



Welcome to College Inside, a newsletter about the future of postsecondary education in prisons. I'm Charlotte West, a national reporter for Open Campus.

April 6, 2022

The prison credential dilemma

Since Terrance Simon got out of the Louisiana State Penitentiary last year, he's mentally prepared himself for the fact that his record might mean he doesn't get the job when talking to prospective employers. "I go into a job interview with the mindset that they're going to know, and they're going to tell me no because of it," he said. "That's the worst case scenario."

Simon is always honest about his conviction – but only if interviewers ask. "I don't lie," he said, "But I won't tell you the truth if I don't have a reason to. If I see someone hinting at the possibility that I have any criminal record, I'm gonna be forthcoming with it, and give it all to you."

He explains why he went to prison, but also what he's done since then. "Yes, I've been to jail but this is who I became because of it," he said. "I don't want to just leave you with the fact that I'm a convicted felon, and leave you restin' on your own assumptions."

In Simon's case, he was hired as a reentry specialist at the Louisiana Parole Project, a nonprofit in Baton Rouge, precisely because of his



Terrance Simon

background. But that's not the case for everyone who has been to prison.

New research out of Cornell University looks at the conundrum that many formerly incarcerated job seekers like Simon face, which sociologist Sadé Lindsay calls "the prison credential dilemma." They have to decide whether to share the job training and educational certificates they did in prison – or not.

"Credentials acquired in prison may not be perceived by others as purely positive qualifications," said Lindsay, who is a postdoctoral associate in policy analysis and management at Cornell.

In her research, Lindsay found that formerly incarcerated people often have little insight into employers' perceptions of prison credentials, which can include GEDs, college degrees, industry-recognized programs, and vocational certificates. That is what makes navigating the labor market so difficult for this population, she said.

"Imagine trying to make an important decision with no information to work with," she said. "For formerly incarcerated people,

this lack of information about employers' perceptions is even more costly."

If formerly incarcerated job seekers don't list relevant work and education experience acquired in prison, they may not have other qualifications to make them attractive candidates. At the same time, employers might use prison credentials to screen formerly incarcerated people out of the applicant pool, she said.

The study, "Damned if you do, damned if you don't: How formerly incarcerated men navigate the labor market with prison credentials", was published in *Criminology* in February. Lindsay interviewed 50 formerly incarcerated men in Ohio about how they used their prison credentials in their job search strategies.

The study draws heavily on existing research about racism, criminal records, and employment. "Black and Hispanic populations, regardless of a criminal record, face an immense number of barriers to employment due to historical structural racism and racial discrimination," Lindsay said.



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In the article, Lindsay cites previous research that shows that white men with a felony are as likely to be called back by an employer as Black men without a felony record.

“When thinking about prison credentials, they are supposed to signal job readiness, desistance from crime, and other positive qualities,” Lindsay said. “However, the very fact that Black and Hispanic returning citizens deal with racial discrimination in addition to criminal record discrimination means that prison credentials may not help them overcome these deeply engrained stereotypes.”

Lindsay also looks at how the men did – or did not – choose to share information about their prison credentials with prospective employers. Many listed degrees and other certifications they earned while incarcerated, but did not share where they earned them.

Mark, one of the interviewees, assumed that employers wouldn’t see a degree earned inside as good as one earned on the outside. Another formerly incarcerated job applicant, Thomas, said of his resume, “What I’m putting on there is ... ‘Perryville College.’ I’m not saying ‘in prison.’”

Others said they’d talk about it when they had a chance to sit down with an employer face-to-face. “What it look like when you going to have a prison written down?” Nick said. “Nah, we’ll talk about that during the interview.”

Eight of the 50 participants Lindsay interviewed had a college degree (two of which were earned in prison) and 10 had some college experience. She said that when people with some college encountered difficulties finding work, they were more likely to see education as a viable pathway toward a career.

“Those with less education tended to pursue temporary, precarious work as a way to work their way up into a permanent position,” Lindsay said. “While people with some college

education also pursued this type of poor-quality work, they did so to simply survive and knew these jobs were exploitative and would not lead to a lucrative career.”

Lindsay argues that the prison credential dilemma highlights the limitations of policy solutions such as ban the box, fair chance, criminal record expungement, and concealment laws. Even in places where employers are prohibited from doing background checks, criminal records can still come out through job applications and interview questions about employment and educational histories.

“By focusing on ‘the box’ and formal background checks, we miss how prison credentials themselves can inadvertently work to maintain ‘the box’ throughout the job search process in these off-overlooked ways,” Lindsay said. “Our solutions must account for these possibilities to see meaningful change.”

For inside readers, Lindsay added the following: “Keep taking advantage of all the opportunities at your disposal both in prison and in the community. People like me and so many others are working to address the barriers that you have little control over and that credentials alone cannot help you overcome. But that does not mean that you should stop striving for your own growth and goals because many people recognize these efforts and are advocating to ensure others recognize and respect them as well.”

A second chance for a juvenile lifer

Within a few months of his release from what had been a lifetime imprisonment, Andrew Hundley, then 34, enrolled at Louisiana State University (LSU) and founded the Louisiana Parole Project, a nonprofit focused on advocacy and reentry for former juvenile lifers. Hundley, who’d been sentenced in 1997 at the

age of 15, was released after serving 19 years in the Louisiana prison system due to the 2016 U.S. Supreme Court ruling, *Montgomery v. Louisiana*.

Hundley had the chance to start over, finish college, and start a family. But many of the men and women he works with through the Parole Project are older and entered the Louisiana prison system at a time when there were no educational opportunities, especially for lifers.

Last week, I sat down with Hundley at a cafe in New Orleans to discuss his journey from the Louisiana State Penitentiary to Louisiana State University. We talked about prison cowboys, second chances, and the value of education behind bars.

This interview has been edited for length and clarity.

Q. Where does your story start?

A. I’m from South Central Louisiana, a small town called Eunice. When I was 15 years old, I was arrested for second degree murder, and subsequently convicted and given a [mandatory] life without parole sentence. I went straight to an adult prison, and I was scared to death not only of my surroundings, but also at the prospect of spending the rest of my life in prison. Early on, I wanted to try to make my parents as proud of me as they could and relieve their anxiety about me being in prison.

Within months of being there, I was able to earn my GED. This was 1999-2000, there were no college courses that were offered within the prison, but I was able to do correspondence courses, at my own expense, through Louisiana State University.

I did a couple of those. They were really expensive, so I couldn’t afford to continue to do them. And then doing one of these correspondence courses at a time, I thought that I’m never going to graduate. I have this

life sentence, so maybe this isn't such a great idea.

So fast forward, I continued to be involved in rehabilitative programming and prisoner-led organizations. But about 10 years into my incarceration, there was a local community college that started offering basic college courses, one or two a semester. It was a pilot program and the prison administrators selected a handful of people who were able to participate and that was through River Parishes Community College, which is part of Louisiana's Technical and Community College System.

Actually the first course that was offered was a course on the Old Testament, it was a religious studies course. I eventually was able to take Biology 1, Biology 2, math, English. Through that process, I ended up accumulating around 40 hours of credit.

Q. Were you able to finish your degree?

A. There was a point where I was transferred from that institution to Angola, or the Louisiana State Penitentiary, where I spent my last couple years of incarceration. I had a job at Angola that precluded me from education. Sometimes you sacrifice, just like people on the outside. You have a really good job, but it's very time consuming. And because it gives you a good quality of life, you forgo other things. That's the sort of choice a lot of prisoners have to make.

Q. What was your job?

A. I worked on the range crew, so imagine prison cowboys. Angola is a huge prison, but it's not what most people think. It's not these huge walls surrounding this giant structure, it's 18,000 acres, the size of Manhattan. Most of its farm property and so there's cattle all over the prison. So when you work on the range crew you have a lot of freedom within the 18,000 acres. But you have long hours and you work seven days a

week because the nature of the job is you're always sort of on call because you're dealing with cattle.

Q. How did you end up getting out so much earlier than expected?

A. So after the Montgomery decision in 2016, I was fortunate to be the first juvenile lifer in Louisiana to have a parole hearing. Not because I had served the most time, not because I was the most deserving, but because my family could afford to hire an attorney for me.

I found out at 10:30 am on June 9, 2016 that I was getting out of prison. I woke up that morning, not thinking that I would be going home. And at 4:30 pm that same day, I walked out.

My aspiration when I first came to prison was to come home before my parents died. To be frank, you may daydream about what ifs, but you never really think about it seriously. What reason did I have to believe that I would get out? I saw most lifers die in prison and the ones who did get out were very old. So this idea of I'm going to be 34 and I'm going to go to college, and I'm going to start a nonprofit and I'm going to start a family, those are things I never allowed myself to believe. I was going to be maybe 60 if I got out and 60-year-olds don't start college, start nonprofits, and start families.

So I'm home. And I'm like, 'Okay, what now?' And I had this survivor's guilt that I needed to do something with.

Q. What did you do next?

A. Leaving Angola, I had a lot of guilt, because I was getting out based on Henry Montgomery's Supreme Court decision and he was still there. And there were approximately 300 juvenile lifers in Louisiana at that time, about half of those had served more time than I had. Most of them were people of color. Coming out, while I felt like I was very deserving to get a second chance, I realized that I was no more deserving than so

many other people.

That was my motivation to help found the Parole Project. I wanted to provide as many people as possible who were sentenced as children with pro bono legal representation. But if they came home, I also wanted them to have the support they needed to be successful. It was an abstract idea because at that time there wasn't something like what we were proposing.

I came home in June of 2016. In August of 2016, we incorporated the Louisiana Parole Project with the state. That same month, I started at Baton Rouge Community College.

Q. How did the community college classes you took inside help prepare you for reentry?

A. The most compelling thing about my story as it relates to prison education is that even though I didn't earn a degree while I was incarcerated, being able to earn those hours put me on a path to go to college.

It was such a great feeling to have them do my degree audit and to see on the transcript all the things that I'd already taken. By the time I transferred to Louisiana State, all of my electives were spoken for. It was awesome that I didn't have to take Biology 1 and Biology 2 and all of those other general education requirements. I was going to college because I was focused on sociology and criminology.

I ended up getting my degree from LSU, after transferring, in three years. Then I went on to get a master's degree. That all started with having an opportunity. If someone didn't give me a head start, I don't think I would have gotten as far as I did. And anecdotally, juvenile lifers who come out when they are older went to prison at a time where there wasn't a culture of education. When they went to prison, the culture was 'Don't get killed. It's a violent place.' Then, for so long, a lifer could not get enrolled in education programs.

Q. Is there anything else you want to share about your experience with prison education?

A. I was so fortunate to be able to come home, and have the opportunities I've had. I hate for my story to be used as an example that 'everyone else could do this.' But not everyone can do it. I could do it because I had family support. I got another job before the Parole Project to pay my bills. I had an employer who was willing to work around my college schedule.

And for most juvenile lifers who are coming home at 50, 60, 70 years old, there's this immediate urgency to get into the workforce and to pay bills. They can't just go to college and have a part time job. I think several people would like to, but they can't. The feeling is 'I wish I could have done this while I was being warehoused for decades.'

The message is that we should allow more people to earn degrees while they're incarcerated. So when they come home from prison, they're prepared.

What stakeholders don't want to see, what lawmakers don't want to see is what it costs to continually incarcerate someone versus what it costs to invest in them upfront. It's unpopular to say, 'These people in prison get free education.' And they don't realize that means that we don't have to pay for them to be incarcerated.

A lack of education services for incarcerated students with disabilities

Recent lawsuits have drawn attention to the failure of some corrections departments to provide special education services to students incarcerated in both juvenile and adult facilities. Being able to complete secondary education and earn a high school diploma or GED is key to accessing higher education

opportunities.

In early March, a federal court found that students in New Jersey, who were not provided with special education services while incarcerated between 2015 and 2020, are eligible to receive up to \$8,000 per year in "compensatory education" benefits, which allows them to make up missed instruction. Disability advocates said the landmark class-action settlement will reform special education in the state's prisons, reported NJ Spotlight News.

The Washington Post also reported that a federal judge found the District of Columbia in contempt of court in February for failing to provide adequate special education to students with disabilities incarcerated at the D.C. jail. In June 2021, a group of advocacy organizations filed a class-action lawsuit on behalf of students with disabilities incarcerated in Washington D.C. during the pandemic.

"For over a year, students have received work packets in lieu of classes, effectively requiring that these students with disabilities teach themselves all of their subjects," the June 2021 lawsuit alleged. "These work packets are inaccessible for students with disabilities, many of whom are functioning below grade level in reading comprehension and writing skills."

Elsewhere, Gale Grover, a juvenile court judge, held the Louisiana Office of Juvenile Justice in contempt of court in October 2021 for its treatment of a teenager who had not received education, substance abuse counseling, and prescribed medication, reported the Marshall Project. The teen was incarcerated at the Acadiana Center for Youth at St. Martinville, which opened in July 2021.

The Louisiana Center for Children's Rights also filed a complaint with the state education department about the lack of instruction in the facility, the Marshall Project reported. The

facility had not offered education to any incarcerated youth, all of whom had significant behavioral and mental health challenges, three months after it opened, according to the complaint.

Research, resources & opportunities

PEN America is distributing 75,000 copies of *The Sentences That Create Us*, a book on writing behind bars. A free copy can be requested online at <https://t.co/ST7zHTQawK>, or by writing to: Prison Writing Program c/o PEN America, 588 Broadway Suite 303, New York, NY 10012.

Let's connect

Please connect if you have story ideas or just want to share your experience with prison education programs as a student or educator. Right now, I'm especially interested in speaking with anyone incarcerated at a facility without academic or vocational education beyond high school. I'm also looking for information on how prison education programs are accommodating students with disabilities.

You can always reach me at charlotte@opencampusmedia.org on JPay/Securus/Connect Network/Corrlinks or on Twitter at @szarlotka.

To reach me via snail mail, you can write to: Charlotte West, Open Campus Media, 2460 17th Avenue #1015, Santa Cruz, CA 95062.

— Charlotte



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April 21, 2022

A milestone in New York

The biggest headlines about prison education this month focused on the restoration of New York's Tuition Assistance Program (TAP), a need-based state financial aid program, for incarcerated students. In April, New York became the second state to repeal a state-wide ban for financial aid for people in prison. New Jersey put a similar law into effect in 2020.

The move, along with the infusion of federal Pell dollars coming next year, will be a shot in the arm for prison education in New York, buoying existing programs with consistent funding and also creating opportunities for new programs, experts said.

New York's move might also be a harbinger of things to come. "It is very much a milestone in the movement in state financial aid programs towards opening up and doing so ahead of Pell," said Bradley Custer, senior policy analyst for higher education at the Center for American Progress.

In the wake of the crime bill that eliminated federal financial aid for people in prison, New York banned state financial aid for people in



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prison in 1995. As a result of the federal and state bans, New York went from having over 70 college-in-prison programs to four, said Dyjuan Tatro, senior government affairs officer for the Bard Prison Initiative (BPI), a private prison education program focused on liberal arts.

It was a pattern that was repeated across the country. As of 2019, only 17 states and the District of Columbia had no legal or policy barriers prohibiting incarcerated students from applying for state financial aid, according to the Vera Institute of Justice.

Following the ban in New York, nonprofit organizations such as BPI and Hudson Link, which both started operation in the late 1990s, stepped in to fill the gap in higher education in prison. But as private programs operating in partnership with colleges, they have relied on private funding – and constant fundraising – in the absence of state support.

BPI currently operates in six prisons in New York and enrolls over 300 students. "Every year, we are in a

precarious position," Tatro said. "If we don't have a steady public source to support education for people in prison at the scale that is mass incarceration in this country, our work is never going to be able to meet the demand or be sustainable."

Tatro said that BPI will still need to fundraise above and beyond what is covered by grants, but the immediate availability of TAP and the restoration of Pell Grants for people in prison in 2023 will be a "shot in the arm" for existing prison education programs in New York. "This money coming back online first and foremost is going to add resources to a lot of programs that have been struggling to do this work."

For Hudson Link, "the increased investment from the federal and state government allows us to stretch our privately raised funds to further build out program quality and a holistic approach to college-in-prison," said Sean Pica, executive director. While college partners provide the academics, organizations like Hudson Link also offer services such as pre-college and



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college readiness courses, computer labs, tutoring, and reentry services.

Custer also anticipates the combination of TAP and Pell creating opportunities for new programs in New York. He noted that the recent changes in New York not only create access to TAP, but also all other state financial aid programs.

In theory, incarcerated students in New York will have access to the same state financial aid as any other state resident, but in practice, they will likely be limited by what programs are available at their particular facility. As of Spring 2021, more than 30 of New York's 50 state prisons (six of which were closed in late 2021) offer at least an associate's degree, according to the New York Consortium for Higher Education in Prison.

Pica said he hopes restoring TAP will expand the number of prisons offering face-to-face college programming, particularly in rural communities that are harder to reach and tend to have less access to private funding.

Tatro said that TAP is key to restoring educational equity to people who were excluded from educational opportunities even before they went to prison. "Our students at BPI, by and large, grew up in the roughest neighborhoods and went to the poorest schools," he said. "These are the individuals who this society should be giving the greatest access to education. And in New York, up until last week, it was the complete opposite."

Pell is not a panacea

Two recent reports on Pell Grants for prisoners highlight what we need to know before full Pell reinstatement happens in July 2023.

Earlier this month, the Alliance for Higher Education in Prison published *Beyond Pell Restoration*:

Addressing Persistent Funding Challenges in Prison Higher Education Toward Racial and Economic Justice. The researchers looked at the extent to which Pell addresses funding challenges for college-in-prison programs and what implications Pell funding has for racial and socioeconomic justice.

"The return of Pell to prisons without additional investment is likely to replicate the racial and economic inequities that are pervasive throughout higher education," the report noted.

The report highlights three major challenges for prison education programs:

- Pell reinstatement does not currently address difficulties with the FAFSA application and award processes, including student loan default and difficulties accessing tax information.
- Higher education in prison programs will play a key role in Pell restoration, but they do not work alone. Administrators, correctional leaders, policy makers, and government officials must work to disrupt and repair the existing racial and economic inequalities that permeate higher education.
- Student support services that assist in retention, persistence, and time-to-degree are scarce in the emerging field of higher education in prison.

Mary Gould, director of the Alliance and one of the report's authors, said that Pell by itself is not enough. "We still need to continue to push for state level funding, more federal funding, access to funding through colleges, more access to support for student services, and a continued sense of legitimacy for this work."

Bradley Custer, senior policy analyst for higher education at the Center for American Progress, outlined the steps that need to be taken to create Pell-eligible prison

education programs in *How Colleges and Universities Can Bring Pell Grant-Funded Programs Back to Prisons*.

"Before Pell Grants can flow once again to students in prisons...colleges, accreditors, corrections agencies, and the U.S. Department of Education have a lot of work to do," Custer wrote.

Both new and existing programs have to meet the new Pell Grant requirements, get approval from their institutional accrediting agency, get approval from the entity that oversees the correctional facility where the program will be offered, such as the Federal Bureau of Prisons or a state corrections agency, and get approval from the Education Department.

Custer said that the final rules for Pell reinstatement won't be published until November 1, 2022, and there will be a 30-day period for public comment sometime this spring or summer. If the November 1 deadline is missed, full Pell reinstatement could be pushed back until Spring or Summer 2024.

Both reports stress the importance for colleges to start building up support, including additional funding and dedicated staff, for college-in-prison programs now. "This is a really important year to be thinking about building infrastructure and what is needed to be sustainable while continuing to center questions of equity, access, and quality for students," Gould said.

Custer stressed that colleges and universities should start consulting with accrediting agencies and oversight entities now. "As each party is dependent on the cooperation of the others to gain the Education Department's approval, building these relationships is critical for the success of PEPs and ensuring that an affordable, high-quality college education will finally be in reach of incarcerated students," he wrote.

News & views

The Minnesota Department of Corrections has recently posted a job advertisement for an unusual position: tattoo supervisor. The tattoo artist, based at Stillwater Correctional Facility, would oversee the establishment of one or more tattoo studios, reported Alex Derosier for the Duluth News Tribune. The goal of the program is to both reduce transmissions of diseases such as hepatitis C and to educate people in prison as tattoo artists.

For NPR, Carrie Johnson reported that the Justice Department is moving to reduce racial disparities in a tool it uses to assess which people are at risk of returning to crime. The department plans to make tweaks to its risk assessment algorithm that would significantly increase the number of Black and Hispanic men in federal prison who are eligible to take educational classes that could lead to an earlier release. But the tool continues to overestimate the number of Black women who will engage in recidivism, compared to white women in prison, Johnson wrote.

Nuria Sheehan outlines the fits and starts of prison education since the elimination of Pell Grants for prisoners in 1994 in a comprehensive piece for Truthout. She explores the tensions between the promise of expanded access through technology and increased funding with concerns about educational quality and who might be left behind. “While advocates of prison education welcome expanding opportunities through the Pell Grant, many veteran prison educators are worried about how this moment will define the future of prison education,” Sheehan wrote. “Programs unprepared to deal with carceral settings could reinforce the dehumanizing aspects of prison.”

Let's connect

Please connect if you have story ideas or just want to share your experience with prison education programs as a student or educator. Right now, I'm especially interested in how prison education programs are accommodating students with disabilities and information on English as a Second Language programs in prisons. I'm also looking to find out more about the challenges and opportunities of conducting academic research in prisons.

In addition, I've been wondering about the role of correspondence courses in prison education. Research and best practice shows that face-to-face is the most effective mode of instruction in carceral settings. But in practice, in-person learning is not available in many places and for those who can afford it, print-based programs are often the only option. In some places like California, access to correspondence courses is widespread, with varying reviews of the quality. Many prison educators have expressed concern that the infusion of funding through Pell will have major implications for the quality of programs with correspondence and tablet-based education. What is the role for print-based programs?

You can always reach me at charlotte@opencampusmedia.org on JPay/Securus/Connect Network/Corrlinks or on Twitter at @szarlotka.

To reach me via snail mail, you can write to: Charlotte West, Open Campus Media, 2460 17th Avenue #1015, Santa Cruz, CA 95062.

— Charlotte

