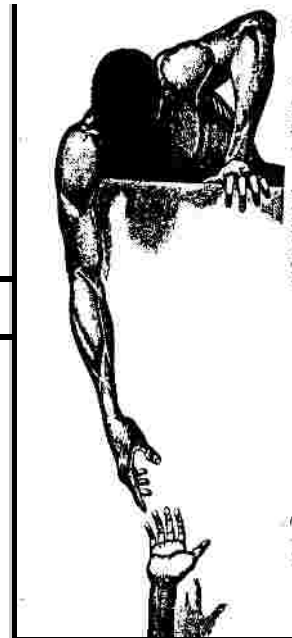


# CURE-NY *Newsletter*

To Reduce Crime and Uplift Society

Fall, 2008

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“He Ain’t Heavy”  
by Gilbert Young

## Prison Work and the PIE

By Tom Petersik, *International CURE*

By Federal law (Title 18 USC 1761(c))- and most state laws- incarcerated persons are excluded from the civilian labor force (goods produced by prisoners may not be sold in interstate - and most intrastate - commerce). As a result, the vast majority of incarcerated persons have no work whatsoever, and the minority who work are left to do institutional maintenance or, for about 4% of inmates, "prison industries," producing goods or services for government agencies, and receiving "gratuities" averaging around 65 cents per hour (annually about \$1000 a year, so far as we can tell). Federal Prison Industries (FPI) inmate workers appear to average about \$1.00 an hour, and we estimate that roughly 1/6 of the Federal inmate population work in FPI, a significantly higher percentage than among the state prisoners. Nevertheless, the overwhelming characteristic of incarcerated populations is 0 work, 0 pay, 0 benefits, with a small minority gaining small work and pay, but never benefits (like Social Security or health insurance for dependents).

The partial exception is PIE - Prison Industry Enhancement, also part of the same Federal code, USC Title 18 1761(c). In essence, the PIE exception allows Federally certified states or localities to allow private businesses selling in interstate commerce to locate production facilities inside state or local (but not Federal) correctional institutions and engage incarcerated persons as workers producing goods sold in interstate commerce.

PIE agreements must be Federally certified. The work must be voluntary. Incarcerated PIE workers must be paid the locally prevailing wage, never less than Federal minimum wage. Consultations with local business and labor must occur. Existing civilian workers may not be displaced.

Deductions from the PIE workers' gross salary may occur, absorbing up to 80% of the worker's gross salary, for (1) taxes, (2) board and room, (3) victim compensation, and (4) child and family support; the PIE worker must receive at least 20% of gross pay (although post-PIE deductions for fines, court costs, etc., do occasionally occur).

PIE, then, offers inmates opportunities to work in real jobs for real pay while incarcerated, to contribute to Social Security, to compensate taxpayers and victims, and to assist in supporting their own families.

PIE is cost effective, rehabilitative, excellent for prison

management, and fair. It helps meet the legitimate claims of communities, victims, and families; and it does not compete unfairly with private business, actually helping private business expand. There are imperfections, but PIE is among the best opportunities we can offer.

Nationwide today, about 6000 state and local inmates work in PIE. So it is a very small program. CURE very strongly believes that PIE should be extended.

To learn more about PIE - See the National Correctional Industries Association website; See - [www.nationalcia.org](http://www.nationalcia.org) and then choose the PIE options.

The basic conclusions of research on financial benefits are:

1. Just about every American interest group financially benefits when inmates are gainfully employed and meet their financial obligations.
2. In total, others than inmates reap more financial benefits than do inmates when incarcerated persons work in the PIE program.
3. On average, PIE inmates "keep" about 47 cents on every dollar earned in the current PIE program. Evidence indicates, however, that their PIE work eliminates most or all of the financial burdens formerly carried by family members who had been "supporting" the inmate before PIE. And released PIE inmates appear to accumulate meaningful savings in preparation for release.
4. Extrapolations assuming more widespread PIE participation suggest substantial financial benefits for the US economy and key interest groups. Especially at the state level, if PIE were successfully used, tax and welfare burdens would be reduced.

CURE increasingly emphasizes that offenders should remain in the community, IN the labor force and MEETING financial responsibilities. But the PIE program is among the very best alternatives for those who become incarcerated. And we also strongly encourage the program for persons incarcerated in the Federal Prison system.

## FROM WORDS INTO ACTION

*By Amy and George Oliveras*

Back in May of this year we were speaking with the Chairman of Parole, George Alexander. When we suggested to him a family orientation/unification project, his words were "Let's do it". And so we are.

CURE-NY is partnering with Citizens for Restorative Justice (CRJ), NYS Division of Parole and The Family Partnership Center in Poughkeepsie to develop and implement a pilot project in Dutchess County that will focus on preparing a family for their loved ones release from prison and helping that newly released person and their family understand the responsibilities of being on parole and the opportunities for services that are available to them. A stable household greatly increases the chances of not returning to prison.

Our initial joint strategy meeting was limited to the key people needed to establish the guidelines of the mutually respectful relationship that will be essential in making this project a success. From parole we had Chairman Alexander, three parole officers and ten staff representing every position in between. From the top to the street level we have agreement that this will work if we are committed. And we are.

We have managed to get service providers, lawyers, social workers, advocates, communities of faith, area professionals, judges and others to agree to work to pull this project together and be ready to debut in August or September.

The actual project will involve a monthly orientation session that will include a presentation by parole explaining the rules of parole, the expectations of parole for the person on parole and their family as well. There will be an opportunity for questions, although this will not be the format for personal gripes. Additionally there will be presentations on household budgeting, educational opportunities, employment services, drug and alcohol programs, anti-aggression programs and other programs that may be needed or required.

Identifying and reaching out to the families of those within six months of release from prison, as well as the families of those already released and the released individuals themselves, will be a major effort.

All of us involved recognize that developing a mutual trust in each other's intentions and capabilities can only happen over time, but time is what we are willing to put into it.

Right now the project is just in Dutchess County, but we have already gotten a positive response from Ulster and Sullivan as well.

## Family Empowerment Day 4 -

NYC , Saturday, October 25<sup>th</sup> 2008 9am-4pm

### "FED4: Taking Action to Bring Our Loved Ones Home"

Columbia Law School, Jerome Greene Building  
435 West 116th St. (corner of Amsterdam), Manhattan

#### MAKE SURE YOUR FAMILY IS THERE!

- Keynote Speaker: Parole Chairman George Alexander  
"The State of Parole Today"  
Followed by Q & A session
- Documentary Film: "The Visitors" featuring families making the bus trip to upstate prisons .
- Followed by a panel discussion, with filmmaker and members of the cast, formerly incarcerated people, and an analyst to 'connect the dots'.
- Getting Down to Business - action planning session with a panel of experts.
- Free lunch and networking
- Action Tables - Every table will have an action you can take on the spot

For information - Call 518 253 7533

or email [prisonactionnetwork@gmail.com](mailto:prisonactionnetwork@gmail.com)

*Your support is essential. Please send your donation to Prison Action Network at our new mailing address:  
PO Box 6355, Albany NY 12206*

## Lack of Education

**Forty percent of parents in state prisons and 28 percent of parents in federal prisons have neither a high school diploma nor a GED, suggesting that their earning capacity prior to intake and upon release may be limited.**

*Reentry Policy Council, Albany, NY*

We all know that decent education is one of the pre-requisites that lead to decent work and a decent living for many formerly incarcerated persons and their families. That is why CURE's promotion of prison education expansion, including the aid of online education, described on page 4, are so very important. This is another area for which we need constant encouragement of more federal and state investment.

## OUR PAROLE BOARD APPEARANCE

*By Amy and George Oliveras*

On July 21<sup>st</sup>, CURE-NY was part of an eight member group that met with the New York State Parole Board. Three members of the group had made a total of ten previous appearances as people convicted of A-1 violent felonies trying to obtain parole, three were former Commissioners, two of which had been Chairman of the Board with the last two being leaders of major New York advocacy organizations.

As a group we were invited to meet with the Board by Chairman Alexander. We met formally for 90 minutes and then were able to speak informally for longer over lunch. It was certainly an experience.

The focus of the meeting was to allow the Board members to see first hand, the release readiness of men and women that are convicted of A-1 violent felonies. They were able to listen to the stories of the three formerly incarcerated guests and actually engage in some meaningful discussion with each one of them. All three were asked a whole range of questions about how they changed, how they knew they were ready for release, how a parole commissioner can know, etc.

The rest of us spoke to the political motivations perceived to be behind so many parole decisions. We shared the history of the parole process, the release rates and recidivism rates of those with A-1 convictions and what we would like to see change. We were also able to speak to the support services that are available to those that are being released.

The bottom line for us was to allow the Parole Board to see that many of the men and women that come before them seeking parole on an A-1 violent felony are ready, willing and able to join society as contributing members.

Did we make a difference? Most definitely. There is no way that speaking with us did not make an impact on each and everyone of them. Is it a difference that will play out in increased releases? Time will tell. It is our feeling that without definitive release criteria we may never see any consistency in release decisions. If we want an expectation of release then it is our job to have some realistic criteria developed, written up as a bill and moved through the legislature into law.

The Parole Board believes that it is following Executive Law 259i as it is written. We believe what many have expressed, that they would be relieved to have something more definitive to guide them in their decisions. Let's give them what they want and at the same time accomplish what we want, realistic release expectations for everyone seeking parole.

## LIFERS IN PRISON

*Excerpts from a report by the Sentencing Project*

The number of persons serving life sentences has grown along with the increase in the overall prison population of recent decades.

Imprisonment of lifers has grown nationwide, but is particularly significant in a number of states. In 12 states more than 10% of the prison population is serving a life term; in California and New York the proportions are approaching one of every five inmates.

Overall, the lifer proportion of the prison population varies from 0.9% in Indiana to 19.4% in New York. There are also significant variations in the degree to which states employ both life sentences and life without parole. New York, for example, maintains the highest proportion (19.4%) of lifers in its prison population, yet uses sentences of life without parole very sparingly (0.1%).

## Louisiana's Move

*By Allen M. Johnson Jr.*

NEW ORLEANS - In 2006, there were 36,376 inmates in Louisiana's 105 jails and 13 prisons - or 846 prisoners per 100,000 people - 52 percent higher than the national average, according to the National Institute of Corrections.

State corrections spokeswoman Pam Laborde cited several factors for Louisiana's high incarceration rate: high poverty rates, high-school drop-outs topping 14,000 a year, tough sentencing guidelines and a 47.2 percent offender recidivism rate that's only slightly below the national average of 50 percent.

Re-entry programs are the buzz in corrections circles. Such initiatives include vocational training for incarcerated inmates upon release - a housing plan, job opportunities and access to substance abuse treatment.

The New Orleans Area Metropolitan Human Services will soon join the Corrections Department for the opening of the state's first "Day Reporting Center" - a pilot diversionary program aimed at reducing the number of parolees who return to prison for technical violations. The center is a collaborative effort with the department, the state Office of Addictive Disorders, and Baptist Community Ministries.

They will have wrap-around services for that person who is placed on parole: mental health, substance abuse treatment, job training - all of things that keep that individual from becoming productive.

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## Free Online Education Courses

*by Rudy and Betty Cypser*

As you probably know, from the Summer Newsletter, we've been working on the education of the incarcerated via the explosion of educational material on the internet.

We now have four new items on the CURE-NY website, [www.bestweb.net/~cureny](http://www.bestweb.net/~cureny) which we invite you to examine.

### Free Online Education for All, including the Incarcerated

1. Find a selection of over 50 courses (high school and college videos) and their internet addresses.
2. Find [Major \(free\) Online Education Resources](#), sources offering hundreds of quality courses; and learn how to download courses, using procedures that vary with the source and the nature of the teaching materials.
3. Find a [Secure Online Education System](#), that should be attractive to correctional facilities. (*a key to security is to download videos to a portable media, flash drive or DVD, and then present to inmates off-line*).
4. See also [Group Collaboration](#) (facilitating video analysis and discussion) and [CLEP](#) (some possibilities of college credit).

We believe this educational content on the web is already very valuable, and can be expanded. We'd like to spread the word, and we encourage you to do so.

*The sample courses and lecture on our website, cited in item #1 above, are only a tiny fraction of the thousands of educational content already available on the internet. We selected samples of high school subjects and college materials from some of the best colleges in the nation, materials we think are representative of what is available.*

Nevertheless, there appears to still be a lack of material in the areas of vocational education, pre-professional education, and personal development. We are hopeful that the number of free courses in these areas will grow.

We suggest that a key to learning with online courseware is to have a partner-facilitator (not a know-all teacher; not an exalted leader) who can build a small community of learners in which all are free to participate. Key questions, that stimulate wide discussion, work.

We are apparently witnessing an internet-based movement to universal, world-wide education for all. Do you have any suggestions as to how we might encourage this in our prisons?

Still more info, including info on the Maryland experience, will be in the Fall issue of the International CURE Newsletter at [www.internationalcure.org](http://www.internationalcure.org) Check it out.