

## Memorandum of Support for HB3740 (Ammons/Peters)

On behalf of the Augustana Prison Education Program and the Bard Prison Initiative, we write in support of **HB3740**, which removes bans on Illinois need-based student aid for incarcerated people by amending the Higher Education Student Assistance Act to remove provisions specifically excluding academic programs for incarcerated students from the definitions of "institution of higher learning," "qualified institution," and "institution." In provisions concerning the AIM HIGH Grant Pilot Program, it would remove the restriction that the applicant must not be incarcerated.

In 2021, the Illinois legislature created a Task Force for Higher Education in Prison, which included practitioners of college-in-prison, community stakeholders, and directly impacted people from within and outside the state. The Task Force produced a report in 2022 with a series of recommendations for Illinois to better support college opportunities in prison.<sup>1</sup> One of the key recommendations was the restoration of the Monetary Award Program (MAP) funding to incarcerated students. In 2023, Representative Carol Ammons introduced three bills in the Illinois House with respect to the Task Force Report. One of those bills, HB3740, supported herein, would remove the ban on access to MAP grants for incarcerated learners. While the bill passed the house with numerous co-sponsors, it has not yet passed in the Senate.

There are currently only a small handful of college degree programs in Illinois prisons. As of 2020 there were only three prisons in Illinois that offered credited coursework beyond an associate degree in the state.<sup>2</sup> By comparison, in New York, which has a similar-sized prison population to Illinois, more than 30 colleges offer degrees in nearly every prison in that state. In California, an associate degree is offered in every state prison, with a growing system of bachelor degree opportunities across the state.

Passing HB3740 would greatly expand the field of colleges and universities that would be able to begin offering degrees in prisons across the state. The restoration of MAP would allow Illinois to catch up with other states that have done far more to invest in and recognize the value of college-in-prison for individuals, their families, and communities, and the state at large. Restoring state aid to incarcerated people in Illinois will have substantial long-term benefits through reduced incarceration costs, increased tax revenues, increased public safety, and enhanced workforce productivity. Further, research conducted by the RAND Corporation finds

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<sup>1</sup> <https://icjia.illinois.gov/researchhub/articles/illinois-higher-education-in-prison-task-force-2022-report>

<sup>2</sup> <https://will.illinois.edu/news/story/lack-of-access-long-waitlists-education-in-illinois-prisons>

that every one dollar a state invests into higher education for incarcerated individuals saves four to five dollars in reduced incarceration costs.<sup>3</sup>

## **Background**

Illinois is home to some of the very first college-in-prison programs in the nation, starting in the 1950s when Southern Illinois University in Carbondale introduced academic degree programs in the Illinois state prison system.<sup>4</sup> This model soon spread throughout the nation after the introduction of Pell Grants in 1965. Starting in the early 1970s, college opportunity became widespread in prisons everywhere around the country, funded by a combination of Pell Grants and state-level, need-based aid. By the early 1990s, there were approximately 772 educational programs across the country providing postsecondary instruction in 1,287 prison and jail facilities. Even in this early era, college-in-prison programs provided measurable benefits both within and outside of prison—reducing recidivism, increasing career opportunities and stable lives post-release, strengthening relationships between families and communities, and making prisons less violent places to live and work.<sup>5</sup>

Despite the evidence, the era of tough on crime politics brought about a backlash to college-in-prison. Just as Illinois was a leader in establishing college opportunities in prison, it was at the forefront of the reactionary move to strip incarcerated students of eligibility for financial aid. In 1987, the Illinois legislature banned incarcerated students from MAP eligibility. Seven years later, Congress passed the 1994 Violent Crime Control and Law Enforcement Act, which removed Pell Grant eligibility for incarcerated students. States everywhere across the country followed suit, and by 1995, there was almost no college opportunity left in prisons across the United States. It would take decades for the field to be rebuilt, with most new programs relying solely on private funding. Neighboring Indiana was a notable exception, keeping state aid eligibility for more than a decade after the ban on Pell Grants.

In 2016, the Obama administration brought back limited Pell Grant eligibility through the Second Chance Pell Experimental Sites Initiative. This initiative was one of the only Obama administration projects that the Trump administration retained and expanded, and in its early years Augustana College became the first college in Illinois to become a Second Chance Pell Site for its bachelor's degree program at East Moline Correctional Facility. In 2020, a bipartisan Congress passed a bill to restore Pell Grant eligibility, which President Trump signed into law in December of that year.

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<sup>3</sup> Davis, L., Bozick, R., Steele, J., Saunders, J., & Miles, J. (2013). Evaluating the effectiveness of correctional education: A meta-analysis of programs that provide education to incarcerated adults, Rand Corporation. <https://doi.org/10.7249/rr266>

<sup>4</sup> Kenner, Max. "The Long History of College-In-Prison" in *Unlocking Learning, International Perspectives on Education in Prison*. Ed McDevitt and Gellman Brandeis Press 2024

<sup>5</sup> Cite Kenner Karpowitz

In Illinois, the regrowth of the field has been slow but it has gained momentum in recent years. There are now three bachelors degree programs in the state, with many more educators weighing the feasibility of starting a college-in-prison program. However, currently fewer than 3% of people in Illinois prisons have access to higher education and only 8 prisons out of 28 offer post secondary opportunities of any kind, credited and not.<sup>6</sup> In the era when college-in-prison was common in Illinois, those programs relied on a blend of very modest state and federal funding. In order to restore widespread access to degree granting college opportunity across the Illinois Department of Corrections, the state must join other states and the federal government and restore access to MAP grants.

Following the restoration of Pell Grants to incarcerated people in 2020, many states automatically restored state-level aid that had been tied to Pell eligibility including Missouri, Iowa, North Carolina, Arizona, North Dakota, and Wisconsin, while three states – Michigan<sup>7</sup>, New Jersey,<sup>8</sup> and New York<sup>9</sup> – have passed legislation granting eligibility for state financial aid to incarcerated students. By embracing similar legislation, Illinois has the opportunity to position itself once again as a leader in advancing policies that prioritize education, rehabilitation, and public safety.

The restoration of Pell and various state aid programs to incarcerated people stems from the recognition in the power of education to reduce recidivism and promote public safety. Research has found a substantial decrease in recidivism rates among incarcerated individuals who participated in college-in-prison programs and that higher education leads to heightened levels of civic engagement, expanded economic opportunities, and increased community and social support following release.<sup>10</sup> The Yale Policy Lab found that participation in a college-in-prison program leads to a “large and significant reduction in recidivism rates” and that people with “higher levels of participation” in a college-in-prison program recidivate at lower levels.<sup>11</sup> The recidivism rate for students who earned an AA degree was 8.7% but that of students who went on to earn a BA degree fell to 3.1%. These rates stand in stark contrast to the Illinois state average recidivism rate of ~43%. According to one report, the average cost of one recidivism incident in Illinois costs the state \$152,000, adding up to \$13 billion over five years.<sup>12</sup> By

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<sup>6</sup> <https://ilchep.org/programs-in-illinois/>

<sup>7</sup> *Financial aid and affordability for incarcerated individuals*. National Conference of State Legislatures. (2023, January 17). <https://www.ncsl.org/education/financial-aid-and-affordability-for-incarcerated-individuals>

<sup>8</sup> *Ibid.*

<sup>9</sup> Neptune, J. (2022, April 7). *TAP: A long time coming*. Bard Prison Initiative. <https://bpi.bard.edu/tap-a-long-time-coming/>

<sup>10</sup> Wallace, D., Eden, N., & Flores, J. (2020, December 15). *Benefits of higher education for formerly incarcerated People*. Institute for Research on Labor and Employment. <https://irle.berkeley.edu/publications/student-publication/benefits-of-higher-education-for-formerly-incarcerated-people/>

<sup>11</sup> Denney, M. G. T., & Tynes, R. (2021). The effects of college in prison and policy implications. *Justice Quarterly*, 38(7), 1542–1566. <https://doi.org/10.1080/07418825.2021.2005122>

<sup>12</sup> [https://news.wttw.com/2023/02/18/programs-aim-reduce-recidivism-illinois#:~:text=Watch,\\$13%20billion%20over%20five%20years](https://news.wttw.com/2023/02/18/programs-aim-reduce-recidivism-illinois#:~:text=Watch,$13%20billion%20over%20five%20years)

contrast, a MAP grant is \$8400 and is a budget line that already exists. If MAP Grant funding for incarcerated students were restored to the levels seen before the 1994 Pell ban, it would likely make up 0.01% of the MAP grant budget.<sup>13</sup>

In addition to lowering recidivism, providing college opportunities in prison has been found to deliver strong employment outcomes,<sup>14</sup> develop employer-demanded skills,<sup>15</sup> make prisons safer,<sup>16</sup> and strengthen pathways to successful reentry.<sup>17</sup> These programs also hold the unique potential to improve students' lives, help narrow racial and economic equity gaps in postsecondary attainment and workforce participation, strengthen local economies and communities, and disrupt cycles of incarceration that continue to target, harm, and limit opportunity for Black and Brown people and people from low-income backgrounds.<sup>18</sup>

The benefits of college-in-prison are widely recognized across the political spectrum. When a bill was introduced in New York State in 2022 to restore the MAP equivalent, known there as Tuition Assistance Payment, (TAP) Slingshot Strategies conducted a statewide poll of 500 registered voters, measuring attitudes toward prison education generally and specifically towards ending the state ban on TAP grants for incarcerated people. New York State voters strongly favored ending the state ban on TAP grants for incarcerated people by 30 points, with 58% in support and only 28% opposed. There was plurality support for ending the TAP ban across age, race, gender, geography, party, ideology, and income. **There was even narrow plurality support among Republicans (46% to 43%) and 2020 Trump voters (44% to 43%).** Notably, that poll also found that voters strongly believe the prison system should **focus on rehabilitating people (76%), reducing recidivism (81%), and having programs that get people back on their feet (87%)** to set them up for a better life so they **don't return to wind up back in prison (87%)**. College-in-prison does all of these things.

## Conclusion

In conclusion, restoring state aid to incarcerated students in Illinois would be an effective policy measure to increase access to education and reduce recidivism rates. By removing barriers to

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<sup>13</sup> CITE KENNER KARPOWITZ <https://bpi.bard.edu/wp-content/uploads/2019/09/KarpowitzKenner2003.pdf>

<sup>14</sup> Delaney, Ruth, and George Chochos. "Postsecondary Education in Prison Is a Racial Equity Strategy." Vera Institute of Justice, July 14, 2020. <https://www.vera.org/blog/target-2020/postsecondary-education-in-prison-is-a-racial-equity-strategy>.

<sup>15</sup> Davis, Lois M., Robert Bozick, Jennifer L. Steele, Jessica Saunders, and Jeremy N. V. Miles, Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs That Provide Education to Incarcerated Adults. Santa Monica, CA: RAND Corporation, 2013. [https://www.rand.org/pubs/research\\_reports/RR266.html](https://www.rand.org/pubs/research_reports/RR266.html). Also available in print form.

<sup>16</sup> Lahm, Karen F. "Educational Participation and Inmate Misconduct." *Journal of Offender Rehabilitation* 48, no. 1 (2009): 37–52. <https://doi.org/10.1080/10509670802572235>.

<sup>17</sup> Ositelu, Monique O. "Equipping Individuals for Life Beyond Bars." New America, New America, November 4, 2019. <https://www.newamerica.org/education-policy/reports/equipping-individuals-life-beyond-bars/>.

<sup>18</sup> Sturm, Susan, and Vivian Nixon. "Home-Grown Social Capital: How Higher Education for Formerly Incarcerated Facilitates Family and Community Transformation." Accessed December 16, 2021.

[https://ascend.aspeninstitute.org/wp-content/uploads/2017/10/2015093020Social20Capital\\_Sturm\\_Nixon.pdf](https://ascend.aspeninstitute.org/wp-content/uploads/2017/10/2015093020Social20Capital_Sturm_Nixon.pdf).

educational opportunities for justice-involved individuals, Illinois can foster economic growth, improve public safety, and promote successful reintegration into society. Policymakers should prioritize this amendment to enhance the effectiveness of our criminal justice system and promote long-term societal well-being.

As the benefits of incarcerated people participating in college-in-prison programs cannot be overstated, Illinois should do everything within its power to expand access to higher education in prison. Passing **HB3740** would be a modest but significant improvement to public policy, grounded in research and well established precedent.

Sincerely,



Max Kenner, Vice President and Executive Director Bard Prison Initiative, Bard College



Andrea Talentino, President, Augustana College



### **About Augustana**

The Augustana Prison Education Program (APEP) is a full-time BA degree program at the East Moline Correctional Center (EMCC), a minimum-security state facility for men in Illinois. Coursework commenced in 2021 for a cohort of ten men. In Spring of 2022, the Higher Learning Commission accredited APEP at EMCC as an official additional location of Augustana College. We are proud to say that APEP is fulfilling the mission and purpose of Augustana College:

The purpose of Augustana College is to afford an opportunity for a higher education in the liberal arts that provides for the development of all dimensions of human existence, in a manner consistent with the higher education values of the Evangelical Lutheran Church in America. Augustana prizes interfaith engagement, commitment to justice, spiritual exploration, reasoned examination and vocational discernment. In carrying out this purpose, the corporation assures freedom of academic inquiry and expression.

In its three years, APEP has enrolled more than 60 students taught by 28 different faculty members from all over the campus, and in May 2024 celebrated its first graduate to have benefitted from college in prison.

### **About BPI**

The Bard Prison Initiative (BPI) was founded by undergraduates at Bard College in 1999, in response to the decimation of college-in-prison nationally. After gaining access to the New York State prison system and securing limited funding, Bard College launched BPI as a pilot program with 16 students in 2001. Since then, the program has grown annually and dramatically. Its first associate degrees were issued in 2005 and the first bachelor's degrees in 2008. Today, BPI operates in seven interconnected prisons in New York State. It enrolls over 400 students and organizes a host of extracurricular activities to replicate the breadth of college life and inquiry.

Over its nearly 25 years, BPI has expanded in multiple directions. BPI's Reentry & Alumni Affairs teams work with formerly incarcerated Bard students as they pursue robust civic and professional lives after release. This includes opening a NYC office and launching an upstate initiative based in Albany, NY, to support alumni across the state. BPI is also the home of a national Consortium for the Liberal Arts in Prison, dedicated to fostering a robust and sustainable national community of college-in-prison initiatives across diverse institutions of higher education, including Augustana College in Illinois and partners across 13 states. Alongside the Consortium for the Liberal Arts in Prison, BPI hosts a Summer Residency for emerging practitioners. Most recently, BPI established the Bard Microcollege to bring full-scholarship, academically rigorous liberal arts college to isolated communities outside of prison. In all its work, BPI builds alliances to rethink access, reduce costs, and redress inequities in higher education.

In addition to being a national leader in the field of college-in-prison, BPI helped lead the successful campaign to restore state-level financial aid to incarcerated New Yorkers in 2022, and was at the forefront of the campaign that restored Pell Grants to incarcerated individuals in 2020.