

TRAINING AND EMPLOYMENT NOTICE	NO. 7-20
	DATE November 23, 2020

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE LIAISONS
STATE WORKFORCE ADMINISTRATORS
STATE AND LOCAL WORKFORCE DEVELOPMENT BOARDS AND
EXECUTIVE DIRECTORS
STATE AND LOCAL WORKFORCE DEVELOPMENT BOARD CHAIRS
AMERICAN JOB CENTERS
REENTRY STAKEHOLDERS

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SUBJECT: Resources for Serving Youth and Adults Involved with the Justice System

1. **Purpose.** To provide local workforce boards and American Job Centers (AJCs) with information aimed at improving services for individuals involved with the justice system.
2. **Action Requested.** Review, share, and use resources to increase and improve services for justice-involved individuals.
3. **Summary and Background.**
 - a. Summary – Employment and Training Administration (ETA) and Veterans' Employment and Training Service (VETS) programs offer services to assist individuals who are, or were, involved in the justice system reintegrate into the workforce. This notice provides useful information on workforce programs and resources to support these individuals, and encourages states, localities, and businesses to utilize these resources to the fullest.
 - b. Background – The Bureau of Justice Statistics (BJS) reports that as of year-end 2018, there were 6.4 million adults under correctional supervision, including 3.5 million on probation, 878,000 on parole, 1.5 million in state or federal prisons, and 738,000 in local jails. While they are incarcerated at a lower rate than non-veterans,

**EMPLOYMENT AND TRAINING ADMINISTRATION
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there are also approximately 180,000 incarcerated American military veterans. Individuals who have served time in prison are particularly at risk of further involvement in the justice system. Based on a study from the BJS, 44 percent of state prisoners are rearrested within one year of release, 68 percent are rearrested within three years of release, 79 percent are rearrested within six years of release, and 83 percent within nine years of release. Prompt and useful employment services to individuals involved in the justice system can potentially decrease rearrests, provide a productive route to economic mobility, and support the employment needs of businesses seeking to fill vacancies.

The public workforce system has experience serving individuals involved in the justice system. From April 2019 to March 2020, the Workforce Innovation and Opportunity Act (WIOA) Adult formula program served 47,412 offenders, the WIOA Youth formula program served 16,171 offenders, the Employment Service (ES) program served 177,411 offenders, and the Dislocated Worker grants served 10,959. From April 2019 to March 2020, AJCs provided services to 14,221 veterans with previous convictions with the many of the resources discussed in this notice. However, AJCs can potentially serve more individuals involved in the justice system, and provide better quality services that result in positive employment outcomes.

Appropriately addressing criminogenic risks and providing occupational skills is key to reduce recidivism and improve long-term job retention with this population. There are resources available to assess the risk of recidivism, job readiness, and individual needs of offenders. Employment-focused reentry programs and AJCs are positioned to offer such assessments and help coordinate the supportive services needed. Some communities may be interested in providing jail-based AJCs that act as a link to community-based resources post-release. For example, WorkSource AJC is located inside the Montgomery County (MD) Correctional Facility (MCCF). This AJC, which is connected to the existing community-based American Job Centers in the area, proactively provides pre- and post-release services, including job search and employment skills development for individuals incarcerated at MCCF, while leveraging existing partnerships with relevant county social service providers and local community organizations. These kinds of links and partnerships are successful in ensuring justice-involved individuals successfully reintegrate into the workforce.

ETA and VETS recognize that the COVID-19 pandemic has altered the incarceration, workforce development, and employment landscape across the country. In light of the changing environment, local areas are adjusting their service delivery model to include more opportunities for virtual connections and variations on traditional case management techniques.

In ETA's Linking Employment Activities Pre-Release (LEAP) demonstration grant program, sites focused on developing strong relationships with participants during incarceration, communicating clearly about the transition to the community, and

providing supportive services. Staff in these projects prioritized addressing barriers such as unstable housing, lack of transportation, and history of substance abuse. Staff reported that justice-involved individuals needed more intensive case management, wraparound services, and financial incentives than other AJC customers.

Some LEAP staff noted that many participants had financial obligations—including housing, food, unpaid court fees, and child support arrears—that required them to find immediate employment rather than attend further training or education services. Many of the participants also felt pressure to find any job as soon as possible rather than look for a job with opportunities for advancement. Due to the challenges justice-involved individuals face, AJCs may consider dedicated staff services to focus on this population.

Combat experience in the military, trauma, human trafficking, and violence can also affect justice-involved individuals. It is essential to acknowledge the impact on participants' behavior from past traumas when planning staff training, program design, and coordination with other community agencies.

Local workforce development boards are in a prime position to proactively take the lead in coordinating and partnering with other agencies to develop local integrated systems to serve justice-involved individuals both pre- and post-release. This One Workforce approach should incorporate stakeholders from across multiple systems, including employers, local and county jails, state correctional facilities, courts, community colleges, supportive services programs that provide housing assistance, substance use services, and mental health treatment. The Department encourages states to adapt One Workforce, and link workforce development services together in a holistic and synchronized manner. Upon release, a justice-involved individual should be able to access a continuum of services broad enough to encompass the diverse needs the customer may require, while still narrowly targeted to address their individual needs. For example, shortly before and upon exiting incarceration, a One Workforce approach would include a case manager offering supportive services that cut across needs—housing, food stamps, income support, and, most importantly, job training. A One Workforce approach will ensure justice-involved individuals successfully reintegrate into the workforce.

4. Priority of Services and Resources available.

Priority of Service for Veterans. The Jobs for Veterans Act (JVA, Pub. L. 107-288) establishes a priority of service requirement for “covered persons” (e.g., veterans, including incarcerated veterans, and certain eligible spouses, as defined by 38 U.S.C. § 4215) in qualified job training programs. ETA and VETS provide priority of service implementation policy guidance in TEGL 10-09 and VPL 07-09 to the workforce system.

Qualified job training programs include all workforce programs funded by DOL in whole or in part, such as ES and WIOA career services, and other job training programs offered

through competitive grants. Priority of service means that covered persons are given priority over non-covered persons for the receipt of employment, training, and placement services provided under a qualified job training program. In other words, incarcerated veterans and eligible spouses should receive access to services earlier than non-covered incarcerated persons; and when resources are limited, they should receive access to the services instead of, or before, non-covered persons.

Resources Available. There are resources available to AJCs to proactively adopt the One Workforce approach and that ensure justice-involved individuals have a good start to ultimately move into employment. Several of these resources are also available at: <https://www.workforcegps.org/resources/2020/04/17/20/59/Targeted-Populations-Justice-Involved-Individuals>.

- a. **CareerOneStop.** CareerOneStop is a career, training, and job search website sponsored by ETA. The website serves job seekers, businesses, students, and career advisors with a variety of free online tools, information, and resources. Reentry.CareerOneStop.org is an online, secure version of all CareerOneStop website content and tools with the external links disabled. The purpose of the Reentry CareerOneStop site is to provide correctional institutions and other secure facilities with access to CareerOneStop's full range of career, training, and job search resources without relying on the Internet. The websites are available at: <https://reentry.careeronestop.org/> (for pre-release use) or <https://www.careeronestop.org/ExOffender/> (for post-release use). AJCs can share these resources with their partners and use them in advising their customers.
- b. **My Next Move.** The My Next Move website provides easy to read career exploration for jobseekers and the people that provide career advice. This tool is available within the CareerOneStop resources discussed above, but is also useful as a standalone tool. See: <https://www.mynextmove.org/>.
- c. **Federal Bonding Program.** The Federal Bonding Program was developed in 1966 by DOL to help ES counselors place ex-offenders and other at-risk individuals in private sector jobs. The program provides fidelity bonds to employers willing to hire at-risk individuals that protect employers from losses resulting from illegal acts of persons that they hire. Over the years, the program has remained a relatively small program, serving about 900 people a year. In 2019, DOL greatly expanded the program by providing grant funds to 24 states for the specific purpose of purchasing fidelity bonds to cover employers hiring ex-offenders. The website <https://bonds4jobs.com/> has information on bonding and promotional materials, which AJC programs can use to increase employer awareness and usage of the bonding program.
- d. **Work Opportunity Tax Credit (WOTC).** WOTC is a federal tax credit available to employers who hire individuals from specific target groups who have consistently faced significant barriers to employment. Any business can earn tax credits by hiring individuals who fit one of the program's target groups, such as ex-

offenders, veterans, disabled individuals, and those receiving government assistance. The website <https://www.dol.gov/agencies/eta/wotc> includes information on the tax credits and forms employers use to apply for the credits, so AJC can advise employers and promote use of the tax credits.

- e. **Federal Pell Grant.** AJC customers who are students with criminal convictions may be eligible for federal student aid. For more information on resources to help provide training to these customers, see: <https://studentaid.gov/understand-aid/eligibility/requirements/criminal-convictions> and <https://studentaid.gov/sites/default/files/aid-info-for-individuals-exiting-incarceration.pdf>.
- f. **Reentry Employment Opportunities Demonstration Program (REO).** DOL's REO demonstration grants can serve as models for workforce development boards in serving offenders, partnering with AJC programs, and often in making their services available through AJCs. Core services include case management, occupational skills training leading to industry-recognized credentials, employment assistance, apprenticeship placements, work experience, tutoring, mentoring, high school diploma equivalency preparation, credit retrieval, restorative justice opportunities, and leadership development. Additionally, other key services include housing support, mental health and substance use treatment, utilizing non-profit legal services providers to coordinate with the local justice system to resolve outstanding warrants, diversion from adjudication, and follow-up. Projects have also created satellite AJCs in local jails and plan to create them in some state prisons. Projects promote collaboration and coordination between community-based organizations, foundations, state and local justice agencies, post-secondary education institutions, employers, and the public workforce system. See: <https://www.dol.gov/agencies/eta/reentry/about> for opportunities to collaborate with REO grantees.
- g. **Homeless Veterans' Reintegration Program (HVRP).** HVRP is a competitive grant program that enables organizations to reintegrate homeless veterans into the labor force by helping them find family-sustaining employment, and to stimulate the development of effective service delivery systems that address the complex problems facing homeless veterans. HVRP serves veterans recently released from incarceration and veterans transitioning from incarceration. The National Veterans' Technical Assistance Center (NVTAC) is available to help organizations access HVRP services. The NVTAC website is available at: www.NVTAC.org.
- h. **Jobs for Veterans State Grants (JVSG).** With a current appropriation of \$180,000,000, VETS funds employment and training services for veterans at state workforce agencies nationwide through (JVSG, as authorized under 38 U.S.C. § 4102A(b)(5)). This program assists veterans with significant barriers to employment and other eligible individuals to help them attain family-sustaining careers, and to assist employers in filling their workforce needs with job-seeking veterans. The JVSG program funds two types of state employees, Local Veterans' Employment

Representative (LVER) staff and Disabled Veterans' Outreach Program (DVOP) specialists. LVER staff and DVOP specialists are located within each state's workforce system and operate out of the approximately 2,400 American Job Centers across the nation. Complete program information and performance data can be found in VETS' Annual Report to Congress, located at: <https://www.dol.gov/agencies/vets/resources/updates>.

- i. **Health Care for Re-entry Veterans (HCRV) Services and Resources.** The Department of Veterans Affairs (VA) HCRV program is designed to promote success and prevent homelessness among veterans returning home after incarceration. HCRV reaches out to veterans prior to their release from the justice system to assess their need for services, including healthcare, transitional housing, social, and employment services. While VA cannot provide medical services also provided by correctional facilities, veterans can receive short-term case management assistance upon release and mental healthcare treatment. Each Veterans Integrated Service Network and state has an HCRV specialist who provides outreach and assessment services to incarcerated veterans. More information can be found on the VA's website at: <https://www.va.gov/homeless/reentry.asp#contacts>.
- j. **Veterans Treatment Courts (VTCs) and the Veterans Justice Outreach (VJO) Program.** VTCs are initiated, funded, and operated by local governments, rather than by VA. However, VA directly supports VTCs through the participation of its VJO Specialists as members of VTC treatment teams, and through the health care services, it provides to Veteran defendants. VJO Specialists currently serve 575 VTCs and similar programs across the country. These Specialists assess veteran defendants' treatment needs, link veterans with appropriate VA treatment services, and (with the veterans' permission) provide regular updates to the court on their progress in treatment. VTCs provide an atmosphere where a judge better understands veterans' unique issues, including Post-traumatic Stress Disorder and traumatic brain injury. For more information on VTCs, VJO Programs and other legal services available to veterans, visit VA's website at: <https://www.va.gov/homeless/vjo.asp>.
- k. **The Office of Juvenile Justice and Delinquency Prevention (OJJDP).** OJJDP has released "Reentry Starts Here: A Guide for Youth in Long-Term Juvenile Corrections and Treatment Programs". This user-friendly guide is designed to help youth in juvenile corrections and treatment programs prepare for reentry and success in their community. The guide outlines how transitioning youth can seek assistance from a parent or guardian, mentor, friend, teacher, or other key people. The toolkit, which AJCs and other youth programs can share with their customers, is available at: <https://ojjdp.ojp.gov/news/juvjust/ojjdp-releases-reentry-toolkit>.

OJJDP's Model Programs Guide (MPG) contains information about evidence-based juvenile justice and youth prevention, intervention, and reentry programs.

MPG's *Implementation Guide (I-Guide)* is focused on juvenile reentry programs. Juvenile reentry programs provide services that prepare youth who serve time in out-of-home placements for their eventual return to the community. The *I-Guide* is available at: <https://www.ojjdp.gov/mpg-iguides/topics/juvenile-reentry-programs/index.html>.

1. **The National Reentry Resource Center (NRRC).** NRRC is funded and administered by the U.S. Department of Justice's Bureau of Justice Assistance, and is the nation's primary source of information and guidance in reentry. NRRC provides individualized and strategic guidance to grant recipients in order to maximize efforts to reduce recidivism and help people succeed in their communities after returning from incarceration. The resource center is located at: <https://nationalreentryresourcecenter.org/>.

- m. **Council of State Government (CSG) Justice Center Resources.** The CSG produces several valuable resources and research that can inform AJC program outreach, services, and partnerships.
 - **Report on Increasing Coordination of Local Reentry Programs.** "Integrated Reentry and Employment Strategies Pilot Project Process Evaluation" discusses how local areas can develop community-wide coordinated reentry efforts. The report is available at: <https://csgjusticecenter.org/wp-content/uploads/2020/02/FINAL-IRES-Pilot-Project-Proc-Eval-Report.pdf>.

 - **On Track: How Well Are States Preparing Youth in the Juvenile Justice System for Employment?** This report draws on a first-of-its-kind survey data collected from 50 states in partnership with the Council of Juvenile Correctional Administrators and establishes a baseline for understanding how juvenile correctional agencies are preparing youth for employment. The report is available at: <https://csgjusticecenter.org/publications/on-track-how-well-are-states-preparing-youth-in-the-juvenile-justice-system-for-employment/>.

 - **Self-Assessment for Employment Focused Re-entry Programs.** This checklist helps employment-focused reentry programs gauge their current capacity to provide integrated reentry and employment interventions that reduce recidivism and improve employment outcomes. It also assesses for the use of the service delivery principles that have been shown to reduce recidivism and can be applied to programming that builds the employability skills of this population. The assessment is available at: <https://csgjusticecenter.org/publications/self-assessment-for-employment-focused-reentry-programs-4/>.

- n. **Legal Services Corporation.** The Legal Services Corporation and other legal aid organizations can help individuals address legal issues that may hinder them from being able to obtain work. See: <https://www.lsc.gov/what-legal-aid/find-legal-aid>.
- o. **Opening American Job Center Satellites in Local Jails.** TEN 24-16, “Release and Availability of Five Issue Briefs from an Evaluation of the Linking Employment Activities Pre-Release (LEAP) Specialized American Job Centers,” provides lessons learned from the DOL demonstration that opened satellite AJCs in local jails, useful for any AJC that is working to provide services to those close to release. The TEN is available at: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6325.
- p. **Best Practices in Serving Young Adults.** The report “From Surviving to Thriving: Supporting Transformation, Reentry and Connections to Employment for Young Adults” is a collection of best practices, informed by work from the Compass Rose Collaborative, an REO grantee, which works to connect youth with education and employment opportunities, with the goal of reducing recidivism. The report is available at: <https://reo.workforcegps.org/resources/2020/02/24/13/59/From-Surviving-to-Thriving>.
- q. **Trauma Responsiveness in an Integrated Workforce System.** This fact sheet by Futures Without Violence discusses principles for serving individuals affected by trauma and violence. It is available at: <https://youth.workforcegps.org/resources/2020/03/24/11/13/Resources-on-Trauma-and-Trauma-Informed-Care>.
- r. **Federal Hiring Mythbusters Fact Sheet.** This fact sheet clarifies existing federal policies related to the hiring and employment of formerly-incarcerated individuals and their families. This fact sheet is available at: <https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reference-materials/federal-hiring-mythbusters-criminal-records.pdf>.

5. **Inquiries.** Please direct inquiries to the appropriate Regional Office.

6. **References.**

- Laura M. Maruschak and Todd D. Minton, “Correctional Populations in the United States, 2017-2018” Bureau of Justice Statistics, U.S. Department of Justice, August 2020, available at: <https://www.bjs.gov/content/pub/pdf/cpus1718.pdf>; and
- Mariel Alper and Mathew Durose, “2018 Update on Prisoner Recidivism: a 9-Year Follow-up Period (2005-2014)”, Bureau of Justice Statistics, U.S. Department of Justice, May 2018, available at: <https://www.bjs.gov/content/pub/pdf/18upr9yfup0514.pdf>.

7. **Attachment(s)**. Not applicable