

STATE OF DELAWARE



**EXECUTIVE DEPARTMENT
DOVER**

**EXECUTIVE ORDER
NUMBER TWENTY-SEVEN**

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

**RE: CREATING THE STATE OF DELAWARE CORRECTIONAL REENTRY
COMMISSION**

WHEREAS, approximately 23,000 incarcerated adults are released from the State of Delaware (“State”) Department of Correction (“DOC”) facilities annually; and

WHEREAS, approximately 76% of persons released from DOC facilities are rearrested within three years, 68% of those released had a reconviction, and 65% had a recommitment; and

WHEREAS, the State’s percentage of probationers is approximately 46% higher than the national average, and its percentage of incarcerated adults is approximately 12% higher than the national average; and

WHEREAS, an essential objective of reducing recidivism is to provide reentry-oriented, evidence-based programs and services that provide a foundation of cognitive, behavioral, social, and life skills for men and women to lead successful lives upon release; and

WHEREAS, the State’s citizens returning from incarceration face many barriers that often lead them back to criminal activity, such as homelessness, lack of job skills, limited education, mental health issues, substance use disorders, lack of transportation to get to work, and difficulty finding work due to their criminal history; and

WHEREAS, the State should rely upon the Delaware Recidivism Reduction System Blueprint, produced by the National Criminal Justice Reform Project, a comprehensive framework for improvements that build upon existing practices in the State to improve reentry and reduce the recidivism rate; and

WHEREAS, it is a paramount interest of the State for the benefit of all its citizens to: improve the transition from correctional custody to communities; increase public safety; reduce recidivism; make better use of resources in correctional facilities; and expand partnerships with

communities, nonprofit services providers and reentry advocates, and statewide justice-oriented membership organizations.

NOW, THEREFORE, I JOHN C. CARNEY, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE** and **ORDER** that:

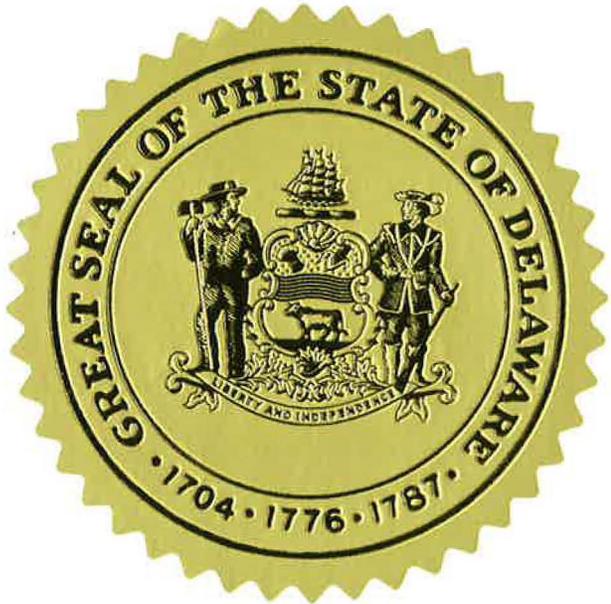
1. The Delaware Correctional Reentry Commission (“DCRC”) is hereby established. The DCRC shall consist of the following:
 - a. Commissioner of the DOC;
 - b. The Director of the Delaware State Housing Authority (“DSHA”);
 - c. The Secretary of the Department of Education (“DOE”);
 - d. The Secretary of the Department of Labor (“DOL”);
 - e. The President Judge of the Superior Court of Delaware;
 - f. The Chief Judge of the Court of Common Pleas;
 - g. The Attorney General;
 - h. The Chief Defender;
 - i. Two members of the public appointed by the Governor, to include the following: one member with significant experience in criminal justice who shall serve as Chair, and one member with prior experience in the criminal justice system;
 - j. Chief of the DOC Bureau of Community Corrections, who shall be Vice Chair;
 - k. The Chief of the Office of Planning, Research & Reentry of the DOC; and
 - l. The Executive Director of the Criminal Justice Council (“CJC”).
2. Members serving by virtue of position, excluding the Commissioner of the DOC and the Vice Chair, may appoint a designee from their office to serve in their stead and at their pleasure. Governor appointed members shall serve at the pleasure of the Governor.
3. The DCRC shall serve without compensation.
4. The DCRC may create and appoint subcommittees (each to be chaired by a member of the DCRC) as it deems appropriate and shall solicit participation from relevant experts for the purpose of helping the DCRC better achieve its objectives.
5. The DCRC shall meet bi-monthly through December 31, 2020 to provide ongoing coordination of offender reentry initiatives across the State under the umbrella of the CJC.
6. The DCRC shall have the following objectives:
 - a. Oversee implementation and further development of the State’s comprehensive strategic reentry initiatives, and ensure that federal, state, and local resources are used most efficiently to reduce duplicative reentry services and ensure alignment with the application of evidence-based approaches;

- b. Develop Transition Accountability Plans for each incarcerated individual for use by DOC and community partners to track services and supports from prison entry through post-release supervision discharge that address the risks of the individual to reoffend;
- c. Strengthen and/or develop case-level data sharing protocols among state agencies to improve the provision of evidence-based programming, best practices in community supervision, case management and other reentry services that are responsive to the learning abilities, motivation, and personality of the reentrant;
- d. Develop a comprehensive reentry response protocol with the DOC that: provides increased use of graduated responses and incentives to foster compliance and motivation with conditions of probation; improves coordination of aftercare services and supports with community stakeholders; and ensures programs providing substance use disorder treatments adhere to evidence-based principles, are implemented with fidelity, and are routinely assessed for their impact on recidivism reduction in order to maximize reentrants' potential for crime-free self-efficacy;
- e. Create a DSHA policy and strategic objective to work with partners across the affordable housing system to expand affordable housing opportunities for reentrants, including efforts to improve family unification;
- f. Create a DOC policy that expresses its commitment to work with state and local agencies and community organizations to avoid releasing people to unsheltered homelessness, with the goal of a 90-day housing plan for reentrants;
- g. Develop policies with the DOC and the Department of Health and Social Services ("DHSS") that provide a continuum of care for reentry for those with mental illness and/or substance use disorders, including the appropriate extension of services after relapse;
- h. Develop a Memorandum of Understanding between the DOC and the DOE that includes a "distance learning" policy (that does not require internet access) so offenders can benefit from academic and vocational services prior to release in preparation for employment and/or to further their training and education;
- i. Renew an enhanced Memorandum of Understanding between the DOC, the DOE, and the DOL for continuation of prison-based services for education and workforce development upon reentry to the community;
- j. Create within the DOL a policy for skills training selection and employment services for clients with criminal justice involvement;
- k. Explore ways to incentivize employers to increase employment of those with criminal justice involvement, and improve methods to educate employers about existing incentives;
- l. Develop a process to fully engage communities in the prisoner reentry process; and
- m. Conduct a Success Rate Analysis on a group of offenders who receive the newly-aligned services under the DCRC to provide ongoing, data-driven feedback to DCRC and stakeholders regarding the short-term impact of incremental reentry reforms on recidivism (allowing for necessary adjustments to improve effectiveness) to provide State stakeholders with summative

evidence on the impact of comprehensive reentry reform in the State on long-term recidivism.

7. Consistent with the objectives of this Executive Order and the objectives of the DCRC, the DOC Office of Research and Planning shall be restructured as the Office of Planning, Research and Reentry (“Reentry Office”), and report to the Commissioner of the DOC. The Reentry Office shall:
 - a. Oversee the implementation and maintenance of the DCRC initiatives from prison to community corrections centers to probation and parole to the community;
 - b. Work collaboratively with the DCRC and the Bureau of Prisons and Bureau of Correctional Health Care Services on adherence to evidence-based practices, including incorporation of cognitive behavioral therapy programs, case management services, education, drug treatment assessment, and employment readiness training;
 - c. Assess offenders’ likelihood of recidivism through the use of risk and need assessments to target services for those at the moderate to high risk for reoffending in order to prioritize services in the most cost-effective manner;
 - d. Streamline, coordinate, and leverage reentry assets with state agencies (including the Courts, DHSS, DOL, DOE, and DSHA) and with community stakeholders (including victim services agencies, employers, non-profit organizations, faith-based organizations, local reentry coalitions, mentoring organizations, and ex-offender peer support groups);
 - e. Work with DOE specialists to administer a DOE-approved educational assessment tool to all inmates during DOC’s reclassification process in order to develop a plan for their educational needs throughout incarceration; and
 - f. Repurpose existing I-ADAPT probation officers as DCRC in-reach coordinators to assist with transition accountability planning from facilities into the community.
8. The DCRC shall submit to the Governor no later than December 30, 2019 a comprehensive report on the status of the State’s reentry reforms, practices, and policies. The DCRC shall submit a final report on the status of the State’s reentry reforms, practices, and policies to the Governor by December 30, 2020. Each report shall contain benchmarks and accomplishments to date, the effectiveness of the cross-agency coordination and communications, and progress with respect to the performance measures and the recommendations of the DCRC for improvements in executive, judicial, and legislative policies that will reduce recidivism, crime, and victimization.
9. Administrative support and space for meetings shall be provided by the CJC.
10. The DCRC shall dissolve on January 1, 2021 unless extended by further Executive Order.

11. Executive Order Number Seven, signed by Governor Markell on May 15, 2009, is hereby rescinded.

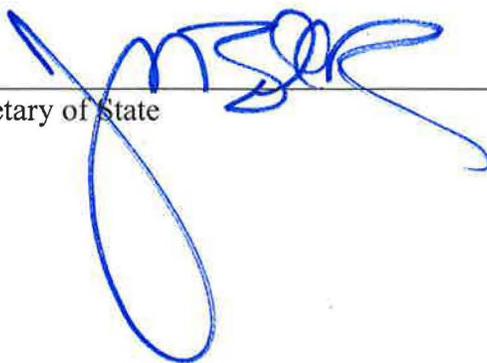


APPROVED this 4th day of December, 2018



John C. Carney
Governor

ATTEST:



Secretary of State