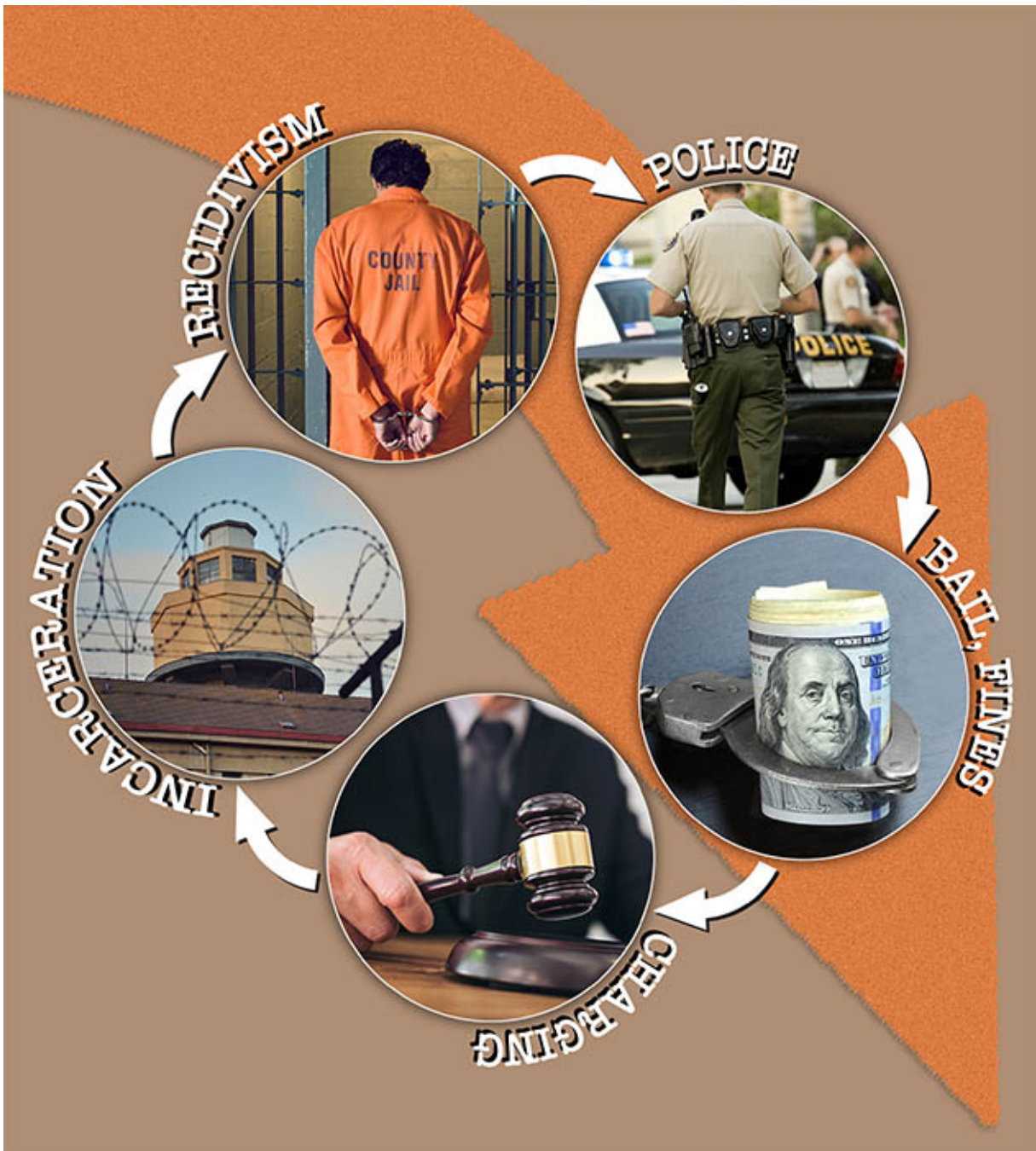


# “Criminal Justice in Arizona”

Lewis Facility Community Town Hall Report

Buckeye, AZ – September 20, 2018



# **CRIMINAL JUSTICE IN ARIZONA**

## **Lewis Facility Community Town Hall Report**

**September 20, 2018 – Arizona Department of Corrections, Lewis Facility**

Participants of the September 2018 Lewis Facility Community Town Hall make the following findings and recommendations. This report reflects the consensus achieved through group discussions by Community Town Hall participants.

### **GOALS FOR ARIZONA'S CRIMINAL JUSTICE SYSTEM**

The goals of the criminal justice system should be examined from the perspectives of both the individual offender and society as a whole. Public safety is a principal goal, but we should be concerned with safety for both individuals (including incarcerated persons) and society. For example, there is a need to separate violent and non-violent offenders, and to protect inmates who suffer from mental illness. Accountability is important, for both the individual and society. Public officials should be held accountable for the system. But sentences are too onerous, and the cost of punishment might be better spent on prevention and treatment efforts. The criminal justice system should be focused on serious offenses, rather than petty offenses, such as minor drug offenses. The system should be fair, unbiased and consistent.

More focus should be placed on understanding the causes of crime, on prevention, and on rehabilitation. The public should be better educated about the causes, costs and consequences of criminal behavior, the justice system, and incarceration. We need better programs to address issues that contribute to incarceration, such as substance abuse, serious mental illness and PTSD. Treatment and training programs should be available starting at the beginning of a prison term, rather than just in the last sixty days. The Second Chance program is very effective, but is too limited in time and scope. Provision should be made to address relapse and other behavioral health issues other than through isolation or punishment.

Addiction and substance abuse are major contributors to incarceration. We need better ways to educate, train, and support inmates from the first day they enter the criminal justice system until they are released.

### **PRIOR TO INCARCERATION**

In Arizona, the punishment is often not proportional to the crime. The U.S. has five percent of the world's population and twenty-five percent of its incarcerated persons. Many things contribute to this result, including harsh sentencing laws, inconsistent and unfair application of penalties, the fact that judges have limited discretion and prosecutors have too much power and too much discretion. Mandatory minimum sentences and guidelines contribute to large prison populations and unfair punishment. There is usually more to the story of a crime than is presented to the judge at sentencing, and the lack of information can contribute to unfairness of the outcome.

There are racial and other disparities in the system, from initial interactions with police to sentencing and incarceration. There should be greater emphasis on community policing, to improve the interactions between police and the communities they serve and reduce the effects of racial bias.

Proposition 200 established a three-strike rule for minor drug offenses, primarily those involving marijuana, which begins with probation for a first offense, and increasing severity of consequences for subsequent offenses. This approach should be expanded to include sales offenses for drugs, at least first and second offenses, and generally to make more people eligible for this treatment.

Money should not determine the outcome of criminal cases. With no money for a good defense you get a raw deal. The plea bargaining process should be improved, to give the accused more dignity,

information and options. We should have more specialized courts and services, and more and better diversion programs. Fines, fees and bail money should be set aside to help inmates get set up upon their release from prison. We should find ways to accomplish the goals of the system by less onerous means. Other states offer programs that are more flexible and less punitive, and Arizona should consider implementing such programs.

We have become good at punishing but not treating and training. Defendants are too often punished for a substance abuse/addiction problem. Many people enter the criminal justice system because of mental illness or substance abuse. We need more funding for the behavioral health system, better training for police and prosecutors to help them more effectively deal with behavioral health issues, conflict resolution and de-escalation of problems.

Failure to treat behavioral health problems, including substance abuse, contributes to a system in which children are more likely to become involved in crime and the criminal justice system because that is what they are exposed to at home. Treatment and preventive efforts, including drug education in schools, could short circuit this cycle and produce benefits for individuals, families and the community at large. Children should be made aware that the eventual consequences of their behavior could include imprisonment and that prison is not a place where anyone wants to go.

Many prisoners sit in county jail for three to six months awaiting trial. Time spent in jail or prison provides an opportunity for treatment of behavioral health issues instead of simply warehousing people. We should take advantage of these opportunities.

Those concerned about the problems with our criminal justice system need to become involved in communicating those concerns to legislators and to the general public. For example, many people believe that prisoners have access to education while in prison; the reality is that they generally do not.

## **AFTER INCARCERATION**

In order to change the man, we must shape what he thinks. If we don't change that thought process the prison gate will be a revolving door. Inmates must take personal responsibility for their conduct, the consequences of that conduct, and for taking advantages of opportunities for improvement and change. But they also need mentoring. Formerly incarcerated persons are the people who are best able and best situated to help those who are being released from prison to successfully reenter society. However, our system restrictions on probation and release generally prevent formerly incarcerated persons from associating with other persons who have a criminal record. Inmates released from prison are at risk of being sent back to prison if they violate these restrictions. This is just one example of how formerly incarcerated persons are judged by society based on their past, and how that past follows them around after their release, but is arguably the biggest contributor to recidivism.

To be successful upon release, incarcerated persons must know what is expected of them and be prepared with the skills and resources they need to succeed. For example, an inmate who enters the system at age eighteen and is released after a fifteen-year sentence may have no experience at holding a regular job, or even using a smart phone. Due to lack of funding, there are limited educational opportunities and the resources needed to help incarcerated persons prepare for success on the outside are lacking. When a person emerges from prison with \$150 he is expected to become self-supporting, to find housing and to find a job. Yet the mere fact of having a criminal record makes it more difficult for that person to find decent housing and a job. Those without family support are particularly vulnerable.

There are a number of strategies that could be pursued within the correctional system to better prepare inmates to succeed upon release. Inmates with mental health issues should receive meaningful treatment. More jobs should be made available to help inmates accumulate the resources they will need to provide for their own support upon release. There should be more and better training for correctional officers, and the Department of Corrections should work to change the prevailing culture. There should be better preparation of inmates for reintegration with their families. There should be work furlough programs. Programs should follow the inmate, rather than being interrupted when the inmate is

transferred to a different yard. There should be Second Chance centers at every Department of Corrections campus.

It may appear that there are resources available to assist persons released from prison, but in reality the available resources are inadequate. There are too few programs and supports to help prevent or address relapses. Halfway houses are not regulated, and many are drug-infested opportunities for relapse.

We need reentry programs that have career support specialists, supportive housing programs, and better oversight of halfway houses. Probation and parole officers should be better trained to provide support and guidance for released inmates. Voting rights should be restored as soon as possible. Recidivism is a specialty problem. Perhaps there should be a special center where those released from prison can get all the services and resources they need in a single place.

## **INDIVIDUAL ACTIONS**

Recognizing that the power to change the future begins with each individual, participants committed to take personal actions based on their experience and discussions at the Lewis Facility Community Town Hall. Below are individual actions that were shared.

### ***I WILL...***

- Do my best to pass on the information and ideas that I have learned at this Community Town Hall. We all know there is a problem now we can focus on being part of the answer.
- Continue to stay on the path to success by going to work going to substance abuse meetings, church and surround myself with successful people instead of the old friends I'm used to hanging around.
- Be the change in the criminal justice system.
- Try to seek out places and programs where I can assist and give an opinion like today. It was nice to be acknowledged.
- Be as productive as society allows me to be.
- Write about this experience and educate people. Work on legislative agenda to make changes.
- Write a letter to Doug Ducey.
- Take an active approach to helping others who have struggles. I am going to use my voice to make change.
- Make the effort to share the information and knowledge that I have gained from this meeting with inmates and family, and continue to voice myself in any community I am in.
- Vote!
- Stay out of prison and do my best out on the streets. Tell guys in the yard about the stuff I learned today.
- Continue to support organizations like Middle Ground and Town Hall dedicated to prison reform.
- Help restore voting rights to felons.
- Share what we discovered today and encourage others to attend town halls. Research candidates' stances on criminal justice policies and legislature.

- Take responsibility for my sobriety, and understand that there are people willing to help if I need it. It is really all up to my choices.
- Get what I can out of the second chance center, and take my change seriously now and when I am released.
- Help others begin their rehabilitation process immediately.
- Help to educate the community on ways to improve the system and how they can help. Community awareness is a major factor and educating the community could provide great impact to improving the justice system.
- Get involved.
- Continue to give my all in doing the right thing by being a productive member of society in both my personal and professional lives.
- Continue to grow my Second Chance program, providing as many resources as possible, overcoming as many obstacles as possible, releasing more productive and well-rounded individuals who contribute to their community in a positive manner.
- Continue to work advocating with felons and the mentally ill involved with the judicial system.
- Inform my family and friends about the issues, vote for people who will change this for the better, seek out opportunities to personally help.
- Do whatever it takes to stay with my family.
- Continue to advocate for sentence reform. Work with non-governmental organizations and faith based groups to help provide program access to assist released offenders in their transition back to the community.
- Continue to embrace change and bring my experience, strength and hope to the community. Take personal responsibility, always being mindful of how my behavior affects others. Understand it's my responsibility to re-enter successfully.
- Be more open minded to view things in all perspectives. Hope to attend a future Town Hall meeting from a non-incarcerated sense.
- Address my mental problems and my drug addiction and try to help others. Bring more light to this program, get all the help I need to improve and help others.
- Help spread awareness about mental health and the issues those who are ill face in prison. I will also find a way to help my fellow inmates upon release that will give us a better chance to stay out of prison.
- Be more considerate about my future career and be thoughtful over my opinions.
- Be more proactive in grass root programs to assist in change in sentencing laws and reentry programming in all yards.
- Continue to work to change sentencing laws.
- Hold education forums in communities.
- Vote and encourage voting.
- Meet with police and sheriff.

- Ensure that community connections reexamines their term of supervision to allow for healthy prosocial interactions between inmates.
- Continue to set groups and challenge myself daily. Continue to stay sober and strive to be a better member of society.
- Continue my focus on positive thinking and working on change dealing with decision making and work on staying productive to society.
- Continue my sobriety.
- Give my commitment to the community. Stay sober.
- Be a help to others who are struggling with their goals and plans in life.
- Help others to not make the same mistakes I did.
- Help with ideas to reduce recidivism on the yard, help my peer inmates with the program to give them the best chances for success possible.
- Ensure more meaningful programs are available for the inmate population at all institutions.
- Contact my legislators to urge sentencing, criminal; justice reform.
- Help inform my local communities of problems in the prison and criminal justice system and the possible solutions offered by inmates and other participants.
- Write to legislators to get minimum mandatory changed on low level drug offences.
- Do more to understand the prison system and the prisoners' perspectives.
- Continue to make better choices that have such a huge impact on me as well as the community as a whole.
- Try to help recidivism on the yard.
- Share this conversation with others and encourage others to attend town halls.
- Educate self on local candidates' stance on criminal justice policies/legislation.
- Finish school to be a voice for those who don't have one and slowly and surely change the criminal justice system for the benefit of the community, offenders, and society in general.
- Continue to enlighten civilization, representing my minority groups, whether that be racial, inmate or socioeconomic. By continually expanding the dialog that is being had in society.
- Continue to work or re-entry.
- Have group discussions with fellow inmates about having or starting a support group for those coming off of long term sentences.
- Contact my legislators to promote prison reform.
- Continue my education to assist in increasing knowledge about the system.
- Be a success story and use my experience to help others. Participate with town halls.
- Expand my knowledge on re-entry.
- Inform my family about Arizona Town Hall so they can become involved to help me and others upon my release.
- Get my family involved in re-entry issues.

- Contact legislators and the Department of Corrections with suggestions about how to address the re-entry issue.
- Continue to advocate and be a voice for these gentleman. I am going to work on building a post-release mentor program to provide hope and guidance for pre- and post-release.
- Make the conscious decision to make better choices using the tools available as well as the hope for a better future. I will also work as hard as it takes to not return.
- Become more active in my local community.
- Advocate for the rights of formerly incarcerated individuals.
- Educate my local officials.

## IN-KIND AND FINANCIAL SUPPORT FROM

