Little Hoover Commission Testimony – Mark Faucette, Amity Foundation

Good morning Commission members and staff. My name is Mark Faucette and I am Vice President responsible for Amity Foundation's multiple in-prison projects and 185-bed residential program in Los Angeles. If you are not already familiar with Amity, we are a Therapeutic Community model reintegration program for men and women coming back to their communities from incarceration, operating 30+ programs in Arizona, New Mexico and California.

I am also the current Chair and a founding member of the Los Angeles Regional Reentry Partnership (LARRP), and I sit on the LA Probation Department's newly created Community Advisory Committee on Realignment. We are grateful to be here today and to be part of this critical and valiant effort in reforming our current system of incarceration.

I have spent my life working with disenfranchised people who are trying to reconnect with their community from incarceration. You have heard, and will hear; many of my colleagues discuss some really critical concerns about Realignment, as it stands today. But I would like to introduce to you, yet another theory about 'why our County Jail system experiences overcrowding and a revolving door.' Not to simplify the issue, but I have found that you can discover some of the answers to this question if you just ask the people who find themselves in this never-ending cycle. "How *do* you go from being a convicted criminal to a productive member of society?" Changes in the law alone, do not make that happen for people.

Realignment is a good thing and an evolutionary process:

Let me be clear...Realignment needed to happen, for many reasons. But there are many challenges within these first two years that we need to talk about in order to refine it for the future. We need to listen to the people who continue to recidivate over and over again through our jail system. At some point you need to stop and ask these repeated offenders what it would take for this cycle to stop in their own lives. In the recovery process it is imperative that the individual participates in his or her own program of rehabilitation and he/she needs to be the one who identifies their own individual reasons for falling into this cycle. In much the same way, this process of Realignment has to include the very important feedback from community based providers, law enforcement, probation, parole and others responsible for the care and habilitation of these men and women who are returning. And then changes have to be made to reflect those concerns. There are some very effective public-private partnerships developed around reentry that can facilitate this discussion, including LARRP. As a community we have learned a lot in these past two years. But if we get all of these partners together to talk about challenges and effective remedies...then we've got find a way to implement those changes so real system effectiveness can occur.

The overwhelming challenges of Rentry:

Let's face it, the process of Rehabilitation needs to begin pre-release...but the real work happens when a man or woman comes out of jail or prison and starts to reintegrate with mainstream society. Facing the myriad of demons is oftentimes a huge challenge, because there are a multitude of daunting issues

to face on the outside. This is a very scary, intimidating and onerous process for most people; and I don't believe we, as a society, take this fear and loneliness into account. We just want people to shape up and fly right. The solutions range from family reconciliation and a connection to a productive support system, to resolving physical health issues, mental stabilization, the ability to compete in the mainstream marketplace, affordable housing, and drug or alcohol addiction recovery programs. I ascertain that all of these issues are not insurmountable with the right guidance, confidence, and of course, the willingness on the part of the individual to be finished with the cycle of despair in their lives -- once and for all.

I am fortunate enough to see many individuals achieve this success through comprehensive rehabilitation programs. If we are not willing to give someone this chance, and the time necessary, to change these patterns of behavior; then we might as well just write them off once and for all as "hopeless individuals" and continue to institutionalize them forever. I will just warn you that the societal and economic impact of this alternative is much greater than any of us wants to take on. And so we will continue to point the finger at the Sheriff's or Probation department and any other branch of government who is faced with the unfortunate task of trying to sort out this mess.

What is most unfortunate is the local governments' unwillingness to involve and work with private social service organizations in this process of returning individuals successfully to their communities. This becomes a power struggle over who knows what's best for the individual. Will the Sheriff's department, LAPD, Probation, Parole, City Council or the County Supervisors be there when John Doe is released to the streets to help him figure out what's next? Through this Realignment process, Probation Officers have tried to do that – but with caseloads that are completely overwhelming they don't have the time to sit down with a comprehensive treatment plan and try to figure out what is going to be effective. There needs to be some trust in the community providers abilities to do their job. This is a daily and intensive process and real changed cannot be affected with a 30-minute meeting once a month.

Community partnerships have to be mutually respectful to be productive:

I'll give you a few examples of how these power struggles completely undermine the work we are doing in the community. LAPD comes in regularly to our facility with SWAT gear on in great force to pick up a guy who has absconded or violated his parole. They take him in for flash-incarceration to teach him his lesson. Let me ask you...10 days later when he gets out of the County jail, do you think he has learned his lesson or anything as changed for him. Probably not...now he has even less trust and feels like these people in Probation really care about him as a person. This confirms the theory that he is just number. Now don't get me wrong, we appreciate and have a great respect for LAPD and the job they do to keep us all safe; but we have to ask ourselves "how do you think this SWAT party at the facility has affected all of the other program participants who are trying to get their lives back on track"?

Cross- Training can be very effective. In the 1984 Amity developed a training process referred to as 'cross-training' . Initiated with the Pima County Jail, this was a triangulated process, acknowledging the culture of the officers, the treatment providers and the inmates. More than 1,500 people came to

Amity—to learn about cross training, but as the concept proliferated nationally the "inmate" culture was dropped and cross-training became known only as training between the correctional/treatment organizations. Every institution, every gang, every group within corrections has its own traditions, policies, prejudices and attitudes. It is useful for those aiding in reentry to have a minimal understanding of where the person is coming from. The American- Asian community behind walls is very different than the American-Mexican community, and this differs by institution.
Many have spent years immersed in these cultures.

I would like to leave with you all today a study that was conducted by Amity called *Number to Name – Convict to Citizen.* If you take the time to read it, it will offer additional insight into what we have learned as an organization about reintegration with mainstream society from incarceration. I hope you will find it useful.

The population we are discussing today are individuals and they matter – They are a *Name* not just a *Number*

Now allow me to paint a pretty little picture for you. John gets released at midnight from the Inmate Reception Center in downtown Los Angeles, where approximately 20,000 others are released in the course of a month. A short hike from Skid Row, John takes off down the street where he can find shelter, food, a shower, etc, because he knows he can't go back to his family right now. Unfortunately, a friendly drug dealer is just down the block waiting for him on the corner. John has a decision to make – well he's already screwed up royally so he might as well anesthetize because it will make sleeping at the mission or on the streets that much easier. Tomorrow morning he will go into the corner store and steal some cigarettes and something to get him by until he finds a place to live and a job. But of course this process of picking up the pieces is longer than he had ever anticipated because finding a job with no address is next to impossible. And of course he will have to make payroll for a few months before he ever gets enough saved for first and last month's rent. Then there is the issue of transportation and other subsistence needs. All of this seems a little overwhelming, so maybe just checking out and living on the streets will be easier because then he won't have to face his demons and the demoralizing choices ahead. Or maybe he could sell some drugs for the local kingpin and make some fast money in order to afford a hotel room.

Most of the people we encounter who recycle through the jail or prison system come from a long line of bad decisions. Most even have mothers, fathers, brothers, sisters, uncles, and even grandparents who have made bad decisions – ranging from prostitution to drug use, gang banging, stealing, domestic violence, molestation, and even violent crime. Think for a moment how much your environment and upbringing have shaped who you are today. If this was your family make-up, what kind of healthy decisions do you think you would be making for yourself? The point of this story is that generally one bad decision leads to another and another until you find yourself in a perpetual cycle of addiction, incarceration, mental instability and eventually homelessness. This cycle for John and many others does not happen overnight; it is typically a lifetime of (self) abuse and neglect. Likewise, it is not generally apt to change by simply spending some time in jail or a few months in a residential program. It is a lonely and long road of intensive support that will finally lead to successful self-sufficiency. In fact, the problems usually become exacerbated through institutionalization. John becomes hardened,

disappointed in himself and the cycle gets worse and continues to spin out of control.

Mental Health and treatment disparities are causing us to be completely ineffective:

Now, let me tell you what happens when John comes to Amity Foundation. This is actually a true story of a young man we have at our facility right now. He has bi-polar disorder and schizophrenia which causes him to be anxious day and night; he can't sleep, he regularly confesses that he wants to commit suicide because he knows it is the only way he can get medication that works for him from the County hospital. He believes people from a local gang are coming for him so he is completely paranoid and talks to everyone in sight to try to get some help. He has already been on over 200 72-hour psychiatric holds. The last time he went to the local USC outpatient clinic and they wouldn't see him, he went out to the lobby and slit his wrists to show them he was serious. He is a young man that lives in desperation. The Parolee Outpatient Clinic is so backed up that he can't get in for a month and when he does get in they will give him the same ineffective drugs that he has tried so many times before, that just increases his nightmares. The whole system is tired of seeing him, and all he wants is to know someone cares for him as a person and someone who can stop the insidious cycle for him. This is an individual who needs a stepped up level of care, including on call therapists that will most likely cost $120/day rather than the $42/day we are receiving to house him. But he has been to every program in town. The next option is to abscond once again so he can go back to his Probation officer and beg for a program that can sufficiently support him. And so the cycle continues...he will end up back in jail and all of our problems will be over, right? He will be fixed in 60 – 90 days with housing only, right?

Statistics only tell us we've got an onerous process ahead:

You already know all of the statistics...how according to the *National Institute of Corrections*, 97% of the individuals now in US prisons eventually will be released and will return to communities, often without assistance or services. Both experts and studies agree that effective evidence-based reentry programs can reduce recidivism by at least 20 to 30 percent.

We have got to continue not only investing in employment specialists, job developers, case managers and mentors; but we have ***got to*** fund treatment and mental health services and build a relationship of trust with individuals.

My repetitive question to our local and state government officials is – "What would you do if all the social service organizations that fund these initiatives on private dollars closed their doors and discontinued the rehabilitation services that are provided on behalf of the city and the county to our most vulnerable citizens?" Our local government needs to recognize the economic impact of NOT providing these essentials services, and placing unfunded mandates and onerous restriction on the providers that can make an impact individually for those who are the subject of our discussions today. You know that it costs us approximately $8,000 per year per individual, by leveraging other partnerships, to provide a complete array of support services including medical, dental, legal assistance, job placement and housing. Now contrast that with the $32,000+ that it costs us to house someone in the County jail system. Oh and don't forget to take into account what we are paying to take care of their children in the foster-care system while they are incarcerated and the thousands of

dollars in general relief that we are providing upon release because they can no longer find a job because of the convictions on their record. Local government continues to point the finger at one another instead of finding ways to fund private organizations that are doing a tremendous job to help them reduce recidivism. And the cycle continues.

What we need to recognize is that "these people" yes indeed make this choice for themselves because they have abandoned their value system and resigned themselves to their lot in life whether it be because of defeat, mental illness, bad choices or simply learned generational patterns. "These people" don't need any more labels, they don't need us to feel sorry for them, and yes they need to get up off their mat and contribute to their own recovery. But "these people" are our neighbors, our brothers, our sisters, our parents, and our grandparents. What they need is some loving-kindness, someone to believe in them, someone to hold them accountable, supportive services, jobs, self-esteem, housing and to be reeducated so they can break the cycle of bad decisions. And this process needs to start *before* release, so that these individuals have an established system of support. "These people" are not hopeless dredges of society. For whatever reason, at this juncture in their lives they are simply *incapable* of taking care of themselves the way they need to. This is where we, as a civilized society, need to step in and help them help themselves.

No doubt about it, this revolving door in our County jails represents a huge multi-faceted series of systemic problems that need to be changed. The Sheriff talks about the inability for Probation and Parole to work with the County jail system; the County Supervisors talk about illegal immigration contributing to the problem; the Criminal Justice system and the courts talk about the inability to work with the Sheriff's department; studies refer to the Los Angeles County jail system as the "largest mental health hospital in the free world"; and demonstration projects have shown that overcrowding in our county jail systems can be mitigated by successful reentry programs that address the underlying issues that plague John Doe and so many others daily.

As a society we have a choice to make too – let's not continue to make bad decisions that compound daily.

Conclusion

In conclusion, I would like to recap 4 key points.

1) Law enforcement, Probation, County Supervisors and a variety of government oversight agencies have got to begin to trust community based and faith based organizations to do the work they do best. This means working with them and sharing their recommendations before making crucial decisions that will affect the outcomes for the individual and the community.
2) We have got to fund ***sufficient*** treatment services that will help get these individuals back on the right track. If we want people to shape up and fly right...we have got to invest in the services that will put them on that right path and that can generally not be done in 60-90 days.
3) Mental Health Services have got to be a priority, as well as sufficiently funding the Parolee Outpatient Clinics. I believe we have severely underestimated the percentage of mental health challenges faced by our PSP's. And if you add the general depression that comes from a lifetime of bad decisions, we are at close to 100% who need therapeutic care, not just housing.
4) Local Law Enforcement has got to be trained to work in a Community Policing fashion with local

service providers. If a PSP is at a residential facility, that is half the battle. We have achieved the first step to reintegration if we can get them to comply with reporting and housing requirements. Let's work together to build from there and help these men and women become successful; and let's remember this is not about transforming a system so much as it is about transforming lives that will ultimately change our communities for the better.

Thank you all for your time and attention today. The Los Angeles Community is grateful for you making the effort to learn about what is working and what we still need to address as we look to the future. Amity Foundation and the Los Angeles Regional Reentry Partnership looks forward to being a part of the solution for this important initiative.