



State of New Jersey
DEPARTMENT OF CORRECTIONS
WHITTLESEY ROAD
PO Box 863
TRENTON NJ 08625-0863

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

GARY M. LANIGAN
Commissioner

April 14, 2014

David J. Rosen
Legislative Budget and Finance Officer
Office of Legislative Services
State House Annex, P.O. Box 068
Trenton, New Jersey 08625-0068

Dear Mr. Rosen:

Please find the Department of Corrections response to the additional questions raised by Assemblyman Cryan of the Assembly Budget Committee.

1. Question:

Please provide the committee with information on the Department of Corrections' compliance with the Fair Release and Re-entry Act and the assistance provided to inmates for re-entry into the community as they leave DOC custody.

Response:

I. Introduction

NJDOC has established and maintains guidelines to ensure compliance with the Fair Release and Reentry Act of 2009 (hereafter referred to as FRARA) which are outlined in the departmental Internal Management Procedure: PCS.008.FRARA.01.

II. The Process

Inmates are advised during the pre-release interview session of the fact that they will be receiving a FRARA packet on the day of release as well as advised of the items included in the packet. The inmates are also reminded 30-60 days from release during the final discharge planning session. Inmates are educated on the importance of the information included in the packet.

III. The FRARA Packet Content

A. The Social Services Department is responsible for providing:

1. Duplicate Social Security Card (where applicable, as per federal MOU guidelines only)
2. Birth Certificate (where applicable, as per DHSS guidelines only)
3. MVC participation results
4. MVC Non-Driver Photo ID (where applicable, as per MVC guidelines only)
5. Participant Programs Transcript of all their programs
6. Pre-Release interview outcome
7. Discharge interview outcome
8. Informational CD to include, but not limited to:
 - Right to vote information
 - Records expungement information
 - Child support/custody information
 - Community-based resources
 - Application for Certificate of Rehabilitation

B. The Classification Department is responsible for providing:

1. Final discharge paperwork
2. Copy of criminal offenses and notification of active warrants/detainers
3. Released on Recognizance (ROR) documentation (where applicable)
4. Acknowledgement of Court Appearance (where applicable)

C. The Parole Department is responsible for providing:

1. Parole certification and any reporting instructions (where applicable)

D. The Identification Officer is responsible for providing:

1. NJDOC Temporary Photo ID

E. The Business Office is responsible for providing:

1. Certificate of Obligation and Receipt
2. NJ Transit tickets (where applicable)
3. Remaining account balance (where applicable)
4. Final Trust Account Statement of Fines and Restitutions
5. Debit card and/or checks (where applicable)

F. The Medical Department is responsible for providing:

1. Medical records summary
2. Instructions for full medical records request
3. Medical referrals (where applicable)
4. Two week supply of prescription medication (where applicable)

The FRARA packet also includes a list of public libraries and a table of contents for each CD. The CD is updated quarterly. Lastly, the entire list of forms on the CD is available to the public at: http://www.state.nj.us/corrections/SubSites/OTS/OTS_FRARA.html.

IV. Release

Due to the sensitivity of the materials and regulations set forth by the Social Security Administration (SSA), the FRARA packet is safely secured until the day of the release. The releasing authority in the correctional facility provides the FRARA packet to the inmate on the morning of release. Both the inmate and the releasing authority sign the NJDOC FRARA receipt, which is an itemized report of everything included in the packet. One copy of the receipt is provided to the inmate and a second copy is stored in the final classification folder.

V. Monitoring and Auditing

Daily each supervisor of social services faxes copies of the FRARA receipt to the FRARA Coordinator who validates the inmate release list for all facilities and ensures that packets were provided and signed for. In rare instances where a packet may have been missed, it is forwarded to the released inmate via US Mail with certified return receipt request.

In a collaborative effort to provide a unified message on the importance of the FRARA packet, Parole staff requires that all inmates released with supervision bring their packet to the first parole meeting to verify receipt and possession.

VI. Limitations to the survey conducted by NJ Institute for Social Justice (NJISJ)

The department refutes the claim by NJISJ that NJDOC is not in compliance with N.J.S.A.30:1B-6.2. Aside from the fact that NJISJ never expressed these concerns to the department, our brief analysis of the findings presented in the survey indicates that there are significant limitations to the report. *A copy of the survey is attached for reference purposes.*

The survey lacks an external validation process. The State Bureau Identification (SBI) numbers for participants were not provided to the New Jersey Department of Corrections; therefore the department was not afforded the opportunity to validate the participant's answers against signed copies of their receipt. Furthermore, according to NJISJ's own admission, the survey sample size is 59 participants. This represents less than (0.5%) out of a potential of 11,000 inmates released annually by NJDOC; hence statistically speaking 59 former inmates is not the minimum sample size required to reasonably detect an effect of any outcome study. In other words, the survey results are unable to be generalized to the entire FRARA operations of the inmates released from NJDOC.

Upon further review, the survey questions are not clearly defined; hence forcing the participants to provide dichotomous answers to questions that have a more complex response. Additionally, the survey does not distinguish which responses are from those who were released from state prisons verses county jails. Likewise, it lacks information with regards to the time period in which the participants were released and when the survey was conducted. The report clearly provides duplicate questions, such as items “M” and “N” and yet goes on to cite inconsistent statistical outcomes for both questions. Lastly, the survey does not specify categories that clearly distinguished “not sure” from “not applicable” as all questions and required FRARA items are not applicable to all parties.

2. **Question:**

Please provide the committee with information about why the recent trends in inmate GED and high school diploma rates have changed.

Response:

GED

The NJ DOC has seen its General Education Development passing rate increase over the past three years. In FY 2012, the passing rate was 68%; in 2013, it was 78%; and in the first half of 2014, the Department saw 85% of incarcerated individuals passing the exam. Over the same time period, the total number of GEDs passed per year has increased each year.

The NJ DOC attributes the increase in passing rates to a set of policies specifically designed to improve this indicator. The most notable of these policies was the implementation of a benchmark requirement to sit for the GED exam. Supervisors of Education required students to prove readiness for the GED via pre-GED scores, Test for Adult Basic Education (TABE) scores, and graded work. This requirement has ensured readiness for the exam without harming participation.

The new high school equivalency exam which will begin to be administered in April 2014 will be more rigorous than the previous GED exam. Hence, despite recent increases in passing rates, the Department expects a lower pass rate initially. This is reflected in the target for passing scores as shown in the Governor’s budget under Key Performance indicators for Education.

High School Diploma

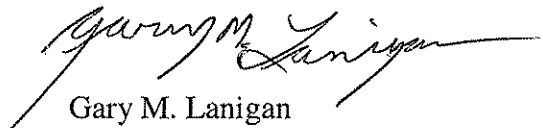
In FY 2012, 56 inmates received their high school diploma, and an additional 52 earned theirs in FY 2013. At the midpoint of the current fiscal year, a total of 26 high school diplomas have been recorded. Hence, the Department has remained steady in issuing high school diplomas over the past three years.

However, the Department expects this number to change significantly. The DOC is seeing a decline in the number of inmates admitted to our system under the age of 21 without a high school diploma or GED. In FY 2013, this population was 356, on average. In FY 2014, the average is 235. Thus, with fewer inmates on the high school diploma track it will be even more difficult to attain the current target of sixty high school diplomas per year.

David Rosen
April 14, 2014
Page 5

Should you have need for additional information, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary M. Lanigan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gary M. Lanigan
Commissioner

c: Judi Lang, Chief of Staff
Gary T. Alpert, Assistant Commissioner
Mark Farsi, Deputy Commissioner
Beth Schermerhorn, Assistant State Treasurer