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Re-entry Court considered cutting edge

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MANSFIELD -- Marvin Marshall's rap sheet is colorful and long, stretching nearly 30 years -- time marked by heavy cocaine use, robberies and thefts and stints in penitentiaries across the state.

But just 10 months out of prison following his last arrest in December 2007, things have changed.

Now he's clean, works full-time and, as his wife has breast cancer, pays all the bills. He even keeps in touch with his probation officer.

"This is the best I've done in 25 years," Marshall, 49, said.

He hasn't missed any of his monthly meetings at the county's re-entry court, a specialized program for recently released felons.

The change was evident when he got picked up for petty theft in December. A clerk at Gabriel Brothers in Ontario accused him of switching labels on an item, trying to save \$5.

"Five years ago I would've knocked him down, cleaned out the cash drawer and took off running," Marshall said Friday in Richland County Common Pleas Court. "But not today."

For Judge James Henson, court officers and courtroom spectators -- most of the latter convicted felons -- bemused laughter broke out. If Marshall was going to commit a crime, he'd be the first to tell you, it would be for more than \$5. Yet because he was on probation, that \$5 could end up costing him a lot more.

In a different courtroom, in a different age, it could've cost him his freedom.

But this was re-entry court. So instead, Henson told him to get it cleared up and report back in a month. Marshall was doing well after 10 months in the program -- working, testing clean and toeing the line with his probation meetings. This incident wasn't enough to draw the hammer.

Rehabilitation ideas

One of the first of its kind in the country, Richland County Re-entry Court has worked this way for 10 years, processing 1,000 or so felons like Marshall, who've served at least six months in state prison.

In the movies, they're outfitted with a freshly-pressed suit, \$100 in cash and a pack of cigarettes.

In real life, they barely get bus fare and emerge clad in a penitentiary jumpsuit.

"I call them the vast unready," Judge James DeWeese said of re-entry court participants. "They're uneducated, unskilled, unemployed, unhoused and unused to self-government. It's surrogate parenting."

The program can lend help in many forms.

One man had to get his teeth fixed for work, which federal grant money paid for. Others need glasses, food or bus fare. All of them need jobs.

"These people are broken," program coordinator Toya Bowman said. "We want to up the standards, but not so high that you can't reach."

Watchful eye

Since re-entry court's inception in 1999, Bowman has worked with prison officials to select participants based on their proclivity to respond to treatment and the court system. She also oversees their progress.

Re-entry court's convicts come in many stripes, from murderers to mid-level drug lieutenants, but the toughest cases, like those needing extensive mental health treatment, need not apply.

"I essentially changed the (Ohio Department of Corrections and Rehabilitation)," Bowman said of the program's early days. "I had to get the wardens on board. There was a lot of politics then, but we changed the whole dynamic. The word 're-entry' had never existed."

Even critics of the program acknowledge its success. The felony re-arrest rate for graduates of the year-long court -- about two-thirds of those who enter -- is 4 percent within one year of release. That's microscopic in a prison system nationwide that averages 44 percent, the U.S. Department of Justice reports.

"We show these numbers to criminal justice experts and professors and they just fall over," said Dave Leitenberger, the county's chief probation officer. "It took us 10 years to finally see real funding coming in. For the little bit of money that it costs, it's a bargain."

Group effort

Jeffrey B. Spelman, chairman of the criminal justice and sociology department at Ashland University, is one of those experts. He said the average probation officer may check in with an offender just a couple times a month, but Richland County probation officers, according to his data, are checking in six times more often.

"The contacts are astronomical," Spelman said. "Having this kind of relationship with an offender allows you to spot problem areas before they even exist."

The re-entry court employs an idea many experts on deterrence call the wave of the future. The idea is constant attention coupled with swift and consistent consequences. In theory, this is much more effective than old-school probation -- which involved limited visits and less consistent but far stricter punishment.

According to one study, by both removing imprisonment as an option for technical probation violations and cutting the length of parole, prison populations nationwide could shrink about 50 percent.

"The first time they mess up, you don't use the nuclear option," DeWeese said of his approach, referring to lengthy sentences for technical violations. "That's why the re-entry court works the way it does, because they believe that you really care about making a difference in their life."

Having offenders meet as a group helps as well. Each session before Henson or DeWeese lasts a couple of hours, and all of the two dozen-or-so participants must watch every proceeding. In essence, each monitors the progress of his peers. More importantly, they discover their road is not as lonely as they thought.

For observers, it can be like a reality show without the cameras.

At Henson's session Friday, Jerome Bond, 26, convicted of crack possession in 2006, said he'd mailed \$40 to cover court costs two days previously. By Friday, there was still no sign of it, probably, Bond said, because he mailed in cash.

Bowman cocked an eyebrow. "Never paid a bill before, huh?"

She said Bond comes from a good family, but was having trouble getting his act together since he got out from a three-year stint in Lorain.

Randy Schlupp, 40, of Mansfield, was having back problems Friday. He ambled up before Henson with a heavy stoop, and said he was trying to find work, but couldn't do much manual labor anymore.

"Don't say, 'try,' " Henson scolded.

Schlupp, who was convicted of aggravated robbery in 2006 and released last year, said he'd taken courses to become a chef while in the pen.

"Now that's what I mean," Henson said. "You're doing it."

Friday morning was the re-entry court debut for Donna Kirkpatrick, 26, of Mansfield. An ex-crack addict, she served nearly three years in Marysville on five forgery convictions before getting out this month. Henson told her what he tells all of the rookies.

"There's been a lot of water under a lot of bridges in a lot of days," Henson said. "Some people get swept away with it. Don't let that be you."

The lonely road

The biggest deterrent to getting swept away, officials and the studies say, is simple: employment. Many of the convicts say the easiest way for them to stay out of trouble is 14-hour workdays. Not only is it steady income, it's also a sense of routine and focus. Jerome Bond, the 26-year-old, refused to get a job after his initial release, Bowman said. Sure enough, not long after that, a drug test came back positive.

"He gives up on himself very easily," Bowman said.

For Marshall, the man arrested at Gabriel Brothers last month, staying clean and maintaining a manufacturing job for several months has been one of his proudest moments.

"It feels so good to have a piece of paper with my name on it," he said. "For a lot of those years I was cashing a lot of checks with other people's names on them."

He's clean now, not only to care for his cancer-stricken wife but at the careful prodding of his 24-year-old son, Marvin Marshall Jr., his probation officer and Judge Henson. He still has to pee in a cup regularly and complete several more months of re-entry court, but said that at the moment he is keeping busy.

"Maybe," he said, hesitating, "I don't know if it'll happen, but maybe they will say that this time Marvin broke the cycle."

Additional Facts

By the Numbers

Officials report the effectiveness of the Richland County re-entry court is in stark contrast to recidivism

rates for prisoners released without such a program.

In a 2006 study, Ashland University professor Jeffrey Spelman found 124 of nearly 600 re-entry court participants, just 4 percent, were arrested for a felony within one year of successful completion of the program. The average recidivism rate nationally for those who did not participate in a re-entry court program was 44 percent in the first year.

Source: Jeffrey Spelman, Ashland University
