

Rethinking the Prison-Community Pipeline: A Case for Green Reintegration

Federal Vocational and Technical Training and Green Jobs Guarantee for the Formerly Incarcerated

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Executive Summary

This policy builds upon existing programs that aim to help the incarcerated re-enter the community by providing them with guaranteed, federally funded in-prison vocational training and employment in the “green” jobs sector. A federal green jobs guarantee for the formerly incarcerated will facilitate sustainable community reentry and contribute to lowering an individual’s likelihood of recidivism. A green jobs guarantee would further help meet growing labor market demands in sectors like clean energy production and energy efficiency.

Abstract

Finding and retaining employment is critical to ensuring successful reintegration and lower recidivism rates among the formerly incarcerated; the transition to a clean energy economy offers numerous entry-level job opportunities with low formal education requirements and above-average hourly wages.¹ Moreover, studies show that entering into high-quality skilled, technical, or professional trades, such as clean energy jobs, lowers recidivism rates.² Providing opportunities for federally guaranteed vocational and technical training during incarceration and high quality, long-term work for the formerly incarcerated upon release will help address the nation’s soaring rates of recidivism, jail and prison spending, and prison population size and redress the legacies of “tough on crime” policies that still disproportionately affect Black and brown people today.³ This policy will create incentives for industry participation through federally funded wage subsidies for formerly incarcerated people hired by firms. To address workplace discrimination based on criminal background and ensure a smooth transition into the workforce, wage subsidies will increase based on the level of worker protections and benefits firms provide to formerly incarcerated workers. Members of Congress, the Department of Labor, the Department of Justice, the Federal Bureau of Prisons, green sector industry leaders, and reentry organizations will be critical in sustaining the nexus between imperatives for a clean energy transition and for successful reentry among the criminal justice population. Legislative actors opposed to increased spending or budget reallocation will present barriers to the policy’s formulation. Threats to this program’s implementation include changing labor market demands for clean energy jobs and widespread accessibility of these jobs across different regions.

¹Mark Muro et al., “Advancing Inclusion through Clean Energy Jobs,” *Metropolitan Policy Program at Brookings*, (2019). Accessed October 24, 2020.

https://www.brookings.edu/wp-content/uploads/2019/04/2019.04_metro_Clean-Energy-Jobs_Report_Muro-Tomer-Shivaran-Kane.pdf

²Christopher Uggen, “Ex-Offenders and the Conformist Alternative: A Job Quality Model of Work and Crime,” *Social Policy* 46, no. 1 (1999).

³“Criminal Justice Reform,” Equal Justice Initiative, Accessed October 24, 2020, https://eji.org/criminal-justice-reform/?gclid=CjwKCAjwoc_8BRAcEiwAzJevtb2EIvyVbVl_DSwtOQVbGdDmZ51-sfvV2I0ligPOksO08kc_4Wh0RoC7ZsOAvD_BwE

Introduction

The United States has the highest prison population of any country on earth. Low-income and minority communities make up a supermajority of the nation's prison population.⁴ Poverty is strongly correlated with incarceration rates. [According to the American Action Forum](#), adults in poverty are three times more likely to face arrest. Moreover, individuals 150% below the federal poverty line are fifteen times more likely to face felony charges. Mass incarceration has severe economic implications beyond its direct effects on the incarcerated. In 2010, federal, state, and local agencies spent \$80 billion on incarceration.⁵ Columbia University's Center for Spatial Research published a groundbreaking study examining "million dollar blocks" in five cities in the United States. The study revealed city blocks where over \$1 million was spent annually to incarcerate residents from these blocks. Money spent on incarceration deprives these blocks of critical funding for civic infrastructure such as education and public health.⁶ (Figure 1)

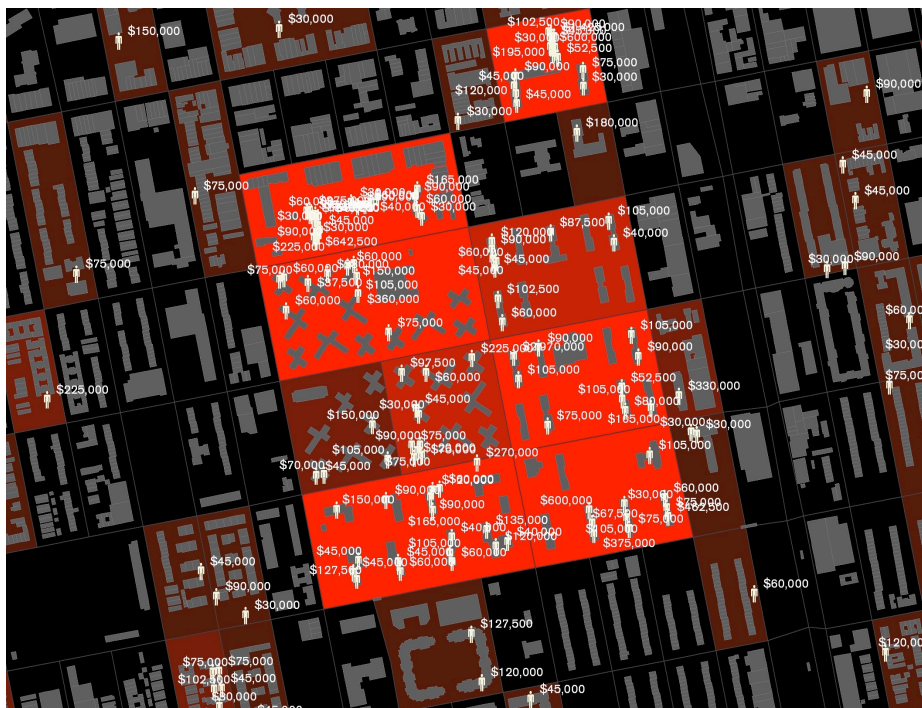


Figure 1: A "million dollar block" in New York (Spatial Information Design Lab, 2015)

Sustained levels of poverty among formerly incarcerated populations pose an ultimate challenge to their successful reintegration into the community. [The Prison Policy Initiative](#) found that

⁴Margaret Barnhorst and Tara Hayes, "Incarceration and Poverty in the United States," American Action Forum, Accessed October 24, 2020, https://www.americanactionforum.org/research/incarceration-and-poverty-in-the-united-states/#_edn7

⁵"Does the US Spend \$80 Billion a year on Incarceration?," Committee for a Responsible Federal Budget, Accessed October 24, 2020, <http://www.crfb.org/blogs/us-spends-80-billion-year-incarceration>

⁶Laura Kurgan et al., "Million Dollar Blocks: Using rarely accessible data from the criminal justice system, we have created maps of "million dollar blocks" and of the city-prison-city-prison migration flow for five of the nation's cities," *Columbia Center for Spatial Research*, Accessed October 24, 2020, <https://c4sr.columbia.edu/projects/million-dollar-blocks>

poverty is the strongest indicator for recidivism. For individuals released from prison in 2005, 47% returned to prison within three years after their release.⁷ Numerous socio-economic factors, *inter alia*, the inability to find long-term, stable, high-quality employment present significant barriers to lifting the formerly incarcerated out of poverty and consequently, preventing recidivism. In 2008, the unemployment rate of the formerly incarcerated working age population (ages 25-44) was 27%, higher than the unemployment rate at any point in the history of the United States, including during the height of the Great Depression. Significant racial disparities within formerly incarcerated populations who are unemployed further complicates the picture. Formerly incarcerated Black women experienced the highest rates of unemployment at 43.6%, compared to the unemployment rate among white men, at 18.4%. Furthermore, Black women were most likely to hold part-time or occasional work, whereas white men most often held full-time jobs.⁸ (Figure 2)

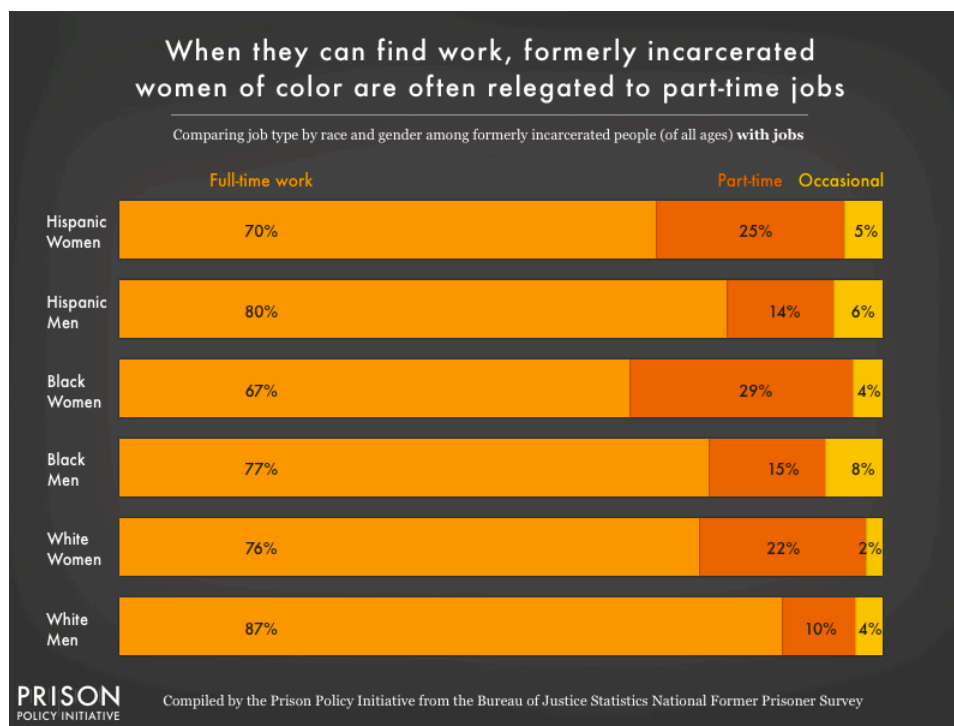


Figure 2: Job type by race and gender among the formerly incarcerated (Prison Policy Initiative)

When the formerly incarcerated reenter the community, they often face stigma upon entering the labor market. Having a record of incarceration reduces employer callback rates by 50%,⁹ and employers are less likely to hire applicants with criminal records than other stigmatizing characteristics, such as welfare recipients. Due to a series of risks associated with formerly incarcerated applicants and racial profiling by employers, in any given three-month period, only

⁷“Recidivism and Reentry.” Prison Policy Initiative, Accessed October 24, 2020, https://www.prisonpolicy.org/research/recidivism_and_reentry/

⁸“Out of Prison & Out of Work,” Prison Policy Initiative, Accessed October 24, 2020, <https://www.prisonpolicy.org/reports/outofwork.html>

⁹Prison Policy Initiative, “Out of Prison.”

slightly more than a third of the formerly incarcerated are actually employed.¹⁰ Many community and federally funded reentry programs exist to find and retain meaningful employment opportunities for the formerly incarcerated population.

Green reentry programs, such as the Civic Justice Corps and the Safer Foundation, train and secure jobs for former inmates in the green sector, as this is a growing and economically sustainable industry that requires low education requirements, limited previous work experience, lower legal barriers to entry, and provides formerly incarcerated individuals with a meaningful way to contribute to society. These reentry jobs include enhancing transportation, weatherizing low-income homes, and deconstructing homes for material re-use. The Department of Justice offers several reentry grants, such as the Second Chance Act, the Justice Reinvestment Initiative, and the Justice and Mental Health Collaboration Program, to help states reduce recidivism rates among the formerly incarcerated population. While there are certainly cases of success for reentry programs such as Allegheny County Reentry Program¹¹ and MCORP,¹² much of the literature suggests that reentry programs (such as the Reintegration of Ex-Offenders Program and the Center for Employment Opportunity Prison Reentry Program) have little to no effect on recidivism rates.¹³ In fact, a NIJ 2018 Grant Report on the Second Chance Act found that those participating in the program were no less likely than those in the control group to be rearrested, re-convicted, or re-incarcerated.

Although there are significant shortfalls in the efficacy of reentry programs, including the methods used to support reentry and job retention, these results reinforce the imperative to devote more resources to the development and refinement of reintegration programs for the formerly incarcerated population. A more holistic approach to reentry programming that includes dynamic risk factors of health, employment, housing, skill development, mentorship, social networks, and organization type can significantly improve the success of reentry. This federal green job guarantee program includes characteristics that the Harvard Institute of Politics deems critical to ensuring successful reentry; namely, a mix of community-based and governmental solutions, a focus on both training and job placement, and emphasis on placement into high quality jobs with upward potential.¹⁴

¹⁰ Harry Holzer, "Collateral Costs: The Effects of Incarceration on the Employment and Earnings of Young Workers" IZA DP, No. 3118 (2007): 21.

¹¹ Janeen Willison et al., "Evaluation of the Allegheny County Jail Collaborative Reentry Programs," Urban Institute, October 6, 2014, https://www.urban.org/research/publication/evaluation-allegheny-county-jail-collaborative-reentry-programs/view/full_report

¹² Grant Duwe, "Evaluating the Minnesota Comprehensive Offender Reentry Plan (MCORP): Results from a Randomized Experiment," *Justice Quarterly* 29, no. 3 (June 2012): 185.

¹³ David Muhlhausen, "Randomized Controlled Trials of Employment - Focused Reentry Programs," National Institute of Justice, June 12, 2018.

¹⁴ Adiah Price-Tucker et al., "Successful Reentry: a community-level analysis," Harvard Institute of Politics and Criminal Justice Policy Group, December 2019.

The Policy

Guaranteed Vocational and Technical Training and Apprenticeships in Green Jobs

This prescriptive policy distributes implementation roles across the Department of Labor, Department of Justice, Federal Bureau of Prisons, community reentry and training organizations, and industry partners in order to guarantee long-term employment opportunities for formerly incarcerated people in the green jobs sector.

Before placing individuals in green jobs post-release, the program will follow four stages: the first is an on-site soft skills training, followed by vocational training by community reentry and training organizations, an inmate evaluation stage, and a paid field-based apprenticeship at appropriate firms. Appropriate green job firms are all those that offer entry-level jobs within the sectors of clean energy production (e.g. plant operators, turbine technicians, and electric grid installers), energy efficiency (e.g. electricians and HVAC mechanics), and environmental management (e.g. wastewater treatment operators and recyclable material collectors). In the first stage, counselors and case managers in the Federal Bureau of Prisons will continue to work with inmates to facilitate and track their progress within existing inmate custody programs and soft skills training. Case managers will expand their role to provide inmates with information on the federal green jobs guarantee program and, if desired, integrate the program into the inmate's existing correctional casework and release plan. Department of Labor employees will coordinate with existing community-based training organizations to build a comprehensive baseline vocation and technical education course that will include modules for all relevant green sectors for sufficient skill development prior to the apprenticeship. The Department of Labor will provide block grants to all participating community-based training organizations. Job specialists will monitor progress with the course and develop an apprenticeship plan with the relevant partner firms. The federal government will fully subsidize the paid apprenticeships. Job specialist instructors within the Department of Labor will serve as a liaison between partner firms, inmates, and in-prison vocational training providers from the community, and develop and continually update a "Federal Green Jobs Register" (as a sub-register under the [Bureau of Labor Statistics' Green Jobs Register](#)) with clean energy economy job listings at all green partner firms that match the skills and needs of incarcerated individuals. Job specialists will work with inmates to determine which job opportunities from the Federal Green Jobs Register meet their vocational interests and qualifications post-release. Once a job has been chosen, job specialists will establish an inmate-firm relationship. Upon completion of the vocational training and apprenticeship, all participating inmates will be granted a job-readiness certification that will ensure skills acquisition and physical and emotional fitness.

A Federal Green Jobs Guarantee

This policy guarantees a job to any formerly federally incarcerated individual by mandating that the aforementioned appropriate green job firms across the nation maintain a hiring quota of 30% for formerly incarcerated workers. If there is not a sufficient supply of formerly incarcerated workers to meet the labor demands of all appropriate green jobs firms, then firms are exempt from the hiring quota. In the event that a recent post-release program participant desires a job at a

firm that has filled their quota, because of an insufficient supply of formerly incarcerated workers, the federal government will provide that firm with a complete wage subsidy for the formerly incarcerated worker. If and when the firm has an entry-level job opening, that job must go to the formerly incarcerated worker on a fully subsidized wage. At that point, the federal government will lower its wage subsidy to the prescribed program standard of 60%.

To incentivize compliance from industry, the federal government will subsidize 60% of the workers' wages. However, the level of wage subsidization is contingent upon whether firms comply with the program's antidiscrimination ordinance: formerly incarcerated workers cannot be excluded from workplace benefits, passed over for promotions, be the first subjected to short-time work schemes (if the state or capital district has short-time work schemes in place), and/or be the first in-line for furloughs because of their formerly-incarcerated status. If the Worker-Firm Relations Commission — which will be established under the Department of Labor to field and mediate tensions between firms and formerly incarcerated employees, enforce and monitor compliance with worker protection standards, and evaluate wage subsidy reductions on a firm-by-firm basis — receives substantial complaints from employees of employer discrimination and determines that a repeated course of discriminatory behavior has occurred, the wage subsidy for such firms will be reduced to 30%. Firms are restricted from furloughing formerly incarcerated individuals in retaliation for this reduction in wage subsidy. Firms will receive additional wage subsidies above the prescribed 60% if they meet program diversity hiring goals. As previously cited, employment data on the formerly incarcerated reveal an inequitable distribution of both jobs and job types based on race and gender. To incentivize firms to ameliorate the race and gender gaps in employment and employment type, firms will receive increased wage subsidies from the baseline 60% based on a sliding scale:

- 5% increase if 50% of their formerly incarcerated workers are Black, Indigenous, and people of color
- 10% increase if 25% of their formerly incarcerated workers are non-cisgender men
- 15% increase if 50% of their formerly incarcerated workers are non-cisgender male Black, Indigenous, and people of color

In sum, firms can receive a maximum 90% wage subsidy from the federal government. All federally subsidized wages will end upon the promotion of a formerly incarcerated person or in the event they find a job outside the firm they were originally placed in.

The federal government will provide additional measures to incentivize firm compliance. Under the [Department of Labor's Federal Bonding Program \(FBP\)](#), all formerly incarcerated program participants will be automatically bonded. The Program covers the bonded worker for the first six months of employment. All relevant firms under the program will also qualify for the [Department of Labor's Work Opportunity Tax Credit \(WOTC\)](#).

If firms, such as small and mid-sized enterprises, do not have the capacity to guarantee employer-provided healthcare, paid-sick leave, and/or paid-family leave to its employees, these firms may apply for subsidies from the Worker-Firm Relations Commission under the Department of Labor to fund these worker protection schemes. Recognizing that many formerly incarcerated individuals, upon immediate reentry into their communities, will be in a precarious

financial situation, the federal government will provide a guaranteed transportation stipend to any program participant who applies for the stipend. This stipend will be used towards car down payments, car payments, or public transportation costs.

The State Option

This policy guarantees vocational and technical training as well as job placement for individuals incarcerated in federal prisons. However, the federal government will also provide an incentive scheme for the states to opt in. The “state option” will guarantee vocational and technical training and employment in the green jobs sector for individuals incarcerated in state prisons. Under the incentive scheme, the federal government will fully subsidize the wages of program participants for three years. After the three year period, the federal subsidy will decrease to 90% of wages. This fully subsidized wage scheme will stimulate economic growth in the green jobs sector of the participating state, creating additional incentives for states to opt in. If states choose to participate in the policy’s program, they will administer the program according to the prescribed federal rules. The relevant state Department(s) of Corrections, state Department(s) of Labor, and state Department(s) of Justice will assume the responsibilities of their corresponding federal agencies under the program, such as job specialist responsibilities within the existing roles at state DOLs and case manager responsibilities within the existing roles at state DOCs.

Funding

The DOL will be the policy program’s main source of funding. The DOL will entirely fund the wage subsidies provided for participating firms, healthcare, paid-sick leave, and paid-family leave subsidies for qualifying firms, the transportation subsidy scheme for the formerly incarcerated workers, and funding for the FBP. The FBP will provide all wages for its relevant employees for the program. The federal government will provide grants to participating NGOs that cover all of the associated costs with training and preparing incarcerated individuals to enter the green jobs workforce. The BLS will allocate the necessary resources to collect data and monitor job placement and retention rates of participating individuals. The DJS will allocate the necessary resources to collect data and monitor the recidivism rates of participating individuals. The BLS and DJS will be critical in evaluating the success of the program and exposing aspects of the program that require reassessment.

Barriers to Implementation

Firm non-compliance poses a significant barrier to the policy’s implementation and success. The policy’s incentive structures for firms (i.e. wage subsidies, bond insurance, and tax credits) will encourage their compliance. Legal challenges may arise in response to the policy’s mandate that qualifying firms must guarantee jobs for participating formerly incarcerated individuals. However, by guaranteeing green jobs to the formerly incarcerated, this policy derives its statutory authority from H.R. 50, the Full Employment and Balanced Growth Act which asserts the federal government’s responsibility to realize full employment through its power to implement federal programs and policies. Members of Congress may also oppose the policy because of its significant demands for funding and budget and resource reallocation within the relevant federal agencies. In addition, powerful private prison lobby groups that profit off of

recidivism as well as fossil fuel lobbyists that are wary of a clean energy transition will likely both place pressure on Members of Congress to oppose the program. Some rural communities are also likely to elicit pushback as they have been convinced by Department of Correction officials that prisons can help sustain or even rejuvenate their local economy.¹⁵ However, opinion polls demonstrate strong public approval for job reentry programs for the incarcerated, including 61% approval among those who identify as Republican.¹⁶ Public approval for these programs will encourage resistant legislative actors to support this policy.

Despite skepticism over the costs and efficacy of in-prison educational and vocational training, research shows that these correctional programs are effective in reducing an individual's risks of recidivating. In a meta-analysis examining the association between correctional education and recidivism rates, prison inmates who participated in educational programs were found to have a 43 percent lower odds of recidivating than peers who do not receive such opportunities. Inmates who participated in vocational training were 28 percent more likely to be employed after release. Findings also demonstrate that prison education programs are cost-effective, as education provision is estimated between \$1,400 to \$1,744 per inmate, while re-incarceration costs are \$8,700 to \$9,700 less for each inmate who received correctional education compared to peers who did not.¹⁷

Assumptions

This program assumes an adequate and continuous supply of jobs in the clean energy sector, largely due to technological advancement and increasing state and local 100% clean energy targets.¹⁸ Creating a guaranteed supply of labor for the growing green jobs sector is a long-term benefit of this program. According to the Brookings Metropolitan Policy Program, the transition to the clean energy economy will involve 320 unique occupations in clean energy production, energy efficiency, and environmental management. More specifically, solar panel installers and wind turbine technicians are the top fastest growing occupations across the US with projected growth rates of 63% and 57% respectively from 2018 to 2028.¹⁹ Studies show that the formerly incarcerated want to work and are more active in the labor market than the general public, as the rate of those employed and seeking work among the formerly incarcerated is 93.3 percent compared to 83.3 percent of the general public. Additionally, our program assumes that grants are large enough to attract sufficient participation among organizations that provide vocational training to inmates. The program does not include provisions for a living wage standard or federal subsidization to reach a living wage, as it is assumed that higher wages for formerly incarcerated workers would create perverse incentives for co-workers, potentially stimulating

¹⁵Dominique Moran, "Geographies of Carceral Systems," in *Carceral Geography: Spaces and Practices of Incarceration* (New York, NY: Ashgate Publishing, 2015), 62-3.

¹⁶Sterling Johnson and Leo Beletsky, "Helping People Transition from Incarceration to Society During a Pandemic," The Justice Collaborative Institute, May 2020.

¹⁷Lois M. Davis et al., "Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs that Provide Education to Incarcerated Adults," RAND Corporation, 2013.

¹⁸"Progress Towards 100% Clean Energy," UCLA Luskin Center for Innovation, November 2019.

¹⁹"Facilitating Reentry of Justice-Involved Individuals into the Green Workforce, Case Studies and Best Practices," UCLA Institute of the Environment and Sustainability, Accessed October 24, 2020, <https://www.ioes.ucla.edu/wp-content/uploads/facilitating-reentry-of-justice-involved-individuals-into-the-green-workforce-final.pdf>

harassment or complaints. However, clean energy jobs typically pay workers higher wages than other sectors (with more than 96% paying \$15 per hour or more), and mean hourly wages in the clean energy sector exceed national averages by 8 to 19 percent.²⁰

Conclusion

Central to lifting the formerly incarcerated out of poverty and ensuring a smooth reintegration into their communities is providing the formerly incarcerated with jobs. Green jobs present a logical and promising solution to ensuring jobs are available to all formerly incarcerated persons who desire to work. The financial unviability of brown jobs (the non-renewable energy and non-sustainable jobs sector) naturally ensures that green jobs will be widely available and desirable in the long run. While existing reentry training and employment programs have had varying success, there is limited but substantial evidence that holistic and long-term reentry programs are more successful at reintegrating the incarcerated into the community and lowering rates of post-release poverty and recidivism. This policy not only creates a holistic and long-term reentry program, it also provides robust measures for firm compliance and racial and gender equity measures. A federally guaranteed vocational and technical training and green jobs program will provide the incarcerated with a new path forward after their release, grounded in the belief that all individuals, no matter their past mistakes, have the potential for a meaningful and productive future.

²⁰Mark Muro et al., “Advancing inclusion through.”

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