

**STATE OF NEW YORK**  
**DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION**



**TESTIMONY**  
**COMMISSIONER BRIAN FISCHER**  
**ASSEMBLY STANDING COMMITTEE ON CORRECTIONS**  
**EDUCATIONAL AND VOCATIONAL PROGRAMS IN PRISON**  
**NOVEMBER 29, 2012**

I thank the Committee for the opportunity to discuss the issue of academic and vocational education available to our inmates.

As stated in Correction Law, "The commissioner shall establish program and classification procedures designed to assure the complete study of the background and condition of each inmate in the care or custody of the Department and the assignment of such inmate to a program that is most likely to be useful in assisting him to refrain from future violations of the law." We are in full compliance.

I have long been a strong supporter of the educational and vocational needs of inmates, with a particular emphasis on higher education as well as connecting specially-skilled inmates with community programs and employers upon reentering society.

Before getting into the details of prison programming, it is important that I mention that the department was recently awarded a \$1 million federal grant entitled, The New York State Recidivism Reduction Project. I believe Assemblyman Aubry's personal letter of support assisted DOCCS in receiving the award as it indicated legislative support. As a result of the grant, we will be implementing researched-based strategies developed in a model called Work For Success. This model incorporates staff efforts from prison, community supervision and community non-profit organizations, all working together to improve re-entry services by concentrating on three elements: in-prison program development, client matching upon release and enhancing employment opportunities in the community.

Before I address the availability of programs, how inmates are assigned to programs, the role Correctional Industries (CORCRAFT) plays in training inmates, and the extent that secondary education is available and accessed by those who qualify, I'd like you to be aware of a few key points:

- The number of new commitments arriving at DOCCS in 2011 without a verified high school education was 8,815 (61% of all new commitments).
- The total number of under custody offenders without a verified high school education is 23,059 (43% of all under custody offenders).
- Annually, more than 30,000 offenders participate in some form of academic education.
- Annually, more than 2,000 offenders participate in college programs.
- Annually, more than 25,000 offenders participate in some form of vocational education.
- During the 2011 testing cycle, the GED passing rate was 70 percent.
- Among the 26,586 offenders released in 2007 and tracked for our three-year post-release recidivism study, only 10 percent recommitted with a new felony conviction. This return rate for new offenses was the lowest recorded in the 23 years of tracking that began with the 1985 release cohort.
- Previous studies on those who earned a high school equivalency diploma while incarcerated consistently showed the return to custody rate was relatively lower.

#### Availability of Programs / Academic and Vocational

We offer a full range of academic programs, including: Adult Basic Education, Pre-GED®, GED®, Bilingual/ESL, Cell Study, and Computer Assisted Instruction. Special Education and Title 1 programs are available for school age offenders. College programs are available for offenders with verified high school credentials.

A critical priority of the Department is that all offenders who enter the system without a verified high school diploma or equivalency are required to attend an academic program. Completion is defined as the attainment of a high school equivalency diploma though each offender's level of competency is judged based on his or her individual intellectual and emotional abilities.

With rare exception and subject to staffing concerns, every correctional facility provides all core academic education programs.

Vocational Education offers training in twenty-seven different trade areas: Barbering, Braille/Transcription and Large Print, Vocational Building Maintenance, Cabinetmaking, Carpentry, Commercial Arts, Computer Operator, Computer Repair, Cosmetology, Custodial Maintenance, Drafting, Electrical Trades, Floor Covering, Food Service, General Business, Horticulture, Horse Handling, HVAC, Machine Shop, Masonry, Painting, Plumbing, Printing, Radio/TV Repair, Small Engine Repair, Upholstery, and Welding.

Currently, the Department has 347 academic teachers and 307 vocational instructors. Since the first of the year the average number of inmates enrolled in academic programs was about 18,000 and another 12,500 in vocational shops.

#### Placement Protocols For Academic and Vocational Programs

Placement in academic programs is determined in accordance with standardized test scores. Each offender without a verified high school diploma or high school equivalency diploma is assessed initially at intake and periodically thereafter. Placement, progress, promotion and overall program effectiveness are also measured by standardized tests. The tests utilized by DOCCS are:

- New York State Placement Test
- Test of Adult Basic Education
- Test of Adult Basic Education (Spanish Edition)
- Spanish Assessment of Basic Education
- Official Practice Test (OPT) – English and Spanish
- General Educational Development exam (GED®) - English and Spanish

There is a potential problem coming up with respect to the GED testing program. Effective January 2014, all tests will be computerized and we will have to provide an Internet link to the testing site. We estimate that will cost us between \$3 and \$4 million to make the necessary infrastructure changes required while maintaining critical computer security systems.

In addition, current NYS Education Law prohibits candidates from being charged a fee to take the exam. That means that DOCCS will need to absorb the cost that will range from \$240 to \$620 per student depending upon how many pre- and post- tests may be necessary. NYSED has issued a RFP (Request for Proposal) to find alternate assessments and the Board of Regents has authorized the State Education Department to explore multiple pathways to earning a high school equivalency diploma.

Academic performance measures are based on Achievement Benchmarks defined by approved standardized testing. The Achievement Benchmarks are:

- Attainment of a 6.0 reading and math level (both English/Spanish)
- Attainment of a 9.0 reading and math level (both English/Spanish)
- Attainment of a high school equivalency diploma (both English/Spanish)
- Limited English Proficiency (LEP) -offenders must attain a Level IV on the New York State Placement Test and a 6.0 Reading score on the English TABE, Level M Standardized Test.

Offenders who are 21 years of age or younger are evaluated for Special Education needs at Reception and referred to one of 14 designated Special Education facilities where a full array of services are provided. The Committee on Special Education provides evaluation and determines needs based on the IEP (Individualized Education Plan).

The process for determining if an offender will be placed in a vocational program begins with evaluating the offender to determine if he or she has a vocational need. Prior work experience, training and schooling are factors that determine their vocational need. Once an offender is determined to have a vocational need he or she is required to participate in a vocational program.

Progress in a vocational shop is competency based and evaluated by the instructor, an expert in the trade. The instructor provides individualized instruction and the program is self-paced. A vocational curriculum is structured by job tasks and modules that lead to job titles. The instructor reports on a monthly basis the job tasks, modules and job titles earned by the offenders.

All job titles are US Department of Labor O-Net based and represent entry-level skills needed to seek and obtain employment. Through November 15, 2012, a total of 10,428 different offenders earned 24,321 job titles in calendar year 2012.

In addition, DOCCS has partnered with the National Center for Construction, Education and Research (NCCER), an industry recognized training provider, and has become an accredited training sponsor of NCCER. This sponsorship allows DOCCS' vocational training programs to participate in staff development, have instructors become NCCER certified and utilize the standard learning materials and evaluations. Eight of DOCCS' 27 vocational trades are NCCER participants. DOCCS currently has 417 offenders participating in the program. Since the inception of NCCER in 2004, 3,886 offenders have completed NCCER training modules.

All vocational shops incorporate soft or applied skills to prepare offenders for resume writing, job search, interviewing and financial management. This portion of the curriculum is called Career Preparedness. The Department also offers sixteen Department of Labor Apprenticeship Training programs that lead to a journeyman's card and certificate issued by the NYS Department of Labor. DOCCS tracks such enrollment, progress and completion using databases, which assists us in confirming post-release job placement initiatives.

#### Quality Assurance Efforts / Academic and Vocational Programs

Quality assurance methods to determine that the academic education program is effective include benchmark reports of progress based on improved test scores, quarterly reports from the State Education Department that track the number of high school equivalency diplomas awarded to offenders, facility site visits conducted by Central Office staff, and three-year audits that review compliance with standards, including testing, staffing, program management, and curriculum and instruction. In addition, the quality assurance methods that are utilized by the vocational education department include reviews of the Department of Labor job market projections and periodic updating of the employability profiles to ensure compliance with industry standards.

Research studies provided by the Division of Criminal Justice Services (DCJS) show a correlation between acquiring an education while in prison significantly assists those who are released; sixty-three percent of inmates who earned their GED while in prison were gainfully employed while on Parole.

#### Correctional Industries / Corcraft

Studies have shown that Correctional Industries programs are an effective way of providing offenders real world employment skills, training and development. The Corcraft program promotes successful offender re-entry and aids in reducing recidivism by providing offenders with real job skills and strong work habits in a production-oriented environment. Currently there are approximately 2,000 offenders working in seventeen separate Correctional Industries programs across fourteen facilities.

Corcraft has also piloted a "Ready Set Work" initiative to further foster job readiness combined with an "Industry Workforce Development Program" at Coxsackie Correctional Facility. This initiative allows for about a dozen inmates who would otherwise not qualify for an industries placement because they lacked completing some core programs, but who are 18-24 months away from their release, a chance to participate with an emphasis on getting them more job ready prior to their release. As this pilot shows promise, it will be duplicated at other sites that have Corcraft programs -- an example of concentrating our resources on assisting inmates to be more likely employed upon release.

#### Mess Hall Food Service Program

Every prison has a mess hall that provides meals to all the inmates. It also provides for the development of important job skill sets. The food service training programs provide inmates with knowledge and education in all aspects of the food service industry. There is a designed curriculum that provides an opportunity to work in various food service jobs. An inmate successfully completing this program and experiencing on-the-job training will more likely have an opportunity finding employment in the food service industry upon release.

Criteria for applying to the food serving training program requires an offender to be at least 18 years of age, have at least 12 months of incarceration left to serve, and have an acceptable disciplinary record prior to and during the program period. Inmates complete a medical examination in order to be cleared to work in the food service environment. Each participating inmate must possess a high school diploma or General Equivalency Diploma or be enrolled in academics. Successful completion of the food service training program can earn an inmate a Merit Time certificate.

Inmates must successfully complete a mandatory 16-week food service training program in a classroom environment where they will receive a Certificate of Completion before they continue with 10 weeks of on-the-job training in specific areas. After a total of 26 weeks, the inmate will earn at least one related job title code referenced in the Employment Readiness Title Chart, submitted by Central Office Program Services. The job titles range from kitchen helper, salad maker, cook helper, institutional cook, and baker helper and the job descriptions have been taken from "O\*Net Dictionary of Occupational Titles." Each title is specifically geared towards the skills, knowledge, and ability of the individual earning that job title code.

As of our last reporting period September 9, 2012, the Department had 5,750 inmates working in the Food Service Department, 197 inmates in the food service training program, 153 have graduated, and 94 are program associates.

#### Facility Maintenance Programs

On any given day about 665 inmates are working under the direct supervision of skilled civilians in infrastructure maintenance shops. They work as carpenters, plumbers, electricians, masons, welders, motor equipment mechanics and general mechanics, just to name a few.

In many cases, the inmates assigned to work in the maintenance shops are those who have graduated from our vocational shops and are skilled enough to work on projects inside the prison while gaining additional work experience. In other cases, inmates who are admitted to DOCCS custody with experience and skills are immediately placed to assist staff in daily maintenance needs.

#### Connecting Prison Programs to Community Employment

Securing a job after incarceration is not the only element that reduces the rates of recidivism, but it is clearly a critical one. Recent concepts such as Work For Success, Results First, the merger of Corrections and Parole and our direct involvement with non-profit community based employment programs has helped to redirect our efforts to connect between education and job skills acquired while incarcerated and ex-inmates finding employment in the community.

As already mentioned, our Work For Success model is at the core of a federal recidivism grant that targets high-risk offenders because statistically, high-risk offenders are the most likely to recidivate.

The Work For Success model calls for us to work with our community partners in matching the right inmate with the right provider. We've come to understand, with assistance from the providers, that every organization isn't equipped to assist every inmate in multiple ways. By identifying which community provider can best assist a parolee with defined skills and needs we can "client match" thereby increasing the ability of the parolee to secure the type of training or employment designed to increase the likelihood of their success. Further, we need to invest in shops most closely aligned to the job market, as it exists in the community.

#### College Programs

DOCCS has a long history of supporting post-secondary education for incarcerated individuals.

Since 2007, the Department has developed a model that establishes working partnerships between a correctional facility, a college in the same geographic area and an outside funding source to operate and expand its college program availability. The basic criterion for participation in post-secondary education is the possession of a verified high school diploma (or a high school equivalency diploma), though most colleges require a pre-admission testing protocol.

Currently, college programs exist in 21 different correctional facilities with 2,321 inmates participating each month. During 2011, DOCCS awarded 88 Associates Degrees, 40 Bachelors Degrees and 13 Master Degrees. Through a grant entitled, College Access, received from the New York Higher Education Services Corporation, four facilities participate in a program to provide remediation assistance in math and writing, along with workshops on how to apply for college admissions, study skills and how to seek financial assistance. Again the goal is to better prepare inmates interested in college once released.

Lastly, the Department has responded to a grant solicitation from the Vera Institute of Justice for a \$1 million program entitled, Pathways From Prison to Postsecondary Education. This program is specifically designed to connect inmates being released with community-based programs who will assist in getting parolees admitted into colleges. DOCCS will hire case managers with primary responsibilities to support the activities of the participants in all areas and act as a liaison with their assigned Parole Officers. In addition, DOCCS seeks to establish a Prison and College Consortium whose members will include colleges and college programs we are already affiliated with, other colleges and programs and community-based programs. We believe such a consortium will be necessary to sustain and expand the Pathways From Prison to Postsecondary Education project.

While we talk about whether or not there is enough services provided to inmates, enough staff or enough funding, given our current resources I believe the Department does an outstanding job of educating and offering job skills to those in prison and on parole.

I hope you have a better understanding of the agency's vision and strategies for changing offenders' lives through education and enhancing public safety with evidence-based programs to prepare ex-offenders to enter the job market.

I would be happy to answer any questions you may have at this time.