

Gary C Mohr

Gary Mohr has 52 years of service dedicated to Corrections and Criminal Justice. In Ohio, he served as Director of the Governor's Office of Criminal Justice and Deputy Director of the Ohio Department of Youth Services. While Director of the Governor's Office of Criminal Justice he was responsible for criminal justice research. In this role in 1993, he was appointed by Governor Voinovich to lead the investigation into the Lucasville riot, our nation's longest prison riot resulting in ten deaths.

He spent a vast majority of his time in the Ohio Department of Rehabilitation and Correction where he served as a Teacher, Director of Staff Development and Training, Warden of multiple facilities, Regional Director, Deputy Director and served for eight years on Governor Kasich's Cabinet as Director of the Ohio Department of Rehabilitation and Corrections. He championed multiple legislative initiatives to reduce the prison population, reduce the agency budget including prison operations costs and increase funding to community corrections. The mission statement he created for the agency was, "To reduce recidivism among those we touch".

He now promotes system reform aimed at providing a sense of hope for those under confinement and the staff responsible for their supervision. Following serving as Ohio's Director, he served as Chief Advisor to the North Carolina Public Safety Director following the tragic death of five employees of North Carolina prisons after two separate disturbances. He currently works with the Alliance for Safety and Justice, dedicated to supporting victims of crime, system reforms to reduce prison populations and restoring lives. He serves as Senior Fellow for CGL Companies supporting safe, secure and restorative operational practices. He has also served on the faculty for the Executive Leadership Development Program for international correctional leaders at Sam Houston University. He was appointed by the Central Federal Court in

Georgia to oversee a settlement agreement in Georgia's highest security facility.

He served at the 106th President of the American Correctional Association.

Draft Written Statement for the Legislative Committee

My name is Gary Mohr, and it is a pleasure to be able to speak to you today to support your quest for a safe and secure correctional system for staff and those in custody that efficiently promotes community safety.

You have my bio so I will not go through my 52 years in this profession but will highlight just a few points. Most related to this project was my role as Director of the Ohio Department of Rehabilitation and Correction with Governor Kasich from 2011 until 2018. As we started this eight-year term, January 2011, the state had less than one dollar in the "rainy day fund", so reducing the state's operating budget was a primary focus. In fact, the Governor directed me to reduce the budget of the department of corrections by 300 million dollars in the biennial budget starting in July. This was directly in conflict with my vision of returning to the agency to reform corrections and lives. During the campaign, the Governor was advised by advisors and lobbyists to privatize the correctional system as the instrument to reduce the correctional budget. After our three-hour heated discussion, he dismissed the recommended direction of his advisors and committed to the direction of reforming the system with the expectation that I would reduce the agency budget during the next two years. I took the Director's position at that moment.

Ok, now what do I do? What are the guiding principles that will create the path forward?

It was clear Ohio had too many individuals in its prisons. On my first day working in Ohio's prisons, July 1, 1974, there were 8,400 incarcerated in prisons. On January 4, 2011, when I was sworn in in the Ohio Legislature, I

inherited 51,000 crowded into its prisons. In a 37-year period Ohio's prison population had grown over 500%. That growth required new prisons and billions of dollars to pay for the increased number of staff. The number of people on parole and post release supervision had also grown substantially during that same period. It's interesting to ask the question of those with gray hair that can remember 1974, if they feel safer today than in 1974 after the tens of billions of dollars spent to support the correctional growth. You can imagine the answer. This growth and expansion of correctional systems and their budgets occurred throughout the country.

As we launched our strategy to reform and reduce the prison and community corrections system in Ohio:

- We created a mission statement, "To reduce recidivism among those we touch". This guided every staff within their specific job responsibilities and ensured that any practices we implemented were compliant with this mission.
- We established a guiding principle: "How people act under our supervision should matter, so treat individuals in a manner they have **earned**". Why would we treat individuals who mistreat staff, violate agency rules and choose not to participate in programs that have been determined to reduce violence and recidivism, the same as those who are compliant with rules and staff direction and complete evidence-based programs? This principle has value in determining how long an individual is in community supervision and how long a person serves inside prisons.
- "We will be responsive to the concerns of our staff and the needs of those under supervision"

Using the above guardrails, we launched a strategic approach that lasted eight years. We not only met fiscal expectations and reduced prison violence, but also achieved the lowest recidivism in Ohio since those numbers were maintained.

After an examination of the number of non-violent Ohioans entering the prison system, particularly the female population, we passed HB 86 in the first six months that focused on community correctional sanctions – programs that keep people out of prison- for those non-violent Ohioans. The Washington State Policy Institute has found that community correctional programs and sanctions are twice as effective of preventing future crime at one-third the cost of a prison sentence for non-violent offenders. While this type of legislation is not under consideration in Arkansas, it is a reminder how important it is to know who is coming into our prisons. It can be surprising.

The question for this hearing - a discussion of how to reduce the number of prison beds in Arkansas – is aligned with the measures we put in place in Ohio and with a safer correctional system and safer Arkansas communities.

- We created an “**earned credit**” initiative for those in prisons **that** encourages positive behavior and participation and completion of programs research has shown reduces violence inside prisons and reduces future returns to prisons. This reduces future victims of crime whether in the communities or for staff providing supervision. During my tenure as Director, I asked Dr. Ed Latesa and the University of Cincinnati to evaluate the impact of a variety of programs offered inside our prisons. For three years, this research team visited every Ohio prison and studied every significant program we offered. These programs included academic education such as high school equivalency, adult basic education, college as well as vocational education programs, residential and intensive out-patient drug treatment programs, cognitive programs aimed at changing the way people think and mental health programs. After this three-year study, in a report that included a 36-page executive summary, made the following findings including a statistical difference for those participating and completing specific programs compared to those who did not:

- For those **participating** in each of the programs described above demonstrated a reduction of acts of violence in prison.
- For those who **completed** these same programs there was an even greater positive impact on reducing violence in prison.
- For those **participating** in each of these programs there was a statistical reduction in recidivism.
- For those **completing** these same programs there was an even greater reduction in recidivism.
- For those who took a combination of these programs the positive impact on reducing prison violence and recidivism was increased even more.

The research collected in this study supported our approach to provide credit toward the minimum sentence for those participating and for those who complete these programs. This credit is **earned** and includes both a monthly participation component for people who maintain good standing and a completion credit of 90 days each time someone completes an approved program. This kept our prisons safer, supported our reduction of our prison population and ultimately kept our communities safer. Providing earned credit for individuals who choose to pursue programs and activities above and beyond what is required of them encouraged participation in programs that positively change the way they think. This initiative was foundational to safely reducing our prison population and created a productive prison environment.

- A similar **earned credit** approach for community corrections can achieve similar positive outcomes. Providing a path for those serving community supervision time to **earn** a reduction of that time through positive behaviors supports safer communities and an overall reduction of those being supervised. Incentivizing behaviors such as getting and keeping employment, attending drug treatment programs, compliance with Medication Assisted Treatment [MAT] if warranted, continuing academic or vocational training, above and beyond being compliant with the direction provided by the community supervision officers are all ingredients for safer communities. Individuals who make

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these positive choices truly **earn** a reduction of supervision time by demonstrating the characteristics to become law abiding and contributing citizens. Again, this initiative will reduce the number of individuals on community supervision and resources necessary for that function.

- Finally, there are individuals in prison that no longer provide a threat to the community and the use of resources to watch them sleep is not necessary. Often these are older individuals that become increasingly costly to incarcerate given increased healthcare costs. Many systems attempt to address this by using a “medical release” approach by attempting to release those with serious medical issues requiring placement in a hospital or nursing home. Systems have found little impact on their population with this approach because many facilities will not accept these folks. Further, this approach does not touch those whose behavior over years has demonstrated compliance with pro-social standards of behavior and a lack of public threat. In Ohio, we passed legislation called “Transitional Control” that allowed me as Director, after careful review and clear behavioral standards, to release individuals from prison to a community setting [halfway house or community supervision] up to six months prior to their release date. Their prison sentence was still intact so they could be returned to prison easily if they did not comply with expectations. This program was proven to be our most effective program in terms of reducing recidivism with a 10% three-year rate of return to prison. Arkansas is considering a similar approach with release of over 60-year-old individuals that have been determined not to be a risk to the public after careful assessment. Most of these have spent years in prison, which provides prison authorities years to evaluate their behavior. Many criminal justice leaders have acknowledged that the aging process is the most effective rehabilitation tool. This type of approach can be safely implemented with proper structure and safeguards and can yield substantial

reduction of the prison population. In fact, I wish I had thought of this specific approach during my time as Director.

In conclusion, I applaud you for considering this comprehensive strategic approach to criminal justice reform and for thoughtfully considering how Arkansas can *safely* reduce prison beds. I believe it goes a long way to putting individuals in the criminal justice system in the right setting while improving safety in your communities and prisons, protecting the public and correctional staff. These are also proven ingredients to reduce resources dedicated to supervising those that have demonstrated their ability to independently live in a pro-social manner. Thank you for your consideration.

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