

“Arrested Development After Prison Boom, A Focus on Hurdles Faced by Ex-Cons Housing, Work -- Even an ID Can Be Hard to Attain; A Bill Would Smooth Path”

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By Gary Fields

In the kitchen of an Applebee's restaurant in Queens, N.Y., Jacqueline Smith has been a model hire. In less than two years working as a cook, she got a promotion to supervisor, doubled her salary and won the award for employee of the year.

Her success hasn't come easily. The dark-haired 38-year-old is an ex-convict who served more than nine years for transporting more than half a pound of crack cocaine from New York to Washington. Since being released in July 2003, she has struggled with basic necessities such as finding affordable housing and getting a valid state ID card.

A single parent with a steady but low-paying job, Ms. Smith would normally be considered a prime candidate for public-housing assistance, but she knows the odds are against her. Local housing rules bar ex-felons from living in public housing for six years after completing their sentence. So every night around midnight, Ms. Smith takes a few buses and switches subway lines for an hour-long trek to a Manhattan shelter for female ex-convicts where she and her daughter have been living for more than a year.

"It's one battle after the next -- trying to obtain housing, trying to obtain employment," Ms. Smith says. "I want a second chance. I want people to see I made mistakes, but I am making it right."

Ms. Smith is one of more than 630,000 people released each year from corrections institutions in the U.S. Not surprisingly, people who have been locked up for many years, often poorly educated and lacking in financial support, face a range of obstacles to re-entering society. Yet some of the biggest are put there by federal, state and local governments, including hurdles to getting student loans, public housing and other forms of government assistance.

For years, the thinking among law-enforcement officials and politicians was that this was the price people should pay for breaking the law. Now there is an emerging belief that the larger price is being borne by society, since the practical barriers facing ex-prisoners make it more likely that they will slip back into a life of crime.

Two-thirds of ex-felons return to police custody within three years of their release for new crimes or for probation or parole violations, according to Justice Department studies. U.S. taxpayers spent \$60 billion on corrections in 2002 at the local, state and federal levels, up from \$9 billion two decades earlier. Over that same time frame, corrections has been the second fastest growing government spending category after health care.

Aside from public-housing restrictions, many former felons find they need special waivers to get licensed in vocations they learned while serving time. Some find their attempts to get an education are stymied by laws barring loans to those convicted of a

crime. Still others can stumble into technical violations that send them back to prison, such as reporting late for a meeting with a probation officer. For those who have completed lengthy sentences, the most frustrating barrier is also the most basic -- getting a legitimate ID card, such as a driver's license.

"One barrier may not be that big a deal," says Debbie Mukamal, director of the prisoner re-entry institute at the John Jay College of Criminal Justice in New York. Usually, though, offenders face several barriers, she says, adding: "You can't get housing, you have child support" payments to make, "you can't get ID and no one will hire you. Cumulatively, that sends a signal: You're not wanted." Ms. Mukamal is the co-author of a sweeping report last year funded by the Justice Department and conducted by the Legal Action Center, a New York nonprofit, examining "roadblocks to entry" facing ex-offenders.

After years of pushing for tougher sentences, politicians in Washington are rethinking their approach. The Second Chance Act, hammered out by a bipartisan group of lawmakers and introduced last month, would provide more than \$80 million in grants for programs to help ex-offenders re-enter society.

Kellie Mann Owens might have benefited from a key part of the legislation: a provision ensuring that ex-offenders can be licensed in occupations they trained for in prison.

Ms. Owens was determined to learn a skill so she could land a job when she left the Alderson, W.Va., women's prison made famous recently for housing Martha Stewart. In 1993, Ms. Owens, who had just finished her sophomore year at Santa Rosa Junior College in Northern California, obtained LSD for her ex-boyfriend and mailed it to him in Georgia. He was caught and cooperated with authorities against those he had enlisted to secure drugs, including Ms. Owens. He was sentenced to two years while she received 10.

Ms. Owens, now 34 years old, joined the prison's all-women fire-fighting team, a group that provides fire protection for the prison and backup for other local fire squads. She figured it would position her well for a decent job. For more than five years, she slogged through classes and training, entering smoke-filled rooms with her oxygen mask blackened to simulate rescue situations and navigating the Appalachian mountain roads near the prison in a yellow fire truck.

"Any of the physical requirements that you had to do" for state licensing, "we were required to do in our classes," says Ms. Owens.

She eventually rose to the fire team's top rank of lieutenant, garnering 300 hours of training and 100 hours at the scenes of actual fires in the towns outside the prison.

In January 2001, President Clinton granted her clemency on his last day in office after receiving her name from Families Against Mandatory Minimums, a group that advocates changes in sentencing laws.

After eight years in prison, she left Alderson for her parents' home in Alpharetta, Ga., confident a fire department in one of Atlanta's booming suburbs would hire her. She filled out each job application truthfully, noting she was a felon. But state law bars hiring former felons.

Ms. Owens says she offered to "clean hoses, flush the truck," anything to get her foot in the door -- to no avail.

Eventually, she got a job with an organization that trains service dogs for people with debilitating diseases and injuries. Last year, she moved to Hawaii and started a catering business with her husband, who she had met back in high school. The business didn't take off so they are planning to try again in Mississippi.

Many ex-convicts leave prison wanting to start anew, and the first step is often trying to get an education. But while 63% of all undergraduates receive some form of financial aid, money isn't easy to come by for ex-felons.

Emily Wheeler, of Kenosha, Wis., says she was arrested Aug. 5, 2003, for growing and selling marijuana with her boyfriend.

Nineteen years old and in the early stages of pregnancy, she received a sentence of three months in jail and three years on probation -- reasonable, given that "I did screw up," she now says.

After she was released in January 2004, she applied to take classes in word-processing and other office skills at Gateway Technical College in Kenosha. "I was filling out the application [for financial aid] and I got to question 35. It asked me if I'd been convicted of a drug felony," she says. "I was totally halted right there."

Federal law states that first-time offenders convicted on federal or state drug-possession or drug-trafficking charges are ineligible to receive financial assistance for as long as two years after their convictions. Completing drug rehabilitation can cut that time, but such programs can be expensive.

"I understand their concern. A college campus is a perfect place to sell drugs, but I also know I can't move forward in my life without an education and a good job," says Ms. Wheeler. She now earns \$7 an hour at a Culver's Frozen Custard, a fast-food restaurant, trying to make ends meet to help support Olivia Rose, her 1-year-old.

For Ms. Smith, the Applebee's cook, finding housing for herself and her teenage daughter has been the toughest challenge. Upon being released in July 2003 from the women's prison in Danbury, Conn., Ms. Smith headed for a halfway house.

Like many prisoners released before their sentence is completed, Ms. Smith was required to find a job in 15 days or face the possibility of being returned to prison to finish her last six months. But to get a job, Ms. Smith needed valid identification from the Department of Motor Vehicles. In New York, residents need a combination of documentation such as

bills and voter registration cards that each add up to enough cumulative "points" to qualify for a driver's license or nondriver ID.

Ms. Smith had a federal prisoner ID, a birth certificate and a Social Security card. Those were not enough. Motor-vehicle personnel asked if she had a passport, a bill with her name on it, any additional identifiers. "I kept telling them that I'd been in prison the last 10 years and didn't have any other identification." Eventually she found a sympathetic supervisor who issued her the card.

She found a job quickly at a clothing store but switched after a few months to work for Applebee's, where she could use the culinary certificate she'd earned in training on the inside.

She struggled to find a cheap yet safe place for her and her daughter. The two are now living in the Sarah Powell Huntington House, a Women's Prison Association facility, funded through the city department of homeless services.

Ms. Smith has been trying to apply for subsidized housing. The federal government has a small number of restrictions against ex-felons living in public housing, such as sex offenders and those who have manufactured methamphetamine in a housing complex. However, local housing authorities are able to impose their own restrictions on ex-felons living in public housing, and those can be expansive.

Howard Marder, spokesman for the New York City Housing Authority, says there are virtually no vacancies in the city in public housing and with about 136,000 applications pending it is unlikely that someone with a felony record will get in. Besides, ex-felons are ineligible for public housing for six years after the completion of their sentence, including probation. Ms. Smith, who will be on probation another three years, won't even be eligible until 2014.

Ms. Smith recently met with a New York City Housing Authority case agent to discuss her application. She took certificates showing her training and her work experience, but the conversation turned toward her felony record. "I asked if that meant I wasn't going to get it. They wouldn't say no outright," she said, but she was left with the impression that her application would be rejected. "I still hope everything works out," she says, "but I don't know."

Until something else comes along, Ms. Smith says she'll keep pushing for promotions at work, while staying in the shelter. Returning to a life of crime and risking a return to prison is not an option, she says: "I don't have another 10 years to give to nobody."

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