

# PRISON POLICY INITIATIVE

**Testimony in Opposition to OH HB 338: “Andy’s Law”**  
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My name is Sarah Staudt, and I am the Director of Policy and Advocacy at Prison Policy Initiative. Prison Policy Initiative is a national non-profit research and advocacy organization that has produced extensive research on the various individual and public harms of incarceration. It is with this extensive experience that we write to offer this testimony to express our strong opposition to HB 338, “Andy’s Law”.

While the safety of both prison staff and incarcerated people is paramount, HB 338 is a misguided response that stands to exacerbate the very security concerns proponents of the bill want to resolve. Research has repeatedly shown that access to higher education during incarceration creates safer prison conditions, safer communities, and vastly increases the chance of success upon release.

### **Higher education in prison creates safer prisons.**

In 1993, the Southern Ohio Correctional Facility in Lucasville was infamously home to a nearly two-week-long prison riot that left the prison system reeling and ten people dead. One of ODRC’s big takeaways from this was the importance of facilitating access to educational opportunities and programming.<sup>1</sup> Indeed, research has repeatedly shown that prisons with college in prison programming experience less violence than those that do not.<sup>2</sup> Individually, incarcerated people who participate in college-in-prison programming see significant reductions in rule infractions<sup>3</sup> and prison misconduct.<sup>4</sup>

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<sup>1</sup> Ohio Department of Rehabilitation and Corrections , *Lucasville 21 point agreement* [https://mronline.org/wp-content/uploads/2018/08/Lucasville21PointAgreement1993\\_0418.pdf](https://mronline.org/wp-content/uploads/2018/08/Lucasville21PointAgreement1993_0418.pdf)

<sup>2</sup> <https://vera-institute.files.svcdcdn.com/production/downloads/publications/postsecondary-education-in-prisonfactsheet-for-corrections-leaders.pdf?dm=1568745841>

<sup>3</sup> Alsan, M. et. al “*Something Works*” in *US Jails.: Misconduct and Recidivism Effects of the IGNITE Program*, National Bureau of Economic Research, March 2024, <https://www.nber.org/papers/w32282>

<sup>4</sup> Pompoco, A., et al, *Reducing Inmate Misconduct and Prison Returns with Facility Education Programs*, 2017 American Society of Criminology 515 Criminology & Public Policy Volume 16 Issue 2, DOI:10.1111/1745-9133.12290

Moreover, access to higher education in prison can significantly reduce depression and anxiety and are associated with an overall improvement in mental health.<sup>5</sup> This too stands to impact prison safety, as people in prison who experience mental health issues are far more likely, to receive infractions for both serious and non-serious misconduct than those who do not.<sup>6</sup> This is particularly salient as Ohio's Department of Behavioral Health estimates that around 30% of the state's incarcerated population suffer from mental health issues.<sup>7</sup> Indeed, suicide remains one of the leading causes of death in prisons across the country, prompting the National Institute of Corrections to note that "suicide is a threat to all persons involved in corrections".<sup>8</sup> Ending educational opportunities is not simply counterproductive; it may well sever a lifeline for people in prison.

### **Higher education in prison creates safer communities**

Though often associated with improved conduct in prison and, by extension, safer prison conditions overall, the benefits of college-in-prison programming extend far beyond prison walls. Numerous studies have shown that people who participate in higher education during incarceration are far less likely to return to prison than those who do not. Indeed, a meta-analysis encompassing nearly four decades of research and more than 70 studies focused on the post-release outcomes of those who participated in correctional education found that those who engaged in educational programming while incarcerated were 28% less likely to recidivate than those who did not.<sup>9</sup>

The reasons for this are numerous, not the least of which is the impact of attaining college credentials on post-release employment. Studies have shown that incarceration reduces employment prospects.<sup>10</sup> Participating in college-in-prison programming, however, can increase the chance of post-release employment. One meta-analysis found that those who participated in higher education while in prison were 13% more likely to find employment upon release.<sup>11</sup>

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<sup>5</sup> Nguyen, V. D., Zhao, Q., & Koenigs, M. (2026). Higher education in prison is associated with reductions in depression and anxiety. *Justice, Opportunities, and Rehabilitation*, 65(4), 286–298.

<https://doi.org/10.1080/2997965X.2026.2647751>

<sup>6</sup> Semenza, Daniel C. and Grosholz, Jessica M., "Mental and Physical Health in Prison: How Co-occurring Conditions Influence Inmate Misconduct" (2019). *Health & Justice*, v. 7, art. 1

[https://digitalcommons.usf.edu/cjp\\_facpub\\_sm/49](https://digitalcommons.usf.edu/cjp_facpub_sm/49)

<sup>7</sup> Ohio Department of Behavioral Health, *Stepping Up & Taking Action*, <https://dbh.ohio.gov/community-partners/criminal-justice/stepping-up-initiative/infographics/02-solution-steppingup>

<sup>8</sup> National Institute of Corrections *Suicide in Corrections* <https://nicic.gov/resources/topics/suicide-in-corrections>

<sup>9</sup> Bozick, R., et. al, *Does providing inmates with an education improve post-release outcomes? A meta-analysis of correctional education programs in the United States*, *Journal of Experimental Criminology* Vol 14, 389-428 (2018) <https://doi.org/10.1007/s11292-018-9334-6>

<sup>10</sup> Robert Apel, Gary Sweeten, The Impact of Incarceration on Employment during the Transition to Adulthood, *Social Problems*, Volume 57, Issue 3, 1 August 2010, Pages 448–479, <https://doi.org/10.1525/sp.2010.57.3.448>

<sup>11</sup> Lois M. Davis et al., *Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs That Provide Education to Incarcerated Adults*, RAND Corporation, 2013 [https://www.rand.org/pubs/research\\_reports/RR266.html](https://www.rand.org/pubs/research_reports/RR266.html).

Moreover, studies have shown that “employers were significantly more willing to interview applicants with postsecondary education credentials relative to applicants with only a General Educational Development (GED) diploma”, indicating that higher levels of educational attainment while incarcerated translate to greater employment opportunity upon release.<sup>12</sup> Not only does prison education increase the opportunities for post-release employment, it increases wages,<sup>13</sup> meaning there are greater odds that employment will be *sustainable*.

## **Conclusion**

Ultimately, denying people in prison the opportunity to engage in higher education not only harms the individuals, it stands to harm the very safety HB 338’s proponents purport to uphold. It undermines the security of Ohio’s prisons and the safety of those who live and work behind those walls. Worse, it stands to negatively impact the chance of success upon release, and the safety of families and communities across the state of Ohio. We urge this esteemed body to reject HB338 and the devastating effects it will bring.

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<sup>12</sup> Ballou, A. (2024). Degrees of difference: Do college credentials earned behind bars improve labor market outcomes?. *Criminology*, 62, 129–155. <https://doi.org/10.1111/1745-9125.12364>

<sup>13</sup> Stickle, B., Schuster, S.S. Are Schools in Prison Worth It? The Effects and Economic Returns of Prison Education. *Am J Crim Just* **48**, 1263–1294 (2023). <https://doi.org/10.1007/s12103-023-09747-3>