

SOUTH CAROLINA CENTER FOR FATHERS AND FAMILIES
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Brief for Sentencing Reform Commission

The Problem

Overcrowding in county detention centers in South Carolina has reached unprecedented levels. Recent newspaper articles from all parts of the state illustrate that jail overcrowding not only comes at a high cost to taxpayers, but jeopardizes the security and safety of both the inmates and detention center personnel. Substantial budget cuts at all levels of government limit the likelihood of expansion of these facilities and call for innovative solutions to overcrowding that will ensure justice is done and the use of resources is maximized.

Research and experience show that community-based alternatives to incarceration can reduce crime and recidivism and save incarceration costs for some categories of non-violent offenders who are not a danger to their communities.

For example, between 1969 and 1972, the state of California, under then Governor Ronald Reagan, placed all non-violent property offenders under local community based program supervision. California cut its prison population by 30%, closed eight prison facilities, and drove recidivism down from 40% to 25%. A report issued by the Pew Safety Performance Project in 2008 confirms that community based alternative sentencing programs that incorporate three key evidence based practices have proven to reduce recidivism by 10-20% or even more if they target multiple risk factors.

In determining risk factors for recidivism, research shows that one critical common characteristic of inmates in detention center facilities is that the majority of them are parents. The 2000 Bureau of Justice Statistics Report, *Incarcerated Parents and Their Children*, states that more than half of male inmates were parents of children under the age of 18. Many of the inmates in this study had formal child support obligations. While there are no national statistics showing how many incarcerated parents have formal child support obligations, two recent state studies show the overlap is considerable.

Other common characteristics of inmates in state detention center facilities are low levels of formal education, limited job skills and training and transient employment histories. Finally, an alarming percentage of inmates have substance abuse and/or mental health challenges.

While funds for many helping programs are being reduced or eliminated, the need for assistance is increasing dramatically. With a state unemployment rate of 11%, South Carolina has the second highest percentage of its citizens without jobs in the country. In some of rural counties, like Lancaster and Marlboro, the current unemployment rate is close to 20%. Not coincidentally, these two counties have a violent crime rate that is several times the national average. Disenfranchised populations such as very low-income men are hardest hit by these negative economic trends, further increasing the possibility of these fathers falling behind in their child support. Fatherhood programs that provide appropriate job readiness and job training and link men to employment are more valuable than ever before.

The Solution

The SC Center for Fathers and Families (The Center) is a statewide 501 (c) (3) nonprofit that oversees program operations and fiscal management for six fatherhood programs operating in twelve locations. These locations are: North Charleston, Georgetown, Conway, Myrtle Beach, Columbia, Lexington, Winnsboro, Spartanburg, Greenville, Bennettsville, Lancaster, and Great Falls. Established in 2002, the Center is an outgrowth of the Sisters of Charity Foundation's Statewide Fatherhood Initiative. The Initiative was launched in 1998 to reconnect low-income, non-custodial fathers with their children both emotionally, financially and spiritually, and to address father absence as a root cause of poverty. The Foundation has invested close to \$16 million dollars in this state to address father absence.

Center staff believes that every non-custodial father has a responsibility to pay child support in a timely manner. Low-income fathers who are underemployed often struggle to meet these child support obligations for a variety of reasons. When these men are incarcerated, their child support debt continues to accrue, and they become more and more behind in their child support payments. Incarceration also means that these men often lose housing and transportation, further complicating their financial situation.

The fatherhood programs affiliated with The Center provide comprehensive services to nearly 2,000 low-income fathers annually. Approximately 50% of these men come into the six-month program voluntarily seeking program services, and 50% are court ordered to attend fatherhood programs with a community based alternative sentencing component, called "Jobs not Jail".

These responsible fatherhood programs use carefully researched best practices and widely share documented outcomes and lessons learned, include holistic services and offer a comprehensive curriculum provided over a six month period. Core services and curricula currently address: responsible fatherhood, job readiness and training, securing and keeping a job, the importance of child support payment, financial management, parenting/co-parenting, healthy relationships and anger management, conflict mediation and transportation assistance. Responsible fatherhood programs emphasize that children need both parents involved in their lives. Father absence is a rapidly increasing trend that puts children in single parent families at much higher risk for living in poverty, failure in school, incarceration, pregnancy and more. A nurse practitioner funded by The Duke Endowment provides health services and health education in five program sites, which include the four program locations for which the Center is requesting funding.

Current Community Based Alternative Sentencing Program Sites

In fatherhood locations in North Charleston, Conway, Columbia, Lexington, Lancaster, Spartanburg, Greenville, and Bennettsville, there are community-based alternative sentencing programs for low-income fathers who are behind in the payment of child support. Low-income fathers who are ruled into contempt hearings in the Family Court system because they are behind in child support, can be court-ordered to attend the ATI (alternative to incarceration) component of the fatherhood program for six months. Six months is equivalent to the average length of sentence for a child support defendant who is found in contempt of court.

Men who are court-ordered into ATI must secure viable employment within 30 days and must begin to pay their court ordered child support within 45 days. With soaring unemployment rates and further reductions in the number of entry level jobs available, meeting these employment deadlines is very difficult. Fatherhood staff are an essential component in helping fathers find and keep jobs. Court-

ordered fathers attend weekly peer support meetings for six months where they are taught core fatherhood curriculum by qualified staff. Staff works one-on-one with fathers to help men solve a variety of problems and challenges. In addition, legal concerns such as modifications and visitation issues, health concerns, and basic transportation needs are met so these men can get their lives back on track.

The Institute for Families in Society at the University of South Carolina has worked closely with The Center to evaluate responsible fatherhood programs to ensure best practices are used and programs continue to be fine tuned to meet the needs of the target population. Data from the two years of measurable outcomes from the ATI program (July 1, 2006 – July 1, 2008) confirms that the program works. In the 8 sites previously listed, 953 low-income men were court ordered to attend the six month program. Of the 953 who were court ordered, only 198 were terminated for noncompliance with program requirements and sent back to the county detention center to serve their original sentence. 755 court ordered participants were placed into viable employment with the program's assistance, paid their child support, and maintained active participation in the program.

As of July 1, 2008, 379 participants had graduated from the six-month program and 376 were still actively enrolled and working towards graduation. As of July 1, 2008, these 755 participants have paid over \$1 million in court ordered child support, collectively earned \$5,155, 268.00 in gross earnings, and saved taxpayers close to \$6 million dollars in incarceration costs. None of the 755 participants were re-incarcerated for any offense while enrolled in the six-month program.

There is a growing need for these ATI programs in other parts of the state, and Family Court Judges and detention center officials are asking that these programs become a part of the solution in their counties. In addition, current ATI staff is being asked to expand their capacity in areas where they currently do exist. However, unless there is a commitment from the State to partner with the Center to continue and expand current program capacity, and meet the needs that are currently unmet in other parts of the state, this will not be possible.

The Center is asking this Commission to consider recommending community based alternative sentencing programs, like the “Jobs not Jail” program, a part of the overall solution to the issues they are being charged to solve.

Respectfully Submitted,

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SC Center for Fathers and Families