been successful. But the district attorney was refusing that because this client had been unable to get his GED while incarcerated. And he had been incarcerated for 20 years for a non-violent offense. It was a drug defense. He wasn't able to pass the GED exam. He wasn't being allowed to be released because they believed that he couldn't succeed in society if that was the case. And so, someone from the public defenders got in touch with someone at our office who used to be a public defender.

And luckily, there is a law that says if someone is quote in capable of obtaining a GED credential due to a learning disability that they may instead achieve parole eligibility by completing either a literacy program, an adult basic education program, or a job skills program. And this client had done all of the above. He had surprisingly, you know, I don't know very, very supportive letters from staff at the Department of Corrections and he had, sorry. Somebody was at my door. But they're gone now. But anyway, we were able to write a letter explaining that law and also explaining what kind of support he could get upon release from our FAIR program and he was released within a week or so of that. He was granted release and came home within a couple of months. So, recently we've been asked to contribute to mitigation letters and it's been successful so far.

>> That's a great story. Sort of back to the programmatic level, you both sort of touched on this, but just to recap, can you talk about the size of your programs and how

many people work on them and the work related to what you're doing, but also if they do other work outside of the work they do with you guys, if that makes sense. Sorry, that didn't make sense. I was just asking how many people work in your case the Jail and Prison Project, or if they work on additional work, or if they're just dedicated to that project? I'm just trying to get a sense of how big the programs are.

>> I can speak for at Disability Rights Louisiana, we have three full-time staff on the program. I am a part-time, you know, I do management as well as the case management in the program. And then we do have Debbie weigh in on legal issues when it's relevant. But yeah, all of us are full-time in the program. And I think there are scenarios where other funding sources are relevant to our work in the FAIR program, but we primarily charge the foundation grants that support our work.

>> Yes. We currently have five people dedicated to JPAP. And 100% of that funding, there's also separate funding raised specifically just for JPAP. Yes.

>> Thanks. It just sort of helps to have a broader view of the program within which you're working. I also want to remind people, if you were not able to see the webinar last week, Robert Davis, who works with Natasha, did a really good, great presentation and he is one of the people that works in this program, as well. So, if you haven't seen that, watch the recording so you get a good handle on that. Any other questions in the chat, Halle?

>> We do have one quick question for both of you. It is how many clients do each of your programs serve? Natasha, would you start with this one?

>> I actually don't know our overall number right now. Especially coming through the pandemic and we had another, we had an additional program for part of the year that has just ended. So, I'm not fully sure. I usually have about 25 clients give or take. Yeah. That's generally where I fall with clients. That's a pretty steady case load. I tend not to go above 30. I think the reentry advocates are usually between 10-15 and then I do coalition work and other work for the program outside of direct client work.

>> And we have case loads of I would say the average is, well so we luckily just brought on Juliana, who is going to be lightening the load for everybody and enabling us to take on more cases. Before she came on, Pat and I were each averaging between 20-30 clients at a time. So, that's getting a little more balanced now. But we have, I mean I can say we got, we've had over, I think it was like 275 referrals at this point since the program launched. But, not everybody has been eligible for the service. And that's been a challenge because everybody deserves the support and needs it, but we are focused on employment outcomes and financial outcomes. So, for those who do not have interest in employment at any level, and most often just strictly need assistance with the disability benefits applications, we can't be the program for them, but we do our best to really give very thorough information and referral services at that point.

>> Which kind of brings up another question from me. I'm a little tired just hearing about the work you're doing. How do you prioritize, because there are a lot of clients out there who need these great services, and how to figure out which 30 you can do this week, month, year, how do you make those tough choices?

>> For us, I think we try to think about what we are most uniquely suited to handle and what our partners can handle. For people who are currently on our caseload and everybody has got ongoing issues that they could use support with. But we can kind of

triage those. And if people need simultaneous support with multiple pressing issues in the same week, maybe we can work more collaboratively with our partners to address those issues, because there are other wrap-around services for people in reentry in our city. But yeah, in other circumstances we've had to restrict our eligibility guidelines and make them a little more specific. We have loosened them in some areas. But with the employment aspect, because we did become known as oh, this is the one place that is helping people with disability benefit applications, that was more than we could handle. And so we needed to make sure that people were interested in work at some level. So, to really kind of press that forward, we made it so our clients had to take steps within three months of initiating services. That's flexible. We're not letting people go. We find out if they're ready to start doing job applications or an employment program. If not, what barriers are keeping them from doing that? Can we support with that? Or have they had a change of heart and realized because of their disability or any other reason that they're not going to pursue employment?

>> For us, my boss, Tammy Seltzer, makes those decisions, but of course we're looking at those who are qualified. And more recently, our eligibility has been restricted to people who we only start working with people who are still incarcerated. And they're a certain number of months out where the relationships can develop. Where before that was at different times within 90 days of release. Or like if you were out and had been within 90 days, then that was something we could still work with somebody. But yes, now it's strictly people who are still incarcerated and there's enough time for us to do some sort of planning. Outside of reentry, a lot of it, I'm kind of a utility player on the team legally. So, it really depends on what I can take on at the time. Right now, I'm representing somebody in civil commitment hearings. And I do parole revocation cases, mitigation monitoring, disability applications, just kind of like the needs of the program.

>> Okay, that makes me more tired. You're both doing, working in really unique and really interesting programs and I really appreciate hearing about you, about both of them and about both of your work. But I guess one thing I'm really wondering about is you both came in knowing something about this world. But was there anything that kind of surprised you about the people you work with or the issues you face that maybe you didn't think that you were going to be facing. I know I've had that experience myself and I think you already know it and then somebody surprises you. Is that too abstract?

>> I think one thing that surprised me was and I guess it shouldn't have, but seeing in action there is still a lot of bias out there amongst disability service providers around serving formerly incarcerated people. Lots of programs have said, well, we would need to know what kind of charge just to make sure our staff is safe. And a lot of programs won't accept people who have to register as sex offenders. So, then there are employment networks that we've had calls with where essentially the attitude was, well, if they are formerly incarcerated, they may not be able to just get the job they want, which I don't know. From some people there's more dismissive attitudes than I would like to hear. But then I think that's on us to help bridge that gap because that's part of why we started this. It's because there's a lot of amazing services and they're siloed and they need to be talking to each other. And they need to understand these

populations, you're serving them whether or not you intend to because, you know, incarceration is so prevalent among people with disabilities, especially in our state. And then I think just also witnessing that divide, like the gap for technology. I knew that was going to be relevant, but COVID really made that clearer than ever. I developed an appreciation for the challenges you have. They're very clunky. I have a new appreciation for that for every client we've ever served.

>> Thanks.

>> For me, similar to what you said Libby where it's not so much surprising but really frustrating and annoying that within the disability services community, how much there is an us-versus-them mentality about people who are formerly incarcerated individuals with disabilities. I think overall, I mean people are afraid, frequently afraid of our clients because generally people are a lot of times afraid of people with psychiatric disabilities because you feel like they're unpredictable and you just don't know what's going to happen. So many people don't realize that our clients are frequently victims. They're more frequently victims. People with disabilities are more frequently victims than they are perpetrators. So, it's just something that is very disappointing to see that it's such a struggle when we could all be moving together as a disability community. We could be focusing on disability justice and focusing on addressing trauma within the disability community, whether it's from incarceration or just poverty or just a number of different things. Instead, we're focused on differentiating people with one type of disability versus another disability type. I think that's a waste of time and counterproductive to the cause.

>> Thank you. Those are good words to leave us off with here. Thank you very much, both of you. This is really a very compelling presentation. And I hope that everyone watching feels the same way. This session is recorded. So, pass it along to the people you know. And also we'll be sending out the slides to everybody who is registered. So, if there's something that you missed, we can do that. Again, I want to thank both Libby and Natasha as well as our assistance from Halle today, for a really great presentation. Thank you very much.

>> Please feel free to contact me!

>> Same here.

(Laughter).

>> And you'll have their contact information, too. If you can't find them, just get in touch with me and I'll route you.

>> And Natasha, I will be reaching out about to better screen for supervision issues with our clients.

>> Looking forward to it. Talk to everyone later. Bye!