

Community Mediation Maryland 310
Tulip Ave., Takoma Park, MD 20912
<http://re-entrymediation.org/>



HB1233: Correctional Services-Inmates-Intake & Release Requirements (Re-entry Success Act of 2021)

HB1233 ensures all inmates, housed at a state correctional facility for longer than one year, have access to re-entry mediation, prior to release. Research shows that re-entry mediation rebuilds relationships and reduces recidivism by 10% for the first session and 7% for each additional session. Community Mediation Maryland asks for a favorable report for HB1233 - we look forward to additional opportunities to advocate for this powerful tool.

Re-entry Mediation Rebuilds Relationships and Reduces Recidivism

Re-entry mediation responds to the well-established need for individuals returning from incarceration to have positive relationships and provides the opportunity to address conflicts and collaboratively plan for transition.

Re-entry Mediation Rebuilds Relationships

Re-entry mediation provides an opportunity for an incarcerated individual to meet, pre-release, with family members or others utilizing the help of non-judgmental mediators. Participants have an open, honest, and often difficult dialogue to prepare for the transition back into the community. By rebuilding relationships between inmates and family or support people in the community, re-entry mediation taps into the resources indigenous to the community, strengthens these connections, and allows for collaborative transition planning, involving the inmate and their family members. Since 2008, over 1,600 incarcerated individuals have participated in re-entry mediation along with over 2,200 of their family and friends.

Re-entry Mediation Reduces Recidivism

A 2-hour mediation session decreases the predicted probability of re-incarceration by 10%. Additional sessions decrease the predicted probability by another 7%. This finding holds true when comparing comparable groups that did not participate in re-entry mediation and after controlling for other factors that might affect recidivism. The correlation between re-entry mediation and reducing recidivism is proven with rigorous research. Re-entry Mediation Program. Find the full report here: <http://re-entrymediation.org/index.php/general-information/2014-evaluation-results/>

Re-entry Mediation Program

The re-entry mediation program has been funded by multiple sources to include the Bob Barker Foundation, Department of Public Safety and Correctional Services (DPSCS), Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Mediation and Conflict Resolution Office (MACRO), the annual Run for Re-entry fundraiser, and individual donations.

The re-entry mediation model developed in Maryland is now considered a national model, with replication under way in three other states. Community Mediation Maryland built the model in collaboration with the Maryland Department of Public Safety and Correctional Services. The program was developed and evolved through a collaborative process, including those who had experienced incarceration and family members of incarcerated individuals.

NOTE: Re-entry mediation is not a victim offender program. CMM takes multiple steps, in conjunction with DPSCS, to ensure victims are not contacted to participate in mediation with their offender-see attached screening process.

Re-entry Mediation Screening Process

1. At presentations, two mediators use the Re-entry Mediation Presentation Guide to give a presentation. Presentations take typically two hours and include an informational portion and an intake portion for all interested participants. The first hour of the presentation is an informational portion where mediators explain mediation, including that mediation:
 - Is non-judgmental, voluntary, and confidential.
 - Is not offender-victim mediation, all potential participants will be screened by DPSCS
 - Is not a visit, but a professional service
 - Is an opportunity to make plans for the future.
2. Mediators use the Intake Checklist to conduct individual and private intakes with inside participants and complete all necessary paperwork. During intake, all participants are assigned a folder with a predetermined Case Number. Both mediators conduct private intakes simultaneously. Paperwork necessary for each individual is as follows:

Mediation Request form – used to collect basic information and contact information for potential outside participants. Inside participant can complete themselves or be completed by coordinator. The form is reviewed during intake for accuracy and understanding. Mediators get clarity on who will be invited to mediation. If inside participant is requesting to meet with a victim, they are informed that the mediation cannot happen.

3. After a presentation is complete, coordinators must inform the Volunteer Activities Coordinator (VAC) of that facility the attendees of the presentation and the individuals that signed up for the service. Then, coordinators use the Victim Screening Form to send to the facility.

The Victim Screening Form (attachment I) is used to inform facilities of each incarcerated individual who has signed up for mediation, and each person they'd like to invite to mediation. The form includes all given contact information for the outside participant as well as case numbers for each potential mediation. The VAC will check with DPSCS database to be sure the requested participant is not a victim, and that a "No Contact Order" does not exist.

The VAC of each facility will inform the mediation coordinator of approved and disapproved mediation cases.

If disapproved:

Close case in Madtrac. Complete a closing letter and forward to the VAC of that facility. The VAC will forward to incarcerated individual.

If approved:

Re-entry Mediation Screening Process

Mediation coordinators continue with intake and refer to their Community Mediation Intake Checklist when talking with participants.

- 4. All items on the Mediation Coordination Checklist must be covered during each participant's intake.** Included in this SOP is a Re-entry Mediation Intake Script which gives a general framework on what to say to participants about Re-entry Mediation.

The mediation coordinator will utilize **the Participant Safety Screening Tool (attachment II) to ensure the individual feels safe to speak freely in mediation and does not fear retaliation or harm as a result of mediation.** Coordinators must be sure to ask questions 1-4 in the Safety Screening Tool and if any follow-up questions need to be asked, the coordinator will determine so. The screening tool should be adapted for each intake context. If a participant's responses to the screening tool are such that the coordinator has doubts about either the safety of the participants or the mediators, do not set up the mediation.

Reentry Mediation Victim Screening Form

This section is to be filled out by the Mediation Center

Name of Inmate:
DOC#:
DOB:
Date Case Opened:
Anticipated Release Date:

Prospective participant(s) inmate wants to mediate with:

1) **Name: Relation: Case#:**
Phone:
Address:

2) **Name: Relation: Case#:**
Phone#:
Address:

3) **Name: Relation: Case#:**
Phone#:
Address:

4) **Name: Relation: Case#:**
Phone#:
Address:

Date emailed to Correctional Facility Mediation Liaison:

Re-Entry Case Manager:

This section is to be filled out by the Institution's Mediation Liaison—

Is there a stay away order between any of these individuals and the inmate? Yes / No

If yes, which participants have a stay order?

Are any of the prospective outside participants on the Victim Notification List for this inmate? Yes No

If yes, which participant(s) are on the list?

Participants approved for contact:

Mediation Liaison Signature:

Date:

Attachment II

FILE # _____

Screening Tool

In mediation, participants speak for themselves and make their own decisions. It is important that all participants have the ability to participate freely in the mediation process without fear of retaliation. This screening tool is designed to help community mediation center intake staff work with potential mediation participants to determine if mediation is right for them.

1. Are you able to have a private conversation with me right now?
2. How would you describe your relationship with _____ X _____?
3. How are disagreements between you and _____ X _____ handled in general?
4. Has _____ X _____ ever hurt you emotionally or physically?
5. What happens when you and _____ X _____ fight?
6. Is there or has there ever been a protective order between you and _____ X _____?

The next questions have to deal with the potential mediation.

7. Do you feel that you would be able to ask for what you want in mediation?
8. Is there anything you don't feel that you could talk about in mediation? Why?

9. What do you think would happen if _____X_____ didn't get what he/she wanted?

10. Do you have any fear that _____X_____ might harm you in any way after the mediation?

For Center Staff: Answer each part of the Threshold Question:

Can this person represent their own needs and interests?	Y	N
Without fear of coercion or harm?	Y	N
Without danger to themselves?	Y	N
to others?	Y	N
and to the community mediation center?	Y	N

What plan for dispute resolution is recommended? Mediation? Referral? Support System?