Reentry & Older Adults: An Introduction for Advocates Serving Older Adults

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Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we’ve focused our efforts primarily on fighting for people who have been marginalized and excluded from justice, such as women, people of color, LGBTQ individuals, and people with limited English proficiency.
Justice in Aging’s Commitment to Advancing Equity

To achieve Justice in Aging, we must:

• **Advance equity** for low-income older adults in economic security, health care, housing, and elder justice initiatives.

• Address the enduring harms and inequities caused by systemic racism and other forms of discrimination that uniquely impact low-income older adults in marginalized communities.

• Recruit, support, and retain a diverse staff and board, including race, ethnicity, gender, gender identity and presentation, sexual orientation, disability, age, and economic class.
Want to receive Justice in Aging trainings and materials?

**Join Our Network!**

Go to [justiceinaging.org](http://justiceinaging.org) and hit "Sign up" or send an email to [info@justiceinaging.org](mailto:info@justiceinaging.org).
Housekeeping

• All on mute. Use Questions function for substantive questions and for technical concerns.

• Problems with getting on to the webinar? Send an email to trainings@justiceinaging.org.

• Find materials for this training and past trainings by searching the Resource Library, justiceinaging.org/resource-library. A recording will be posted to Justice in Aging's Vimeo page at the conclusion of the presentation, vimeo.com/justiceinaging.

• Enable closed captioning by selecting “CC” from the Zoom control panel.
Upcoming Reentry Webinars

Reentry and Older Adults: Housing
October 12, 2022, 11 am PST/2 pm EST
- Patti Prunhuber, Director, Housing Advocacy, Justice in Aging
- Ted Booker, Arming Minorities Against Addiction and Disease Institute (AMAAD)
- Dale “Dennis” Hughes, Arming Minorities Against Addiction and Disease Institute (AMAAD)

Reentry and Older Adults: Accessing Income and Health Care Benefits
November 9, 2022, 11 am PST/2 pm EST
- Trinh Phan, Director, State Income Security, Justice in Aging
- Georgia Burke, Director, Medicare Advocacy, Justice in Aging
- Amelia Fay-Berquist, Director, Benefits Advocacy Services, Los Angeles County Department of Health Services

Registration links are forthcoming
Reducing Barriers to Reentry for Older Adults Leaving Incarceration

Issue Brief: Reducing Barriers to Reentry for Older Adults Leaving Incarceration
Presentation Goals

• Introduce older adult advocates to issues facing older adults leaving incarceration in the following areas:
  
  • Housing
  
  • Economic Security
  
  • Health Care

• Highlight trauma-informed and culturally competent strategies for client advocacy

• Highlight potential advocacy channels for older adult advocates
Today’s Presenters

• Vivianne Mbaku, Director, Equity in Elder Justice

• Jennifer Kye, Senior Attorney

• Georgia Burke, Director, Medicare Advocacy

• Trinh Phan, Director, State Income Security
Reentry Overview
Why Older Adults in Reentry?

- Incarcerated older adult population has increased nearly 300% in the past decade
  - Increasing numbers of older adults reentering our communities in need of support to reintegrate
- Incarceration is associated with accelerated aging
  - Higher rates of disability and chronic conditions due to lack of health care and poor conditions in jails and prisons
  - For our Reentry Project, we consider individuals 55+ to be “older adults because of rapid aging while incarcerated
- Older adults reentering society face significant obstacles in obtaining housing, income and health care
  - Older adult advocates have an opportunity to provide key supports
Racial Equity Implications

• The scale of racial disparities in incarceration cannot be understated:
  • One in 81 Black adults in the U.S. is incarcerated in a state prison
  • 12 states have prison populations that are more than half Black
  • Latinx are 1.3x more likely to be incarcerated than white counterparts
    • *The Sentencing Project, The Color of Justice: Racial and Ethnic Disparity in State Prisons*

• In 2020, many organizations expressed a commitment to equity in their elder justice work.
  • Equity work is not a discreet one-time task. It is an ongoing commitment to increasing knowledge and facing biases.
  • Advocates committed to equity in elder justice work should seek connections with these clients
  • Older adult advocates should seek to serve *all* older adults
  • This work is a part of overall equity work in elder justice realm

• Consider how reentry work can increase the equity of your organization
Trauma, Cultural Competence, and Stigma
What is Trauma?

• Trauma is an event that “renders an individual’s internal and external resources inadequate, making effective coping impossible....A traumatic experience occurs when an individual subjectively experiences a threat to life, bodily integrity or sanity.”

Trauma and Older Adults

• How does trauma intersect with old age?
  • Adverse childhood experiences (ACE’s) increase frailty in old age
  • ACE’s are traumatic events, like the death of a parent, drug/alcohol abuse in the family, physical abuse etc
  • The Kaiser Study found that children with more ACE’s had poorer health and social outcomes in adulthood
  • ACE’s also associated with increased risk of premature death
  • We should note the ACE study consisted of majority white middle class study participants
Racial Trauma

• Racial trauma refers to the events of danger related to real or perceived experience of racial discrimination. These include threats of harm and injury, humiliating and shaming events, and witnessing harm to other people of color due to real or perceived racism.

Trauma and Our Clients

Trauma can impact the relationship with your client in many ways

- Effective communication
- Client trust
- Getting all of the facts
- Effective representation

- Trauma reorganizes the way the mind and brain manage perceptions
- Trauma inhibits the ability of your “left brain” (logic) and “right brain” (creativity/emotion) to work together. Trauma can “deactivate” the left brain, which has a direct impact on the capacity to organize experience into logical sequences and to translate our feelings into words.
Trauma Informed Practice

• Trauma informed care is looking at a person and not asking “What is wrong with you?” and looking at “What happened to you?”

Trauma Informed Legal Advocacy Project (TILA)

• “Providing trauma informed services requires all the staff of an organization to understand the effect of trauma on the people being served, so that all interactions with the organization reduce the possibility of re-traumatization and are consistent with the process of recovery.”

22 CLINICAL L. REV. 359, 369.
What is Culture?

• “Culture is like the air we breathe—it is largely invisible and yet we are dependent on it for our very being. Culture is the logic by which we give order to the world.”


• Culture is “the customary beliefs, social forms, and material traits of a racial, religious, or social group”

Merriam-Webster Dictionary
Cultural Competence and Other Related Concepts

• Cultural competence is “embrac[ing] the principles of equal access and non-discriminatory practices in service delivery.”
  • Ability to adapt your practice to culturally diverse situations
  • Ability to honor the lived experiences of your clients
  • Ability to reject assumptions and stereotypes and recognize the way culture may impact delivery of services
  • Ability to have empathy for your client

ABA Article

• Cultural Humility
  • “a lifelong process of self-reflection and self-critique whereby the individual not only learns about another’s culture, but one starts with an examination of her/his own beliefs and cultural identities”
  • Cultural humility requires an individual to acknowledge and examine the many cultures they and their clients interact with day to day and how these cultural impact serve delivery

Yeager and Wu Article
Stigma and Reentry

- Nearly 1.6 million people in the U.S. are currently incarcerated
- 95% of those currently incarcerated will be released
  - Erie Coalition for a Trauma Informed Community
- This community faces immense stigma upon release
- Studies have found formerly incarcerated people face significant anxieties about obtaining employment and housing upon release
- Stigma, particularly internalized stigma leads to many individuals to avoid “environments where they expect to encounter [stigma]”
  - Experience of Stigma Post Incarceration: A Qualitative Study
Stigma and Reentry (Cont.)

• Consider the intersection of trauma, stigma and racial discrimination and its impact on the formerly incarcerated community

  • Black and Latinx people, who are overrepresented in incarcerated populations, already experience significant barriers to housing and income. Compounding this with the stigma of incarceration makes advocacy on behalf of this cohort even more important
Strategies for Advocates (1 of 3)

• Trauma-informed and culturally competent strategies can ensure advocates avoid stigma and provide high quality services to clients

• Community Education
  • Educate yourself on issues related to reentry, like participating in this webinar series

• Outreach Strategies
  • Knowing that stigma may prevent many clients from reaching out for assistance, creating connections with organization that serve formerly incarcerated individual is important
  • Also consider how your organization can connect with state agencies to connect with those who are about to reenter and support their reintegration

• Transparency
  • Clients exiting incarceration may be unaware of how systems work
  • Promotes trust with the client
  • Minimizes the feeling of “powerlessness” which helps clients feel in control and helps regulate emotions
Strategies for Advocates (2 of 3)

• Predictability
  • Preview what is going to happen throughout the case. Remember your client might not understand the process
  • Manage expectations, what can you actually do? What can’t you do?

• Client Control
  • Formerly incarcerated clients have not had much control over their lives while incarcerated. Encourage them to take an active role in their cases
  • Remind your client that they have a voice, this is their case as much as it is yours
  • Remember your formerly incarcerated client will need support in making decisions in their case. Ask them if they have what they need to succeed
Strategies for Advocates (3 of 3)

• Reliability
  - Don’t make promises you can’t keep, and be clear
  - Manage expectations about communication, how long the case will take

• Empathy and Implicit Bias
  - Recognize your own implicit biases, specifically biases that lead to stigma against those who have been incarcerated
  - Acknowledge your client’s lived experience, i.e. racism, poverty, disability, homophobia. These traumas inform the way our clients interact with us and the world. Acknowledge their existence and affirm your client’s experiences. Resist urge to judge the behavior of a client.
    - Ask yourself, what would you do if in the same situation? Does their behavior seem more reasonable?
  - Consider how implicit biases may be impacting client service and develop strategies to remedy its impact
Housing
Homelessness rates among formerly incarcerated people

Number of homeless per 10,000 formerly incarcerated people in each category, compared to the general public in 2008 (the most recent year data for formerly incarcerated people are available).
Housing Barriers

• Criminal records
• Lack of income/employment
• Lack of credit/rental history
• Lack of accessible housing, housing with supports and services
• Lack of family supports or risk of jeopardizing housing by moving in
Strategies to Assist with Housing

- Legal Aid, Protection & Advocacy (P&A) agencies
  - Housing discrimination (can also refer to FHIPs)
  - Expungements
- Public Housing Authorities (PHAs)
  - Federally- or state-subsidized housing
- Emergency Rental Assistance Programs (ERAP)
  - Help with rent and utility payments
- Continuums of Care (CoCs)
  - Get involved with community efforts to end homelessness
Upcoming Housing Webinar

• Reentry and Older Adults – Housing
  • October 12 at 11:00 AM PT /2:00 PM ET
  • Hear from individuals who have navigated housing challenges after returning to the community
  • Learn more about housing barriers and policy recommendations
Health Care
Health Needs of Older Adults Leaving Incarceration

- Incarceration ages you!
- History of trauma, prison health care systems, stress of being incarcerated
- ADL’s, substance use, chronic conditions
- Limits to family supports when returning to the community
Health Benefit Options for Older Adults

• Different from younger reentry population, who mostly use Medicaid only.

• Most 65+ qualify of Medicare and many also qualify for Medicaid.

• Some may not qualify for free Medicare Part A because they did not have the opportunity to develop a work record

• Some may have become eligible for Medicare during period of incarceration. Others had Medicare already.
Time is of the Essence

• Gold Standard: Enrollment prior to release date with assessment and connection with a care manager

• Catching people who didn’t get connected before returning to the community
Medicare—More Choices More Challenges

• Managed care v. Original Medicare
• Drug plan choices, formularies
• Coordination with Medicaid
Particular Challenges

- Lack of agency
- Lack of internet ability
- Discrimination/outreach
- Medicare and Medicaid rules

- Progress!
- More to come
Upcoming Webinar

Reentry and Older Adults—Accessing Income and Health Care Benefits

• November 9, 2022

• 11:00 a.m. PT/2:00 p.m. ET

• Will offer advocates information on the benefits available to older adults after incarceration and offer tips for connecting them with those benefits.
Economic Security
SSI and Social Security benefits

- **SSDI**
  - Disability benefits
  - Insured (sufficient work history)

- **Social Security**
  - Retirement, spousal and survivors’ benefits
  - Insured (sufficient work history)

- **SSI**
  - Age 65 or older, or disabled
  - Limited work history
Challenges

• Complex and lengthy disability process

• Rapid connection to benefits
  • SSI is critical for individuals with limited work history

• Awareness of benefits for older adults
  • SSI if 65 or older, Social Security retirement or survivors’ benefits