

**Testimony of Darryl Epps, Director of Outreach and Onboarding | John Jay College
Institute for Justice and Opportunity, John Jay College**

**Presented before the Committee on Higher Education Oversight Hearing: Serving Justice-
Involved Students in New York City**

New York City Council, June 14, 2023 10 AM

Good Morning Chair Dinowitz and members of the Committee on Higher Education:

My name is Darryl Epps, and I am the Director of Outreach and Onboarding at the John Jay College Institute for Justice and Opportunity. In this role I am responsible for student recruitment for all of the Institute's courses and services, and for ensuring that new students are fully supported during their initial enrollment process. I am also a former student of the College Initiative program at the Institute. As both a staff member and a former student of the Institute, I am uniquely positioned to share the perspective of someone who experienced every aspect of this truly special organization. I am excited to share my story of transformation and change, which is in large part due to the services, courses and professional opportunities that the Institute has given me. And I am honored to assist the generation of students following me.

I would like to begin by sharing my journey of going from incarceration to the person that is speaking before you today. I was released in 2017 after 17 years in [New York State] prison. While incarcerated, I was a student in Cornell's Prison Education program (CPEP) which included courses taught through Cayuga Community College, Hobart and William Smith Colleges, and Cornell University. I earned close to one hundred credits from 2012-2017 and was paroled prior to earning my degree. Upon release, I completed a college preparatory course at Columbia University's Justice in Education Scholar program. Then, in order to pursue my college degree, I joined the College Initiative at John Jay College's Institute for Justice and Opportunity (the Institute).

The Institute was a crucial factor in my successful reintegration into society. The Institute used a student-centered approach, starting with a holistic onboarding process to assess academic goals and non-academic needs such as employment and therapy. The onboarding process also considered my concerns for my family. The Institute helped me develop a holistic academic plan, which empowered me to pursue my dream of earning a college degree in social work.

Most importantly, that same year, the Institute also provided my seventeen-year-old son, a high school senior, with aid exploring college options. After he saw me go to college, here is what my son, Lil Dee, said about his academic journey:

“Honestly, I never really saw myself as college material. I did not like school so I couldn’t see myself getting to that level of education. But seeing my dad’s success in college despite the hardships he had gone through had altered my perception of my abilities. I felt that if he was able to succeed as well as he did with the limited resources he had, then I could definitely reach that level of success. Seeing his success showed me that despite whatever hardships or obstacles may be in my way, hard work and dedication will always prevail.” <https://edtrust.org/the-equity-line/higher-education-behind-and-beyond-bars-a-father-and-son-story/>

The support from the Institute strengthened our familial bond and emphasized the transformative power of higher education. The Institute’s ongoing support not only reduced the chance I would recidivate, but also ensured that my son would have the opportunity to pursue his college dream, attain meaningful employment, and maybe one day he can “get [his] Mommy a house,” a dream he had since he was eight years old. My experience with the Institute is not unique but is a microcosm of the invaluable services they provide for many people in our communities.

In 2022, Lil Dee and I both graduated from CUNY’s College of Staten Island (CSI). My son earned an associate degree in liberal arts and sciences, and I earned a bachelor’s degree in sociology. Currently my son is pursuing a bachelor’s degree in biochemistry, still at CSI, and I am a graduate student at Hunter College’s Silberman School of Social Work, working toward my MSW. June 2023 marks my one-year anniversary with the Institute as the Director of Outreach and Onboarding. It has been an honor to participate in providing people with the same services I received from the Institute which transformed my life.

My story is not unique. Every day the Institute and its dedicated staff are on the front lines of delivering critical support to the individuals who need it the most. Whether it is academic counselling, career development or just an empathetic ear and open heart, the Institute is providing wholistic support to the communities that for far too long have not had their fair share of resources. I cannot imagine what would happen to these communities if the Institute could not deliver its services, and as my story shows, it’s not just the participants that would be impacted, but also their families.

In closing, I want to say we are proud to be a CUNY family, and I thank the committee for the opportunity to share my story and for your continued support. Thank you.

**Testimony of Dr. Gerald Maitre, Deputy Director | John Jay College Institute for Justice
and Opportunity, John Jay College**

**Presented before the Committee on Higher Education Oversight Hearing: Serving
Justice-Involved Students in New York City, New York City Council**

June 14, 2023 10 AM

Good morning Chair Dinowitz and members of the Committee on Higher Education:

I am Dr. Gerald Maitre, the Deputy Director of Programs at the John Jay College Institute for Justice and Opportunity. On behalf of the students and staff of the Institute, I thank you for this opportunity to brief you about our work creating pathways to higher education and the workforce for the many individuals impacted by the criminal legal system who are seeking a better life for themselves and their families.

We know that our students need to connect education with work readiness and employment. Just as CUNY has been a driver for students to reach the middle class, the Institute is a crucial driver for economic mobility for students impacted by the legal system. By increasing access to higher education, we are training our students for civic engagement and leadership roles at work and in their communities.

I am from Brooklyn, born and raised in Brownsville, where I grew up in NYCHA apartment buildings. I was faced with many of the same situations and challenges that landed the Institute's students in jail and prison. The only difference is that I realized I had to fight for an opportunity to go to school. I understood that in my community there were no resources and support systems for people who look like me to be successful.

My older brother served 20 years in and out of the jail and prison system. I knew that was not what I wanted for my life. I was so convinced that higher education would shape my life for the better that I couldn't stop with just one graduate degree, a Master of Social Work from Hunter College, I had to keep going for a Ph.D.!

The transformational power of education, family support, and my faith is why you see me here today. I have a passion to help those who are justice impacted like my brother—because I want them to have that chance to go to college, and to access those resources to be successful.

I'd like to tell you about the Institute's special sauce—how we do our work of opening the doors to college for people in prison, and people coming home from prison and jail.

- First, the Institute is uniquely positioned within BOTH the criminal legal system and CUNY. We are a pipeline from the legal system to degree and non-degree programs.
- Our staff work with a network of reentry services and ATI providers serving individuals inside and released from City jails and people on probation. We also conduct outreach at many New York State prisons, with a special focus on Otisville and Queensboro, and the Edgecombe transitional facility. We let people who are incarcerated know they are not forgotten, that the chance to get an education is here for them when they return from prison and jail.
- We are committed to the transformative power of education. Every day we see our students learning and growing as they move toward their vision for themselves. We have outstanding CUNY faculty teaching in our college in prison program and in our community-based Navigator Certificate program. The CUNY faculty are bringing intellectual inquiry and the full experience of the academic environment to our students.
- We have a holistic, student-centered approach. We provide academic advising, enrollment and financial aid application assistance specifically tailored to address the kinds of barriers that students impacted by the legal system often face—and peer mentoring that gives students immediate support and a sense of community. We recognize the impact of trauma on our students and help them build the self-care, self-advocacy, and communication skills they need to succeed in college and beyond.

Let me tell you a little about our students:

Three-quarters are male, and the vast majority—85%--are Black, Hispanic, Indigenous and other People of Color. About 30% of our students in New York City live in the Bronx and 20% in Upper Manhattan (East, Central and West Harlem and Washington Heights). More than a quarter live in Brooklyn and about 16% in Queens.

We are making a real difference in the lives of our students:

In the last four years, we enrolled 849 students in the College Initiative, and celebrated 134 graduates who earned their degrees! We provided tech skills assessments and training to 301 students. For our students facing the digital literacy divide, tech skills development is essential for them to embark on education and thrive in the workforce.

We've also celebrated 112 graduates of our intensive, semester-long Navigator Certificate training for people with lived experience in the criminal legal system who are seeking jobs and promotions in New York City's human services workforce. A survey of graduates from the first two cohorts found that two-thirds of respondents had increased their salary after completing the course. The Navigator Certificate is also an on-ramp to college: alumni who enroll in human services degree programs at John Jay, BMCC, and Bronx Community College are awarded 6 undergraduate credits.

Everything that we've learned about how to help people impacted by the legal system to gain access to higher education and training and the workforce—all that expertise--we share with the wider community of providers working on reentry, youth justice, and criminal justice policy.

- Through our fellowships for John Jay students, we are training the next generation of practitioners and policy leaders.

- Through our reports and publications, we are sharing vital information about their rights in the workplace--how to navigate background checks for employment, and how to obtain professional and occupational licensing.
- Our work also encompasses CUNY-wide training and capacity building, so that students impacted by the legal system will be welcomed and treated with equity on all CUNY campuses.

Now I would like to introduce you to our Director of Outreach and Onboarding Darryl Epps who will brief you about his work on bringing students into the institute and his experience as an alumnus of our college services. Thank you.

Testimony of President Karol V. Mason, John Jay College

**Presented before the Committee on Higher Education Oversight Hearing: Serving Justice-
Involved Students in New York City, New York City Council**

June 14, 2023 10 AM

Good Morning Chair Dinowitz and members of the Committee on Higher Education:

Thank you for this opportunity to address you today. I am Karol Mason and I have the honor of serving as the President of the John Jay College of Criminal Justice, one of seven senior colleges in the 25-institution CUNY system. As a Hispanic-and Minority-Serving Institution, John Jay College is focused on justice in all the dimensions.

I am delighted to talk with you about the many ways that John Jay and other colleges in the CUNY system support justice-involved students, including those in and returning from jail and prison. We are proud to partner with our CUNY colleagues, ATI providers, and re-entry organizations across the City to bring the power of higher education to justice-involved New Yorkers.

The Institute for Justice and Opportunity is a research and action center that began its work at John Jay in 2005. I'd like to introduce the Institute's staff briefly, as you will hear from each of them about the work they do and the courses and services they provide, at the conclusion of my opening remarks.

Dr. Gerald Maitre is the Deputy Director for Programs of the Institute and is responsible for overseeing the quality and impact of our various courses and services. Darryl Epps, is currently the Director of Outreach and Onboarding and formerly a student participating in the College Initiative program. Tommasina Faratro is the Special Projects Manager at the Institute, who among her other duties, supports the CUNY Justice Learning Collaborative.

I will begin by providing a brief overview of the important services and the impact of the work of the Institute at John Jay for students and staff across the CUNY campuses. Many of the City-based services and programs were developed with and supported by funding from the Mayor's Office of Criminal Justice, and combined with the Institute's dedication and work, have transformed lives.

A significant number of New Yorkers have a conviction record. In a study conducted by John Jay College's Data Collaborative for Justice, in New York City nearly 750,000 people have conviction records – 80% of whom are Black or Latinx, and many of whom have served time in jail or prison. This no doubt has a cascading effect on economic and educational privation.

Formerly-incarcerated people earn 52% less than their peers, more than half hold only a high school diploma or GED, and a quarter hold no credential at all. And while we don't know how many people enrolled at CUNY are justice involved, since CUNY has long had a policy of not requiring disclosure of convictions, we do know they endure the perpetual punishment of their conviction record as they seek education, employment, and housing opportunities. Ensuring access to college in and after prison is a crucial step for helping people transform their lives and improve their futures for themselves and their families. The Institute's wraparound services, including referrals for housing, tech assessments and classes, know your rights training and mentoring, as well as our combination of academic and career-readiness services, lead to greater inclusion and success of people with justice involvement in higher education and their social and economic mobility and stability. Ultimately these students are better prepared to engage productively in their communities.

The Institute's core programs include:

Prison-to-College Pipeline (P2CP): CUNY's college-in-prison program for students incarcerated at Otisville State Correctional Facility provides college readiness classes, admissions testing, credit-bearing college classes and academic reentry planning. Students are eligible for the program if they have a high school diploma/equivalency and are within five years of release. Once enrolled, P2CP students who maintain passing grades and meet other admission requirements, can have a seat in a CUNY college upon their release. Nearly 300 students have enrolled in P2CP at Otisville since 2011. Many of these students return to NYC and enroll in John Jay or other CUNY colleges. I have had the privilege of going to Otisville and engaging with the students there. They are truly inspiring.

College Initiative: The Institute assists students with legal system involvement to enroll and succeed in colleges across CUNY and in other New York-based colleges, through academic counseling, peer mentoring and community engagement. **More than one thousand previously incarcerated or court-involved students have pursued higher education through College Initiative.** Nearly 400 have earned post-secondary degrees across all the campuses, and roughly 20% of those graduates have earned multiple degrees. There are approximately 300 students involved in the program each year, most of them applying to or enrolled in CUNY colleges.

Career & Workforce Pathways: The Institute hosts a one-semester certificate program, the Navigator Certificate in Human Services and Community Justice, offered in partnership with John Jay faculty. This program prepares people with lived experience in the legal system for careers in the human services field, and provides an onramp to higher ed for many.

The Institute also provides **Tech Skills Training:** Tech skills assessments and training are provided for students who lack the basic technology skills necessary for higher education and employment.

CUNY Justice Learning Collaborative (CJLC):

The CUNY Justice Learning Collaborative led by the Institute convenes partners from across the 25-campus University system who are committed to creating a more equitable and accessible

CUNY for students who have been impacted by the criminal legal system. My colleague Tommasina Faratro will cover this in greater detail shortly.

We are proud of the success our students have achieved in these programs notwithstanding the limited resources. Through the combination of various funding streams, we have touched the lives of thousands of students and their families. We ask and thank you for your support to continue our vital programs, and my team and I look forward to answering your questions and discussing the additional ways in which we can bolster and amplify this work for the communities we serve.

Finally, I invite each of you to attend the celebrations of this semester's College Initiative graduates on June 22 at John Jay and our Navigator graduates on June 29. I will make sure your offices have the invitations with details. Thank you.

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**Testimony of Tommasina Faratro, Special Projects Manager | John Jay College Institute
for Justice and Opportunity, John Jay College**

**Presented before the Committee on Higher Education Oversight Hearing: Serving Justice-
Involved Students in New York City, New York City Council**

June 14, 2023 10 AM

Good Morning Chair Dinowitz and members of the Committee on Higher Education:

I want to echo the gratitude expressed by President Karol Mason and my colleagues and thank you for the opportunity to address you today, and for the privilege to share with you the exciting work happening across the University to support students impacted by the criminal legal system.

I am Tommasina Faratro, the Special Projects Manager at the John Jay College Institute for Justice and Opportunity. The core of my role is to cultivate relationships across CUNY in an effort to raise awareness about the experiences of CUNY college students impacted by the criminal legal system, and serve as a resource and thought partner to our CUNY colleagues who are eager to better support this population of students at their campuses. I also leverage those relationships to both enrich the services we provide at the Institute and to eliminate barriers to educational and professional opportunities these students face in CUNY and elsewhere. This work is primarily accomplished through the CUNY Justice Learning Collaborative that I will describe in my testimony.

I want to begin by stating that CUNY has a strong history of supporting students impacted by the criminal legal system and has long recognized that students with conviction records are an important part of its community. As part of a research project conducted by the Institute in 2018, I had the opportunity to interview 85 CUNY colleagues to understand the breadth of programs that exist across the University to support students impacted by the criminal legal system, and to hear their aspirations for further engaging this population of college students. Through these conversations, I learned about prison and jail-based programs that have since sunset following early 1990's legislation that eliminated Pell and TAP grant eligibility to people who were incarcerated; the creation of committees like the University Faculty Senate Committee for Higher Education in Prison; and the independent—and often unknown—efforts of faculty and staff who are recognized as campus champions for supporting system impacted students. Three things became clear: (1) there are many colleagues across CUNY that share our commitment to supporting students with conviction records in realizing their educational and professional aspirations, (2) their efforts deserve recognition, and (3) our colleagues are eager to do more.

Our report titled Mapping the City University of New York: the University's Commitment to Supporting System Impacted Students, captures the range of known programs—including those offered by the Institute described in Gerald's testimony—operating within CUNY to support students impacted by the criminal legal system. These include initiatives that intentionally partner with college-in-prison providers across the City and State; that conduct outreach to incarcerated people via correctional resource fairs; certificate programs; pre-college programs; campus-based support programs and committees; and college-in-prison opportunities. For example, the University Faculty Senate Committee on Higher Education in Prison coordinates faculty from across CUNY to attend resource fairs at local correctional facilities to share information about CUNY. Bronx Community College's Future Now program and the Borough of Manhattan Community College's Project Impact program provide high school equivalency programming, mentorship, and pathways to their institutions for system-impacted students. The CUNY Graduate Center partners with the Bard Prison Initiative to provide pathway to the CUNY BA program for Bard Prison Initiative alumni who earned college credits and credentials while incarcerated.

Since the release of the Institute's report in April 2020, many of these programs continue to exist, some have since sunset, and several new initiatives have emerged. For example, Lehman College created Reentry @Lehman to provide key information and resources to support Lehman students with conviction records. Hostos Community College revived its campus-based committee, Justice@Hostos. And Bronx Community College developed Justice@BCC, which recently secured funding to develop the Kalief Browder Social Justice Center for justice-involved Bronx Community College students.

There is so much incredible work happening across CUNY but there is little awareness about the initiatives that are detailed in the report and those that continue to emerge. The Institute is working to increase CUNY's knowledge of these efforts.

To raise awareness and better coordinate information, the Institute launched the CUNY Justice Learning Collaborative in October 2020. The Collaborative is a cross-university community of CUNY faculty, staff, administrators, and students who share a commitment to creating a more welcoming University that is inclusive of and responsive to the experiences of CUNY students impacted by the criminal legal system. We launched our first meeting and invited the 85 individuals interviewed in the report. Now our listserv contains more than 270 people from across CUNY.

The Institute convenes the Collaborative virtually on a bi-monthly basis and averages upwards of 75 attendees per meeting. We use the space to spotlight and raise awareness of existing programs; bring in guest speakers to present on research regarding college student with conviction records and legislative changes in field of the delivery of higher education in prison; and solicit their input on various projects. For example, our May 2023 meeting featured a presentation from the Vera Institute of Justice on the Pell Reinstatement and how existing Second Chance Pell and non-Second Chance Pell Institutions can become approved prison education programs. It is also a hub for resource sharing and learning and is a space where relationships can lead to inter-campus partnerships. To my knowledge, this is the only space in

CUNY where all the known efforts that support students with conviction records come together to learn about one another's work and share best practices and challenges.

Additionally, to try to respond to interest, the Institute collaborated with CUNY's Office of Communications and Marketing to create the CUNY Supports for Students with Conviction Records webpage so that students, their families, and our colleagues can easily access information and resources to serve them in their educational journeys. A small working group of CUNY Justice Learning Collaborative members developed the contents of the webpage, which was then shared with the larger group for review. The webpage was launched in October 2021 and thus far it has received more than 2000-page views from unique viewers. The Institute is responsible for maintaining and updating the contents of the webpage. I invite you to review and circulate this webpage.

CUNY has always been, and will continue to be, a beacon of opportunity for people impacted by the criminal legal system. Each corner of the University plays an important role in helping this population of students fully realize their value to our society. With the reinstatement of Pell and TAP eligibility to incarcerated people, more and more individuals will likely turn to higher education to change the trajectory of their lives, and for the 750,000+ New Yorkers with conviction records they will no doubt turn to CUNY, the engine for social mobility.

Thank you for the opportunity to share the important, and often unrecognized, work happening across CUNY to support students with conviction records. Thank you.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON HIGHER EDUCATION
JUNE 14, 2023**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chair Dinowitz and the members of the Committee on Higher Education for holding this vote.

New York City is home to hundreds of thousands of college students. Attending college can increase job opportunities and potential earnings, improve skills, provide opportunities for personal and social development, and decrease unemployment. For many people in our city and across the country, however, their current or past justice involvement makes attending and completing higher education challenging.

There are nearly 750,000 people in New York City who have a criminal record,¹ and there are even more people who have had contact with the criminal legal system but do not have a criminal record, such as those who were arrested but had charges dropped. Those who have a loved one who is incarcerated or otherwise involved with the criminal legal system also feel the stress, trauma, and stigma associated with justice involvement. Only 4 percent of formerly incarcerated people graduate from college, compared to the national average of 29 percent.² Those who are formerly incarcerated are eight times less likely to complete college than the general public.

Those in prison are significantly less likely to have a high school diploma or GED, which is required for college acceptance. While CUNY schools do not require applicants to disclose their conviction history, many private colleges do. Many students who are arrested while in college face consequences from their school, including expulsion. This barrier disproportionately affects Black and Brown people, as more than 80 percent of those with a criminal conviction are Black or Latinx.³ A college education can also be prohibitively expensive even for students who do not have a criminal record. While, beginning next month, the question of whether an applicant has ever been convicted of a drug-related offense will be removed from the FAFSA application, those with a criminal record are less likely to be employed and more likely to live below the poverty line, making funding their education challenging. A criminal history also makes one ineligible for many scholarships, and impacts a person's ability to obtain food and housing assistance.

Justice-involved students are likely to need more mental health and academic support while

¹ <https://www.cuny.edu/civics/support-student-conviction-records/#1631555528000-07b94ed2-68cf>

² <https://www.prisonpolicy.org/reports/education.html>

³ <https://www.cuny.edu/civics/support-student-conviction-records/#1631555381119-d76b56ce-e43f>

attending college than their peers who are not justice-involved. An estimated 65 percent of those in prison have an active substance use disorder,⁴ and over 90 percent of people who have been in prison have experienced at least one traumatic event.⁵ Having an open criminal case or being on parole or probation is extremely stressful, especially when one has to manage class, court dates, job and family responsibilities, and any requirements of their supervision. Those who have been incarcerated are more likely to have a learning or cognitive disability, and have lower literacy rates than the general population.⁶

I commend CUNY for not requiring applicants to disclose their conviction history, as this is an important first step to get students who are justice-involved in the door. The College Initiative, run by the John Jay College Institute for Justice and Opportunity, is a college preparation program and community that provides academic counseling, peer mentoring, and community support for students who are or have been involved with the criminal legal system. Similarly, Project Impact at Borough of Manhattan Community College connects BMCC students who have been impacted directly or indirectly by the legal system with a mentor, and CUNY School of Law's Formerly Incarcerated Law Students Advocacy Association recruits and supports law students who are formerly incarcerated. New York City should ensure that every CUNY school offers programs like these to justice-involved students.

The impact that a college education has on people who are justice-involved is well documented: formerly incarcerated people who participate in postsecondary education programs are 48 percent less likely to be incarcerated again than those who do not, and with each degree they attain, the rate drops.⁷ I look forward to working with the City Council to ensure that every college student in our city impacted by the criminal legal system can achieve educational success.

Thank you.

⁴ <https://nida.nih.gov/publications/drugfacts/criminal-justice>

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<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5079438/#:~:text=Over%2090%20percent%20of%20individuals.who%20experienced%20war%2Drelated%20trauma.>

⁶

<https://www.jjeducationblueprint.org/examples/information-prevalence-learning-disabilities-prison-population-regional-education>

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<https://hechingerreport.org/revolutionary-housing-colleges-aim-to-support-a-growing-number-of-formerly-incarcerated-students/>

Jarrell Daniels
City Council Public Hearing Remarks

My name is Jarrell Daniels and I stand before you as the Founder and Program Director of the [Justice Ambassadors Youth Council](#), as a Youth Justice Network Board member. And as a Truman Scholar, Columbia University alumnus and aspiring Psychologist. But I'm also a man who's spent the most critical years of my development in adult prison. 6 years to be exact. From age 18 to 24 years old. My time incarcerated forced me to grapple with the reality of my actions and no matter how many times I prayed for forgiveness, nothing can ever repair the harm I caused. But to be transparent, it wasn't the harshness of our legal system or my time in prison that got me there to where I am today. It was transformative power and access to higher education while serving my sentence. Being an incarcerated college student opened up a world of possibilities about who I could be after regaining my second chance at freedom. And the best part is that I do not stand alone as someone who has benefitted from prison college courses and pathways to top universities in the state. Higher Education providers like Bard College, John Jay College, Hudson Link, St. John's, Columbia University and others have made college accessible and have collectively contributed to the successful reintegration of thousands of formerly incarcerated people back into mainstream society. So I would be remiss if I did not acknowledge the fact that my story is not unique or uncommon. In fact, cycles of generational poverty, broken families, community violence and incarceration have plagued neighborhoods like mine for decades. What prevented me and countless others from falling right back into this vicious cycle was our pursuit of a college degree.

Many of us who served time in prison understood that graduating college was much more than just obtaining a degree. It was about job security, employment and in turn housing stability. It was about paying it forward for the generations to come. But most importantly, earning a college degree is about showing the world that we are much more than our worst mistake(s). A college degree gives us the *respect* and *credibility* we deserve and puts us on an equal playing field with the rest of society... Ladies and gentlemen, I want to be clear with you all when I say that: earning a college degree has proven to be the greatest predictor against recidivism post release. It is the only thing that has guaranteed the success and well being of many people like me... So my question to you all is “why aren’t there more college pipeline programs for vulnerable youth? Why isn’t there a college program or prep class in every adolescent and adult facility? Why aren’t we using college as a tool for social reform and community development? College is the same pathway that got most of you in this room where you are today. So again I ask: why isn’t this country, or New York City for that matter, using education to reach the people most likely to be impacted by gun violence, incarceration or recidivism?

In closing, I want you all to know that in the end it will be our commitment to workforce readiness either through college or vocational training that will determine the fabric of our city. Stories like mine demonstrate the importance of higher education for people before, during or after incarceration. The steps towards changing New York for the better, begin with increasing access to higher education and supporting college students to the finish line.



What happens when we provide college opportunity to people who have been persistently underrepresented in higher education and are currently incarcerated?

Bard Prison Initiative Testimony - Committee on Higher Education

6/14/2023 Oversight Hearing - Serving Justice College Students

INTRODUCTION

For over twenty years, the Bard Prison Initiative (BPI) has been a leader in restoring college-in-prison in New York and nationwide. Specifically, BPI has defended quality and rigor — particularly in the arts and sciences — in a space too often defined by low ambition and weak institutions. Today, BPI enrolls more than 300 students across seven New York State prisons, extending the full breadth and depth of the Bard College liberal arts education. Since its inception, more than 1,200 incarcerated New Yorkers have enrolled in BPI's full-time college degree programs, BPI students have earned more than 700 associate and bachelor's degrees, and more than 800 alumni have returned home.

As BPI students return home from prison, BPI works closely with them, through workshops and individual counseling in the 6-12 months before each person's release date, to prepare them for re entry. Students are then met with a comprehensive set of reentry services upon release that help ensure continued success.

BPI's work is done in a holistic, human-centered manner that recognizes the dignity, academic interests, and potential of every individual, regardless of their circumstance. Through education, BPI creates and expands access to academic and professional opportunities. BPI alumni return home equipped with an ambitious college education, ready to launch their careers and rebuild their lives. To support alumni along new career paths, BPI has pioneered a set of career development programs, both inside and outside of prison, that accelerate alumni professional growth and reflect deep investments in individuals. These pathways lead to careers in public health, non-profit work, philanthropy, and computer science. In the long term, the community of BPI alumni across the state will operate as a supportive and ambitious network of peers who are reshaping the communities, workplaces, organizations, and municipalities in which they live and work.

Recommendations

Based on our extensive experience, we would like to highlight several recommended practices for supporting justice-involved students:

1. Support prison education programs to target and expand access to justice-involved individuals returning to NYC
2. Enhance support to BPI to provides critical reentry supports to students returning to NYC
3. Recognize BPI's two NYC Microcolleges as models for expanding educational access to justice involved individuals in their communities—Brooklyn and Harlem
4. Strengthen support services such as academic advising, counseling, and career development resources to enhance the success and retention of justice-involved college students
5. Foster collaboration among government agencies, educational institutions, and community-based organizations to establish a comprehensive support system for justice-involved college students.

Supporting Returning New Yorkers: A Holistic Approach to Reentry

For students and alumni leaving prison, BPI provides catalytic reentry support across New York City. Investment in career, housing, and wellness support lays the critical foundation needed for students and alumni to continue to fully leverage their education back in their communities. **The essential funding BPI receives through the Discharge Planning Initiative helps students transition back to the City in a manner that benefits them, their communities, and this city as a whole.**

BPI works intensely with students 18-24 months before each person's release date, to prepare them for reentry. Students are then met with a comprehensive set of reentry services upon release that help ensure continued success. Through education, BPI creates and expands access to academic and professional opportunities. In the long-term, the community of formerly incarcerated Bard College alumni in New York City fosters a supportive and ambitious community that builds upon formal services through networking, mutual support, and peer mentoring.

Along with on-the-ground support in New York City and the Capital Region and remote support for alumni across the state, in the coming year, BPI will enhance reentry support for incarcerated

students and alumni, which includes increased work inside prison and expanded services for returning citizens.

Reentry Inside:

- Reentry begins upon enrollment
- Prior to release, the BPI Reentry team provides individuals with comprehensive support in the areas of continuing education (e.g. undergraduate, graduate, professional schools), employment, housing, technology, and wellness
- Five reentry workshops offered in the three medium-security prisons in which BPI operates and also meets one-on-one with students to plan for their return home

Transitional Workshop:

- **Satisfies New York State's parole work requirement**
- 25 hours of weekly programming for six weeks that offers vital support in the critical first few months upon returning home
- Participants receive a \$17/hour stipend that provides critical income as they leverage the workshop toward securing employment, housing, applying to college, and accessing social services
- Cohort-based and offered several times throughout the year

Career Development:

- BPI has pioneered a set of career development programs that accelerate alumni professional growth and reflect deep investments in individuals,
- Fellowship and networking opportunities with corporate, public, and nonprofit partners for alumni who have returned home

Saving Taxpayer Money & Supporting Economic Development

Reducing the rate at which people return to prison saves New York taxpayers money

New York State is known for its commitment to promoting high-quality affordable education, and ensuring educational equity to incarcerated individuals further fulfills this promise and is a necessary step to support economic development. [While 45% of the general population has a college degree, this is true for less than 5% of those incarcerated.](#)

- There are 15,000 incarcerated people in New York State prison with a high school diploma or GED, but only 10% of them currently have access to higher education in prison.
- [Studies](#) show people in prison have markedly lower educational attainment, literacy, and numeracy than the general public. More than [half](#) of formerly incarcerated people hold only a high school diploma or GED

- [Over](#) 76% of the people imprisoned in New York are people of color, despite the fact that they constitute less than 35% of the state's population.

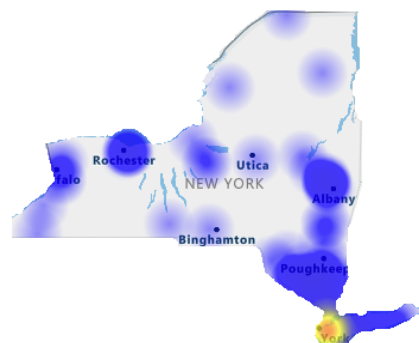
Providing college opportunities in prison has been found to [deliver](#) strong employment outcomes, [develop employer-demanded skills](#), [make prisons safer](#), and strengthen pathways to [successful reentry](#). These programs also hold the unique potential to improve students' lives, help narrow racial and economic equity gaps in postsecondary attainment and workforce participation, strengthen local economies and communities, and [disrupt cycles of incarceration](#) that continue to target, harm, and limit opportunity for historically targeted populations and people from low-income backgrounds.

- Public Support
 - The majority of New York voters have been found to [support](#) college in prison.
 - A recent national poll shows that voters across different demographic groups agree that people in prison should be allowed to access Pell Grants (the federal equivalent of TAP), with overwhelming support from Black voters (81 percent), Latinx voters (75 percent), and white voters (67 percent).
- Employment
 - [Employment rates](#) are higher among workers who have participated in an educational program while in prison compared to those who had not participated.
 - In New York, 85% of [Bard Prison Initiative](#) (BPI) students are employed within 60 days of their release from prison.

Student and Alumni Demographics

To enroll in BPI, prospective students must have a high school diploma or equivalency degree. Beyond this criteria, BPI student backgrounds match the diversity of the state and its communities represented in state prisons:

- 54% Black/African American
- 24% Hispanic/Latino
- 19% white
- 2% Asian
- 1% other
- 21% women students and alumni (vs 4.5% of incarcerated people in NY)
- **90% did not graduate high school**

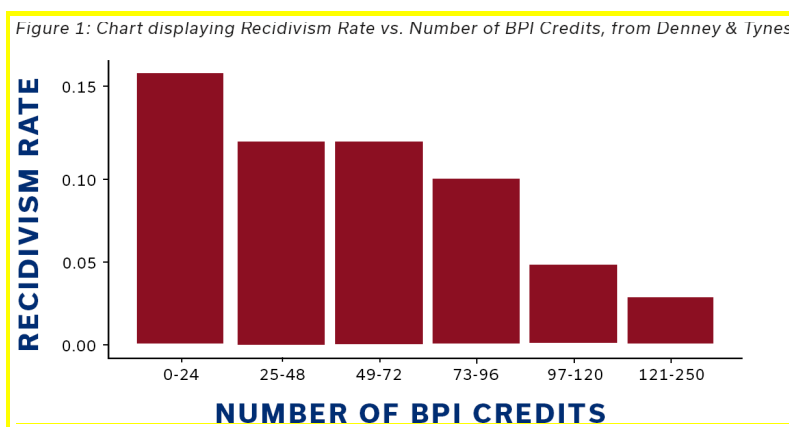


BPI students come from – and return to – all parts of New York State. This map represents where BPI alumni currently live.

Lowering Recidivism

In December 2021, *Justice Quarterly* published Yale Policy Lab research measuring the impact of college-in-prison on recidivism rates in New York State. The research analyzed data from the Bard Prison Initiative (BPI) and found that college-in-prison substantially reduces one's likelihood of recidivating, confirming that students who enroll in college-in-prison programs are dramatically less likely to return to prison than the general population. **Students who completed associate degrees showed a recidivism rate of 8.3%, as compared to the 41.5% general recidivism rate for New York State. For students who completed bachelors degrees, the rate fell to 3.1%.** These reductions represent a 38.6% drop in recidivism compared to New York State's general population. The study found that recidivism rates continue to decrease with more credits and degrees earned and the reduction holds true across racial groups.

This research reinforces what so many have known: college-in-prison increases public safety, saves taxpayer dollars, and creates extraordinary inroads to college in communities we most often fail to engage in higher education.



Investing in higher education and career development for incarcerated New Yorkers adds income and tax revenue to under-resourced communities

The student outcomes from participating in BPI create increased rates of employment and increased professional wages, which increases the economic vitality of communities across the state. Simply calculating the difference between Bard graduates' median wages and those of the median formerly incarcerated person produces a typical \$34,471 difference in annual income. The more than 800 BPI alumni who have returned home, therefore, may earn \$24 million more each year than they would have without the education they attained through BPI.

Expanding BPI College-in-Prison

Bachelor's Degree Expansion in Prison

- Over the past year, BPI expanded access to bachelor's-level coursework across all seven correctional facilities where it operates. This effort to ensure academic progression and degree completion will establish long-term student communities and provide as many opportunities as possible for students to stay engaged with BPI for as long as possible, without experiencing any gaps in their educational experience and while remaining connected to a thriving, rich community of students.
- BPI has expanded pathways for BA degree completion for incarcerated women in New York State. This year, Albion Correctional Facility became the first BPI women's site to offer both associate and bachelor's degree coursework. In addition to the new BA degree offering, this expansion created strategic opportunities for BPI students in two distinct ways. Establishing the infrastructure, faculty, and curriculum for the BA at Albion opened a further opportunity for a BA candidate to apply and be admitted at Taconic Correctional Facility, where only the associate degree had been available before. In addition, because of the long history of other programs at Albion, students will be coming to BPI with academic credits. To encourage the continuation of their academic pursuits, BPI will support these students through systems that support credit transfer and ensure student academic success.

Master's Degree (MA) Program

- Through exploratory meetings between BPI faculty administrators and senior faculty on Bard College's main campus, over the last 12 months BPI has developed a its first-ever master's degree (MA) program, a Master's in Public Writing in the Humanities with plans to enroll the inaugural cohort in Fall 2023. This program builds on the liberal arts education BPI students receive while also being directly connected to preparation for future careers and other student interests. Students enrolling in the MA program will learn how to transform their experience with academic writing into experience with different forms of writing for public audiences and across different genres—non-profit, grant writing/reporting, op-ed/journalistic writing, to name a few. Research for this program came from Bard College's Calderwood Seminars for writing as well as researching other colleges, such as Georgetown and Yale, that offer public writing or public humanities courses/programs and then ultimately designing our own program that will best meet our goals of building off of the liberal arts curriculum.

This 32-credit masters degree would run on a two-year cycle, starting in September and finishing with a capstone portfolio showcase 16 months later in January.

Microcolleges

An extension of the Bard Prison Initiative, The Bard Microcollege brings high-quality, full-scholarship, liberal arts education to those communities often excluded from the university experience. Each microcollege is created in partnership with a community-based institution. Their strength is the result of alliances between organizations that are conventionally separate from one another but have overlapping missions, common purpose, and shared core values. Microcolleges are fully-accredited, degree-granting institutions. Students are enrolled as Bard College students and earn Bard College degrees. They receive Bard College student IDs and graduate on Bard's main campus in the same ceremony as other students in their year.

In each microcollege location, Bard College recruits and enrolls students who have been previously deterred from higher education. Virtually all students are Pell eligible, most are first generation, 91% are Black and Latinx, and they range in age from 18 to 67. They include formerly incarcerated men and women, undocumented immigrants, women who left high school and college to care for children, young people living in LGBTQ transitional housing, and adults who have aged out of foster care. They are activists, artists, childcare providers, writers, and community organizers. All demonstrated intellectual capacity and drive; all faced multiple obstacles to educational access.

While open to an extraordinarily diverse group of New Yorkers, each microcollege is a hub of learning and study for formerly incarcerated people, increasingly serving as a destination for people on parole to complete college degrees. BPI has an established practice of hiring formerly incarcerated people who have the education and experience to work as credible messengers with justice impacted populations and people on parole. At scale, each of these colleges will enroll up to 70 students full-time and tuition-free for a total of 350 students across NYC.

In addition to the college currently located at Brooklyn Public Library, the college in Harlem is a partnership between College & Community Fellowship (CCF) and JustLeadershipUSA (JLUSA), two prominent organizations led by and for formerly incarcerated people. And, in addition to the services provided directly at the microcolleges (education, employment, tutoring, credible messaging), all justice-impacted students who are women will benefit from the wraparound services of College & Community Fellowship, and all students will access BPI's suite of student supports: housing referrals, continuing education advising, and 60+ BPI alumni who annually participate in a paid 6-week Transition Workshop (see below) designed to help them effectively reintegrate into society.

The Brooklyn Microcollege

- Launched January 2018
- Annually offers approximately 25 courses
- Currently enrolls approximately 50 students (~70 students for academic year '22)
 - Students come from across NYC: 75% from Brooklyn, 8% Manhattan, 8% Bronx, 7% Queens, 2% Staten Island
 - The student population is diverse: 58% Black/African American, 25% two or more races, 11% Latinx, 4% Asian American, 2% white
 - Learning can happen at any age: Ages 20-67, average age 35
 - Gender equity is a priority: 59% women, 35% men, 6% nonbinary
- First graduation in May 2020
- 32 new students will enroll in summer 2021
- Graduates have been accepted, with generous scholarships, into BA programs at IHEs, including Bard College, across the CUNY system, Mt. Holyoke and Smith College.

The Harlem Microcollege -- Bard Microcollege for Just Community Leadership

Launched in the summer of 2021 summer at the Countee Cullen Library in the cultural heart of Harlem, this microcollege enroll students who are formerly incarcerated or directly impacted by the justice system and others who are not; to become a hub of learning, teaching and thinking among the community of formerly incarcerated people in New York City while also engaging the full breadth of a robust, liberal arts faculty and curriculum; to provide a broad foundational education for students who have or aspire to establish a career in advocacy and to provide students engaged in any career path foundational skills and history necessary for robust civic agency.

At scale (Year 5), this project will employ roughly 8 or more recently incarcerated people or individuals on parole full-time in addition to 7 or more as part-time as academic tutors. Further, 40 or more recently incarcerated people or individuals on parole will be enrolled full-time as students in tuition-free, degree-granting Bard College programs. Microcolleges will be sites for formerly incarcerated people to study, find work, develop community, and also cultivate scholarship, coordinate advocacy, and teach as college faculty.

Addressing Recidivism & Parole through Employment and Educational Opportunity

Creating pathways directly from prison communities to community classrooms, the Microcollege Network will build on the success of BPI and college-in-prison in New York. The curriculum at the microcolleges is identical to BPI's; recently incarcerated students will be able to transfer easily into the microcolleges upon release in order to complete associate's and bachelor's degrees. It is a unique and unprecedented expansion of college-in-prison in the United States.

Courses, Instruction, & Requirements

Each microcollege replicates the degree requirements for a Bard College associate degree. While the requirements (below) are constant, precise coursework changes every semester as it does at any other college. The Microcollege at Brooklyn Public Library, for example, offers 26-30 courses each academic year, including: History of Parks in NYC, Comparative World Religion, Statistics for Everyday Life, Environmental Justice, Immigration in the United States, Greek Tragedy and Contemporary Theatrical Adaptation, Revolution in Modern Latin America and the Caribbean, and Documentary Media as Critical Method. Students enroll full-time, typically taking three to four courses per semester. Degree completion takes between two to three years, depending on a student's school/life/work balance.

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TESTIMONY

Oversight – Serving Justice-Involved College Students in NYC

New York City Council
Eric Dinowitz, Chair, Committee on Higher Education

THE LEGAL AID SOCIETY
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June 14, 2023

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I. Introduction

The Legal Aid Society (LAS) welcomes this opportunity to submit testimony before the New York City Council Committees on Higher Education regarding serving justice-involved college students. We thank Eric Dinowitz, Chair of the Committee on Higher Education for offering the opportunity to highlight some critical issues in this area.

II. About The Legal Aid Society

The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for legal reform.

The Legal Aid Society operates three major practices — Civil, Criminal and Juvenile Rights Practice through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States, and it brings a depth and breadth of perspective that is unmatched in the legal profession.

Legal Aid's Juvenile Rights Practice (JRP) provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. Each year, LAS staff typically represent approximately 34,000 children. A very significant percentage of these are children who have disabilities. JRP's Kathryn A. McDonald Education Advocacy Project further advocates for court-involved children and youth with regard to Early Intervention, general education, special education, and school disciplinary hearings.

The Legal Aid Society's Criminal Defense Practice (CDP), which serves approximately 220,000 clients each year, includes the Prisoners' Rights Project (PRP) and the Adolescent Intervention and Diversion Project (AID). PRP has addressed systemic and institutional problems in the New York City jails for more than 40 years. As counsel in a class action lawsuit, *Handberry v. Thompson*, No. 96-cv-6161 (S.D.N.Y.), PRP has successfully sued to improve and facilitate access to general and special education for high-school eligible youth confined by the New York City Department of Correction ("DOC"). AID has a dedicated team of lawyers, social workers, and investigators to address the unique needs of adolescents charged in adult court. The project uses an interdisciplinary approach to meet the complex needs of its clients. It provides legal representation to children who are prosecuted in the Criminal and Supreme Courts, and advocacy in furtherance of their educational programming needs.

Our Civil Practice works on more than 52,500 individual legal matters each year, including representing children and adults with disabilities through the Disability Advocacy Project and the Education Law Practice.

In addition to its individual representation, The Legal Aid Society also seeks to create broader, more powerful systemic change for society as a whole through its law reform representation. These efforts have benefitted some two million low-income families and individuals in New York City and the landmark rulings in many of these cases have had a state-wide and national impact.

Our perspective comes from our daily contacts with children, adolescents, young adults and their families, and from our frequent interactions with the courts, social service providers, and city agencies including the NYC Department of Education (DOE) and the NYC Administration for Children's Services (ACS). The Legal Aid Society represents youth and young adults in the many different settings created as a result of New York State's juvenile and criminal legal systems. These include individuals held in ACS custody in non-secure and secure detention (including Crossroads and Horizon); held in non-secure and limited secure placement facilities (the juvenile system's analog for sentenced youth) under ACS supervision; held in NYS Office of Children and Family Services secure placement facilities; held in NYC Department of Corrections custody; and held in NYS Department of Corrections and Community Supervision.

III. Ensuring justice-involved youth access to college programming is a net win for NYC

Access to higher education can be transformational for justice-impacted persons. Participation in higher education programming during any form of incarceration can increase salaries and employment rates upon reentry. Perhaps most significantly, education is proven to reduce the likelihood of recidivism.¹ Incarcerated people who participate in postsecondary education programs are 48% less likely to recidivate than those who do not.² Here in New York, the highly successful Bard Prison Initiative and Hudson Link, which both work with adults incarcerated in prisons, each boast a recidivism rate of less than 4% for their graduates.³ These statistics highlight at least one thing advocates have been saying for decades: education is key to ensuring that people affected by the criminal legal system do not reoffend and become productive members of society.

¹ Lois M. Davis et al., *Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs That Provide Education to Incarcerated Adults*, RAND Corp. [2013], available at https://www.rand.org/pubs/research_reports/RR266.html.

² Robert Bozick, Jennifer Steele, Lois Davis & Susan Turner, *Does Providing Inmates with Education Improve Postrelease Outcomes? A Meta-analysis of Correctional Education Programs in the United States*, 14 J. of Experimental Criminology 389 [May 24, 2018], available at <https://link.springer.com/article/10.1007/s11292-018-9334-6>.

³ Hayne Yoon, *Back to School: A Common-Sense Strategy to Lower Recidivism*, Vera Institute [Sept. 19, 2019], available at <https://www.vera.org/news/back-to-school-a-common-sense-strategy-to-lower-recidivism>.

While education is a predictor of lower rates of recidivism, youth involvement in the juvenile legal system is a predictor of higher rates of involvement with the adult criminal system.⁴ National studies indicate that only 30% of youth returning from detention re-enroll in school.⁵ Therefore, in the same way that there have been concentrated efforts to use education to reduce recidivism in the adult system, it is crucial that we also implement similar programs for court-involved youth so that they see there is indeed a path to college for them. Such efforts will almost undoubtedly cut the rates of recidivism among youth before delinquent behavior escalates or continues into the adult system.

I. Young people in the juvenile and criminal legal systems should be meaningfully prepared for college.

(a) Justice-involved young people receive quality high school education.

Not surprising to the seasoned observer, the vast majority of youth prosecuted in Family Court or in the Youth Part are youth who have experienced adverse childhood experiences and trauma.⁶ The COVID pandemic provided additional stressors, causing incarcerated youth to suffer hardship and to be further isolated from family and community. Many of these youth come from the communities most devastated by the pandemic. Furthermore, a very significant proportion of justice-involved youth have education related disabilities and are eligible to receive special education services under the Individuals with Disabilities Education Act (IDEA). Nationally it is estimated that one out of every three incarcerated youth have been identified as having disabilities that affect their learning and would be eligible to receive some level of special education services in their home schools.⁷ This is at least twice the rate of children identified as having a disability among

⁴ Elizabeth Seigle, Nastassia Walsh & Josh Weber, *Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System*, Council of State Gov'ts Just. Ctr. [2014], available at <https://csgjusticecenter.org/wp-content/uploads/2020/01/Juvenile-Justice-White-Paper-with-Appendices-1-1.pdf>, at 4.

⁵ *Education for Youth Under Formal Supervision of the Juvenile Justice System*, U.S. Office of Juvenile Just. and Delinquency Prevention [Jan. 2019], available at [Literature Review - Education for Youth Under Formal Supervision of the Juvenile Justice System \(ojp.gov\)](https://www.ojd.dhs.gov/publications/literature-review-education-for-youth-under-formal-supervision-of-the-juvenile-justice-system) at 6. See also *Why Youth Incarceration Fails: An Updated Review of the Evidence*, The Sentencing Project [December 2022], available at [Why-Youth-Incarceration-Fails.pdf \(sentencingproject.org\)](https://www.sentencingproject.org/publications/why-youth-incarceration-fails).

⁶ According to the Vera Institute, in 2014 “approximately 85 percent of young people assessed in secure detention intake reported at least one traumatic event, including sexual and physical abuse, and domestic or intimate partner violence. Furthermore, one in three young people screened positive for Post-Traumatic Stress Disorder (PTSD) and/or depression.” https://www.vera.org/downloads/Publications/innovations-in-nyc-health-and-human-services-policy-juvenile-detention-reform/legacy_downloads/transition-brief-juvenile-detention-reform.pdf at 12. See also, <https://www.nctsn.org/trauma-informed-care/trauma-informed-systems/justice/essential-element>

⁷ “Improving Outcomes for Youth with Disabilities in Juvenile Corrections: Educational Practices.” Washington, DC: U.S. Department of Education. https://osepideasthatwork.org/sites/default/files/JJ-TIB-13_12_EducationalPractices-508.pdf; Council of State Governments Justice Center. 2015. “Locked Out: Improving Educational and Vocational Outcomes for Incarcerated Youth,” p. 1. New York: Council of State Governments Justice Center. https://csgjusticecenter.org/wp-content/uploads/2015/11/LOCKED_OUT_Improving_Educational_and_Vocational_Outcomes_for_Incarcerated_Youth.pdf.

the general public.⁸ New York City data shows comparable percentages of disability in incarcerated populations.⁹ The percentage of incarcerated youth having an identified disability reflects a rate more than three times higher than that in the general community of New York City students.⁷ Many more youth involved in the juvenile or criminal legal systems are academically behind, but have not been identified as having a disability – often because they have never been evaluated.

It goes without saying that a quality high school education is a crucial building block toward college success. However, as it stands, our staff report difficulty ensuring that youth in detention or placement receive consistent education that meets their needs. This includes both youth in juvenile facilities supervised by ACS and OCFS, and high school aged young adults being detained at Rikers and other jails. Therefore, we ask that the City Council do its utmost to put young people back on track by ensuring that: (1) the DOE provide all students in juvenile detention and placement facilities with five hours per day of in person instruction; (2) funding is provided to ensure tutoring programs are available to all students in these facilities; and (3) the DOE create a system for quickly determining and delivering compensatory educational services to all students with disabilities.

(b) Justice-involved youth need adequate college programming

In order to interrupt the pipeline of youth from the juvenile legal system into the adult legal system, the City Council must invest in access to college preparatory programming and vocational training for court-involved youth. Exposure to higher educational opportunities, both college and vocational, is vital to ensuring the long-term ability of court-involved youth to live, learn, and earn in their communities.

The network of educational opportunities that exist in the state prisons, and to some extent the city jails, has no analogue in juvenile detention or placement facilities. The Legal Aid Society applauds the recent effort by Passages Academy at Horizon, which put on a “college week” for

⁸ National Center for Education Statistics 2020 Annual Report on The Condition of Education https://nces.ed.gov/programs/coe/indicator_cgg.asp#:~:text=In%202018%E2%80%9393%2C%20the%20number,percent%20had%20specific%20learning%20disabilities.

⁹ Rikers Island Education Report: Educational Programming for Adolescents and Young Adults at Rikers Island - Local Law 168 of 2017, N.Y.C. Dep't. of Educ., available at <https://auth-infohub.nyced.org/docs/default-source/default-document-library/local-law-168-d79-sy19-20.pdf> Pursuant to this report, in 2020, 53% of students enrolled in Island Academy were identified as students with disabilities. Although these were all students who were 18 and above, the report shows that only 13% of Island Academy students were functioning at a high school (Grades 9-12) level. Fifty-two percent were functioning at an elementary school level. Likewise, at a New York City Council hearing held on April 21, 2021, the DOE's Executive Superintendent overseeing the DOE's Alternative Schools District, which includes these schools, testified that at that time approximately 65% of students at Passages (the school serving youth under the age of 18 detained in juvenile facilities) were identified as having disabilities and an IEP which mandated Special Education services. (Testimony of Dr. Tim Lisante, NYC Department of Education Superintendent, District 79 at *Oversight: Educational Programming in Jails and Juvenile Detention; Joint Hearing Before New York City Council's Committees on Education, Criminal Justice, and General Welfare*. April 21, 2021, video available at <https://legistar.council.nyc.gov/Calendar.aspx> <https://legistar.ccouncil.nyc.gov/Calendar.aspx>.)

students in May. Passages reports that students left the week eager to learn more about higher education opportunities.¹⁰ However, such programming is not a common occurrence, nor is it employed at all locations of Passages Academy. Additionally, ACS only advertises that youth have access to college programming in Secure Detention in partnership with the City University of New York (CUNY). Opportunities like “college week” must be available in all juvenile placement and detention facilities on an ongoing basis. Furthermore, beyond time limited opportunities like a “college week,” ACS should be working with CUNY and other community partners to ensure that college programming and vocational training is available in all juvenile facilities. Such college programming should include SAT and GED preparation and testing, connections with college programs that accommodate students with disabilities, as well as opportunities to earn college credits concurrently with high school. To further increase the likelihood of a young person’s success upon reentry into his or her community, ACS, CUNY, community partners, and the DOE must all engage in coordinated efforts to ensure that each young person continues to be connected to the same college programming and vocational training when they leave their detention or placement facility.

For those justice-involved youth who are not held in detention, the City Council must also require that all new contracts for Alternative to Detention/Placement programs include a structure to offer youth robust educational guidance and support as well as access to college programming and vocational training. Furthermore, while The Legal Aid Society applauds the Adams Administration for baselining funding to expand Fair Futures to the NYC juvenile justice population, such expansion should continue and it should ensure that *every* justice-involved youth is connected to a Fair Futures coach.

The City Council must also push for increased financial support for justice-involved youth who seek post-secondary education. As it stands, ACS’s College Choice program provides financial and other assistance to college students who are current and former foster youth. However, justice-involved youth are not eligible for such funds. Further, Education Training Vouchers, which provide \$5,000 per year for education-related expenses, are only available to youth in non-secure placement or on after-care. Therefore, the City Council must ensure that there is adequate financial and other support to all current and former justice-involved youth enrolling in college.

Finally, the City Council must also start mandating ACS, the Department of Probation, and the Department of Education to coordinate and track the following data for justice-involved youth to ensure transparency and facilitate oversight by the City Council and advocates: school attendance rates; whether students are up-to-date on credits; the number of students in credit recovery programs; high school graduation rates; the number of youth who earned a GED; the number of youth engaged in college programming; the number of youth enrolled in vocational training; the number of youth completing vocational training. Such data should be disaggregated by the young person’s status (e.g.

¹⁰ See *Passages Post*, Passages Academy [May 2023] available at <https://4.files.edl.io/9b87/06/05/23/133814-2a303f04-335c-4391-98f1-ca42134d17fa.pdf> at 10. Students were given the opportunity to participate in a pep rally, engage in career exploration, attend college fair, and listen to other speak about how college changed their lives.

adjustment, parole, remand, placement, alternative to detention/placement). Such data should be published on an annual basis.

IV. People incarcerated in the adult criminal legal system require increased access to college programming

The City Council should ensure that individuals incarcerated by the criminal legal system are given meaningful college and vocational programming. In their testimony, officials from CUNY cited difficulties in providing programming in the city jails due to the high rate of population turnover. However, this overlooks the substantial number of individuals who languish in the city's jails for extended periods of time. For instance, in 2022 the average length of stay for a person incarcerated on Rikers Island was 120 days, or about 4 months, and at least 30 percent of the incarcerated "population had been in custody for more than a year, with some having been in custody for three years or more."¹¹ The City Council should incentivize CUNY and other higher education institutions to provide robust opportunities for people to access GED's HSE's, vocational certificates, college preparatory material and college-level courses throughout the City's jails. People incarcerated in the city jails should then be able to seamlessly continue and complete their programming either in their communities or in state prisons using the technological tools available today.

Conclusion

Thank you again to the Committee on Higher Education for looking closely at how to improve access and support to justice-involved college students. We are happy to answer any questions.

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¹¹Eric Adams, Lorraine Grillo, and Daniel Steinberg, *Mayor's Management Report* (September 2022), at 83, available at https://www.nyc.gov/assets/operations/downloads/pdf/mmr2022/2022_mmr.pdf

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jarrell Daniels Geraldine Downey

Address: 1190 Amsterdam Ave.

I represent: Center for Justice, Columbia University

Address: _____

CUNY - 6/14/23 **THE COUNCIL** President of
THE CITY OF NEW YORK John Jay

Appearance Card

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Date: _____

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Name: President Karol Mason - John Jay

Address: 524 West 59th Street

I represent: John Jay College

Address: Kmason@JJay.cuny.edu

CUNY 6/14/2023 **THE COUNCIL** President of
THE CITY OF NEW YORK

Appearance Card

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Name: Tommasina Faratro - John Jay College

Address: Special Project Manager

I represent: Institute For Justice & Opportunity

Address: TFaratro@JJay.cuny.edu

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Name: Dr. Gerald Depps - John Jay College

Address: Special Projects Manager for Justice

I represent: Institute for Justice & Opportunity

Address: Depps@JJay.cuny.edu

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☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Dr. Gerald Depps - John Jay

Address: Depps@JJay.cuny.edu

I represent: Institute for Justice & Opportunity

Address: gmaitre@JJay.cuny.edu

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