AGING IN THE CRIMINAL JUSTICE SYSTEM
WEBINAR: PART 2

AT AMERICA’S EXPENSE: THE MASS INCARCERATION OF THE ELDERLY
AMERICAN CIVIL LIBERTY UNION REPORT FINDINGS
FOR ADVOCACY TALKING POINTS
Introduction

Tina Maschi, PhD, LCSW, ACSW
Associate Professor
Human Rights and Social Justice, Sequence Coordinator;
Fordham University Graduate School of Social Service
President, National Organization of Forensic Social Work
CURE member and representative
SAVE THE DATE! NOFSW 30th Anniversary Conference

CALL FOR PAPERS
You are cordially invited to present and attend the 2013 NOFSW Annual Conference being held in Seattle!

Advancing Forensic Practice:
Promoting Innovation Worldwide

Renaissance Seattle Hotel, 515 Madison Street, Seattle, WA 98104

NOFSW believes forensic practice best serves clients when it functions from an interdisciplinary perspective. NOFSW conferences offer a unique opportunity for social workers and allied professionals to learn from one another while enhancing their knowledge and understanding of the interconnectedness of the law, policy, and practice. Attendees include social workers, psychologists, attorneys, judges, law enforcement, physicians, nurses, child custody evaluators, and various other mental health, medical and legal professionals.

Presentations welcomed from national and international speakers on topics including interpersonal violence across the lifespan (offenders & victims); criminal, family, juvenile and restorative justice; specialty courts; child, adult and elder welfare as well as end of life issues; mitigation in capital cases; family and community mediation; mental health and substance abuse treatment in forensic settings; legal and ethical concerns related to work with forensic populations; and risk management for service providers.

Celebrating 30 years as a leader in forensic practice

In celebration of NOFSW’s 30th Anniversary, select papers will be identified for inclusion in a special issue of the Journal of Forensic Social Work & a NOFSW Book on US/international innovations in forensic practice

WE LOOK FORWARD TO SEEING YOU IN SEATTLE!!!

For additional conference information please view our website:
Or contact Paul Brady, Executive Director:
pbrady@nofsw.org or tmaschi@fordham.edu

National Organization of Forensic Social Work 460 Smith St, Ste B1, Middletown, CT 06457, Phone (850) 613-0254  www.nofsw.org
Visit: http://nofsw.org/?page_id=14
Part 2: Topic and Presenters

At America’s Expense: The Mass Incarceration of the Elderly American Civil Liberties Union

Presentation from two of the authors of the ACLU's report
William Bunting & Geoff Schotter,
PART I RECAP

HUMAN RIGHTS & WELL-BEING

A Human Rights-Based Holistic Framework for Assessment and Intervention
Human Rights Framework for Conceptualizing Problems and Solutions

**The Whole Person in Social/Environmental Context**

### Human Rights
- **Values**
  - Dignity, Respect, Intrinsic Value
- **Human Rights**
  - Political
  - Civil
  - Economic
  - Social
  - Cultural

### Well-Being
- **Individual**
  - Root (basic needs)
  - Physical
  - Cognitive
  - Emotional
  - Social/Cultural
  - Spiritual
  - Participatory

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**Article 1.** Freedom, equality, rights for all. Act in spirit of brotherhood.
**Article 2.** Entitled to all rights and freedoms.
**Article 3.** Right to life, liberty and security of person.
**Article 4.** No one shall be held in slavery or servitude.
**Article 5.** No one subjected to torture or to cruel, inhuman or degrading treatment or punishment.
**Article 6.** Everyone has the right to recognition before the law.
**Article 7.** All are equal before the law and entitled to equal protection.
**Article 8.** Right to an effective remedy by competent tribunals.
**Article 9.** No arbitrary arrest, detention or exile.
**Article 10.** Right to fair and public hearing by an impartial tribunal.
**Article 11.** Right to be presumed innocent.
**Article 12.** Right to privacy, family, home, correspondence.
**Article 13.** Right to freedom of movement and residence.
**Article 14.** Right to seek and enjoy asylum from persecution.
**Article 15.** Right to a nationality.
**Article 16.** Right to marry and family with the free consent. Right to family protection.
**Article 17.** Right to own property.
**Article 18.** Right to freedom of thought, conscience and religion.
**Article 19.** Right to freedom of opinion and expression.
**Article 20.** Right to freedom of peaceful assembly and association.
**Article 21.** Right to part in government, have access to public service.
**Article 22.** Right to social security.
**Article 23.** Right to work, good work conditions, equal pay, form and join trade unions.
**Article 24.** Everyone has the right to rest and leisure.
**Article 25.** Right to a standard of living adequate for the health and well-being.
**Article 26.** Right to education.
**Article 27.** Right freely to participate in the cultural life of the community.
**Article 28.** Entitled to a social & international order where rights & freedoms are recognized.
**Article 29.** Everyone has duties to the community for the full development of personality.
**Article 30.** Declaration may not be interpreted for destruction of any rights and freedoms.

(Maschi, 2011)
Aging-CJ System: Alpha to Critical Omega Point

Common Cumulative Social and Structural Determinants: for Health, Well-being, and CJ Involvement
- Age
- Race
- Gender
- Physical & Mental Disabilities
- Substance Use
- Offense History
- Trauma/Stress/Victimization
- Poverty/Income
- Education/Employment
- Homelessness
- Offense History
- Oppression, Stigma, Discrimination
- Poor Health Histories
- Social Support
  - Family
  - Peers
  - Community
- Access to Services or Legal Assistance
- Prior Service Use
- Environment (Prison, Violence, Inadequate Healthcare)

(Aday, 2003; Maschi et al., in press; Sampson & Laub, 1997; Williams & Abrades, 2007)
Without Further Ado...

At America’s Expense: The Mass Incarceration of the Elderly
American Civil Liberties Union

Presentation from two of the authors of the ACLU's report
William Bunting, & Geoff Schotter,
FINAL COMMENTS AND QUESTIONS ON ACLU REFORM RECOMMENDATIONS
ACLU (2012) Reform Recommendations

• **Short-term reforms**
  - Grant conditional release for older prisoners who are not a safety risk
  - Medical parole-simplify procedures and expand (based on age 50+ that pose no safety risk and as well as terminally ill)
  - Parole board: more transparency and accountability (open to public and documented with appeal process)
  - Federal aging prisoner release: reauthorize and expand

• **Conditional release promising practices**
  - Age classification: 50+
  - Evidence-based risk assessment
  - Omit eligibility restrictions (e.g., completion of programming)
  - Public benefits information: provide simple instructions during the parole hearing process
  - Provide 30 day supply of medication post release
  - Voluntary parole for aging prisoners (avoid homelessness)
ACLU (2012) Reform Recommendations

• Reauthorization and Expansion Federal Mandates
  • Conditional release
    • Congressional tracking of 41 states with compassionate or medical parole
    • Second Chance Reauthorization Act: Increase availability of funding for older adults parole pilot project

• Systemic Reform
  • Repeal the following laws
    • Mandatory minimum laws
    • Three-strikes (habitual offender) laws
    • Truth-in Sentencing laws
UPCOMING NOFSW SPONSORED OR COSPONSORED EVENTS
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Old Behind Bars
Jamie Fellner,
Senior Advisor, Human Rights Watch

Author of HRW’s report "Old Behind Bars: The Aging Prison Population in the United States" and currently researching medical parole & compassionate release in the U.S. 
The presentation is followed by a town hall style participatory audience question and commentary segment

Wednesday, October 10, 2012
11 am to 1 pm
FREE AND OPEN TO THE PUBLIC
MacNally Amphitheater
Fordham University Lincoln Center Campus
FREE AND OPEN TO THE PUBLIC
113 West 60th Street, New York, New York 10023
TO REGISTER: http://www.surveymonkey.com/s/FU-GSSS-BTEP-old-behind-bars
www.fordham.edu
For more information- btep@fordham.edu or https://sites.google.com/site/betheevidenceproject
ARTS FOR CHANGE FORUM
Evidence Based Arts for Human Rights and Justice

Saturday, November 3, 2012
9 am to 6 pm
FREE AND OPEN TO THE PUBLIC
12th Floor Lounge, Lowenstein Building
Fordham University Graduate School of Social Service
113 West 60th Street, New York, New York 10023
For more information- btep@fordham.edu or https://sites.google.com/site/betheevidenceproject
To Submit an Abstract or Register please visit: http://www.surveymonkey.com/s/HMWMYY

Evidence-Based Arts Program for Justice
Research Presentations with Live Demonstrations

The Use of Arts for Rehabilitation in Prison
Katherine Vockins, Executive Director
Rehabilitation Through The Arts (RTA)
Dance Performance by RTA Alumni

Group Drumming for Well-Being & Empowerment
Tina Maschi, PhD, Associate Professor
Fordham University Be the Evidence Project

Intergenerational Contact Through the Arts
Barbara Teater, PhD, Senior Lecturer in Social Work, School for Policy Studies
University of Bristol

Theory Behind the Arts and Oppression
Luis Quiros
Be the Evidence Project

Film: Concrete Steel & Paint
Cindy Burstein, Co-Director/Producer
Concrete Steel & Paint

Theater and Action Research with Youth
Laura Wernick, Assistant Professor
Fordham University School of Social Service

Plus more!

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For more information- btep@fordham.edu or https://sites.google.com/site/betheevidenceproject
To Submit an Abstract or Register please visit: http://www.surveymonkey.com/s/HMWMYY
Contact Us
President: Tina Maschi
Email: tmaschi@fordham.edu
Tel: 212-636-6640/201-218-5064

Executive Director, Paul Brady
Email: pbrady@nofsw.org
Tel: 860-613-0254
Website: www.nofsw.org

Have a forensic expertise?
Interested in doing a webinar for NOFSW?
• Contact us with the following information
  (name, expertise proposed title and 100
  word description)
• If you are working on any aspect of
  innovations addressing the needs of older
  persons in the CJ system or other
  vulnerable populations, we would love to
  hear from you!

Email: tmaschi@fordham.edu

Join our membership ranks!
Submit your work to our journal
or edited anniversary book!!!!

Click here for: Aging in the CJ System
Resources-Articles, Videos, Other Links
Stand Up For Where We Need to Be