OFFENDER RE-ENTRY: WHAT IS NEEDED TO PROVIDE CRIMINAL OFFENDERS WITH A SECOND CHANCE?

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

OF THE

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OFFENDER RE-ENTRY: WHAT IS NEEDED TO PROVIDE CRIMINAL OFFENDERS WITH A SECOND CHANCE?

THURSDAY, NOVEMBER 3, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME, TERRORISM,
AND HOMELAND SECURITY
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to notice, at 12:21 p.m., in Room 2141, Rayburn House Office Building, the Honorable Tom Feeney (acting Chair of the Subcommittee) presiding.

Mr. FEENEY [presiding]. The hearing will come to order.

This is an oversight hearing of the Subcommittee on Crime, Terrorism, and Homeland Security. The topic is "Offender Reentry: What is Needed to Provide Offenders With a Real Second Chance?" We welcome our guests here today, and we will administer an oath to them and introduce them in a second.

Chairman Coble is probably not going to be with us today, but it is a great opportunity to sit in, in his stead. I want to welcome everybody to this important oversight hearing to examine the issues of prisoner reentry as a follow-up to the earlier legislative hearing this morning on H.R. 1704, the "Second Chance Act of 2005." This oversight hearing is intended to provide the Subcommittee with a closer look at the practical issues Federal, State, and local governments face with offender reentry. More specifically, in my mind, we need to examine carefully which strategies and programs work, which do not, and how future resources should be directed to ensure successful transitions for offenders.

The scope of this issue touches each and every community. The financial burdens on Government of incarceration and reincarceration of offenders are substantial, and the impact on families and communities is huge. We need to ensure that governments have in place appropriate programs to ease this transition for offenders, to bring families together once again, and to make sure that offenders get the necessary support so that they can truly have a second chance to live a law abiding life.

I recognize that reentry is a public safety issue, not just a corrections issue. Community safety in promoting healthy and productive families benefits everyone. This is a bipartisan issue where innovative solutions are needed. We all know that approximately 650,000 inmates will be released from State prisons in the next year. Our

challenge is to make sure that we reduce significantly the rate of recidivism.

Let me cite a few facts which demonstrate the broad impact of this problem. According to the Bureau of Justice Statistics, corrections expenditures increased from $60 billion in 1982 to $90 billion in the year 2001. Between 1991 and 1999, the number of children with a parent in a Federal or State correctional facility increased by 60 percent from approximately 836,000 to 1.5 million.

Fifty-seven percent of Federal and 70 percent of State inmates used drugs regularly before prison. We need to examine the demand for education, job placement, health care, drug abuse treatment, and related services needed to provide support to offenders. There is no one size fits all solution to this problem, but I expect we will hear about different approaches to common problems today.

In my view, we need to know specifically what drug treatment programs work, what do not, and how best we can support providers of such services. The same series of questions needs to be asked with respect to each and every component of any full-scale reentry program. I'm anxious to hear from our distinguished panel of witnesses, and I would now yield to the Ranking minority Member of this Subcommittee, the gentleman from Virginia, Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. Chairman, I thank you for scheduling this oversight hearing on the issue of what is needed to provide criminal offenders with a real second chance. We heard this morning from policy makers about what the problems are regarding prisoner reentry, the need to provide them with a second chance to develop and lead a law abiding lifestyle and the level of bipartisan support to meet this goal. Now, we will hear from experts as to how to get the job done.

Unfortunately, Mr. Chairman, since this morning, we had a brief interlude where we continued doing more of the traditional same. I am delighted that we are back on track actually trying to reduce crime in a cost-effective manner.

But our first step in that would be to pass H.R. 1704, the "Second Chance Act of 2005." That is a bipartisan bill that we heard about this morning that makes a significant step in the right direction toward ensuring that those who leave prisons have the assistance and support they need to avoid returning. Problems we heard about included problems finding work, substance abuse, other mental health treatment, other disqualification for public benefits such as housing, TANF, school loans, and other benefits due to substance abuse and the enormous burden in overcoming societal stigmas associated with being sent to prison, often for a long period of time.

These problems are not the only problems for offenders but the problems for society and individual victims that result from our failure to ensure a second chance for offenders. As we heard this morning, the primary reason for us to develop this legislation is not simply to assist offenders who are returning to the community. It is to reduce the prospects that any law abiding citizens will be victims of crime in the future and also to reduce the costs of incarceration resulting from recidivism.

Mr. Chairman, I ask unanimous consent that my statement from this morning be entered into the record at this point. It has statis-

tics about the incarceration rate and other problems that we're addressing, and at that point, I understand my colleague——

Mr. FEENEY. Without objection, it is so ordered. We will admit the testimony.

[The prepared statement of Mr. Scott follows:]

PREPARED STATEMENT OF THE HONORABLE ROBERT C. SCOTT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA, AND RANKING MEMBER, SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

Thank you Mr. Chairman. And thank you for scheduling this oversight hearing on the issue of what is needed to provide criminal offenders with a real second chance. We heard this morning from policy makers about what the problems are regarding prisoner reentry, the need to provide them with a second chance to develop and lead a law-abiding lifestyle, and the level of bi-partisan commitment there is to this goal. Now we will hear from the experts on how to best get that job done.

A first step is to pass H.R. 1704, the Second Chance Act. This is a bi-partisan bill that makes a significant step in the right direction toward ensuring that those who leave our prisons have the assistance and support they need to avoid returning. The problems we heard about include problems in finding work, help for their substance abuse and other mental health treatment, disqualifications for public benefits, such as housing, TANF, school loans and other benefits due to substance abuse, and the enormous burden of overcoming societal stigmas and other problems associated with being sent to prison, sometimes for a long period. These problems are not only problems for offenders, but also problems for society and the individual victims that result from our failure to ensure a second chance for offenders. So, the primary reason for us to develop this legislation is not simply to assist offenders who are returning to the community. As we heard this morning, the primary reason is to lower the prospects that any of us will be the victim of recidivism. It would also lower the cost of taxpayers re-incarcerating the offender.

We know have, on a daily basis, over 2.2 million locked up in our nation's prisons and jails, a 5 fold increase over the past 20 years. The federal prison population, alone, has increased more than 7-fold over the past 20 years. In 1984, the daily lock-up count for our prisons and jails was just over 400,000 with about 25,000 federal prisoners. Today, there are over 2 million state and local prisoners and almost 190,000 federal prisoners, and the population is growing.

All of this focus on incarceration has resulted in the U.S. being the world's leading incarcerator, by far, with an incarceration rate of 725 inmates per 100,000 population. The U.S. locks up its citizens at a rate 5–8 times that of the industrialized nations to which we are most similar—Canada and western Europe. Thus, the rate per 100,000 population is 142 in England/Wales, 117 in Australia, 116 in Canada, 91 in Germany, and 85 in France. And despite all of our tough sentencing for crimes, over 95% of inmates will be released at some point. Nearly 700,000 prisoners will leave state and federal prisons this year, and the number will continue to grow. The question is whether they re-enter society in a context that better prepares them and assists them to lead law-abiding lives, or continue the cycle of 2/3 returning in 3 years? If we are going to continue to send more and more people to prison with longer and longer sentences, we should do as much as we reasonably can to assure that when they do leave they don't come back due to new crimes.

So, Mr. Chairman, I look forward to the testimony of our witnesses as to what we may be able to do to begin to seriously address this growing societal problem, and to work with you to get it done. Thank you.

Mr. SCOTT. And I understand my colleague will be introducing one of the witnesses. I think you have been advised of that.

Mr. FEENEY. Yes, we are delighted to have Mr. Van Hollen here, and after we swear them in and we introduce the three other witnesses, we will recognize the gentleman from Maryland. Welcome.

Mr. SCOTT. Thank you. I yield back.

Mr. FEENEY. I thank the gentleman, and with that, it is our practice in the Committee here to swear in all witnesses that appear before us. If all of you would please stand and raise your right hand.

[Witnesses sworn.]

Mr. FEENEY. Thank you, and please let the record show each of the witnesses answered in the affirmative, and please have a seat.

We have four distinguished witnesses with us today. Our first witness is Mr. David Hagy. We are delighted to have you today, especially given the fact that you are substituting, I understand, and we are prepared to handle a lot of emergencies in this Committee, but Ms. Schofield is now apparently delivering a baby, or has she delivered?

Mr. HAGY. She is still there. She is working on it. [Laughter.]

Mr. FEENEY. Well, that is one of the few things that we are just simply not prepared for. So we are especially glad to see you, Mr. Hagy, the Deputy Assistant Attorney General of the Office of Justice Programs at the Department of Justice Programs of the Department of Justice. Prior to serving at the Justice Department, Mr. Hagy served as director for local coordination in the Office of State and Local Government Coordination at the Department of Homeland Security. For 5 years, he was the chief of staff and policy director for Harris County Judge Echols, where he managed and promoted initiatives in the area of emergency management, transportation, criminal justice and environment. Mr. Hagy holds a bachelor of science from Texas A&M University and a Ph.D. from Tulane University. Welcome, and please pass on our best wishes to Ms. Schofield and her family.

Mr. HAGY. I will. Thank you.

Mr. FEENEY. Our second witness is Mr. Pat Nolan, president of Justice Fellowship, the criminal justice reform arm of Prison Fellowship Ministries. Mr. Nolan served in the California State Assembly and is the author of *When Prisons Return.* Mr. Nolan was appointed by Speaker Hastert to the nine-member U.S. Prison Rape Elimination Commissions. He's a graduate of the University of Southern California, where he also received his Juris Doctorate. Mr. Nolan, welcome. We are delighted to have you with us.

Our third witness is Mr. Arthur Wallenstein—oh, I am sorry. I thought that you were going to introduce Ms. Shapiro.

I would now like to recognize from Maryland, Congressman Van Hollen.

Mr. VAN HOLLEN. Well, thank you very much.

I want to thank the Chairman today, Mr. Feeney, and Ranking Member, Mr. Scott, and thank them first of all for allowing me to participate in the Subcommittee hearing today and thank all of you who are going to be testifying today.

It is a special privilege for me to be able to introduce someone I have known for a long time and who has done such a terrific job in this whole area of prisoner rehabilitation, Arthur Wallenstein, who is the Director of the Department of Corrections in Montgomery County, one of the counties in my Congressional district, and we are very proud of the work he has done.

As you said, Mr. Chairman, at the outset, it is important to find out here what works and what doesn't work, because obviously, as people return to the community after being in prison, it is important that we make sure we provide those opportunities and those services that work. That's obviously the entire idea here. So I want to thank Mr. Wallenstein for his leadership in this area.

Before he was in Montgomery County, he also served as the Director of the King County Department of Adult Detention in Seattle, Washington, and as the director of the Bucks County Department of Corrections in Bucks County, Pennsylvania. He is a graduate of Georgetown University and the University of Pennsylvania Graduate School of Arts and Sciences, and we welcome you here. Thanks for being here.

Thank you, Mr. Chairman.

Mr. FEENEY. Welcome, Mr. Wallenstein, and thank you, Mr. Van Hollen.

Our final witness today is Carol Shapiro, founder and president of Family Justice, a national nonprofit organization that seeks to reduce recidivism and break the cycle of involvement in the criminal justice system. Ms. Shapiro has served as a consultant to the Department of Justice's Bureau of Justice Assistance and the National Institute of Corrections. Additionally, she previously served as assistant commissioner for the New York City Department of Corrections. Ms. Shapiro is a graduate of Carnegie Mellon University and the Bryn Mawr Graduate School of Social Work and Research. Ms. Shapiro, I guess is——

Ms. SHAPIRO. Philadelphia region.

Mr. FEENEY. And believe it or not, I'm Philadelphia born myself.

But with that, we are delighted to have all of you here, and Mr. Hagy, we are going to ask you to observe our 5-minute time limit, and then, the Members will each have 5 minutes to question you. You will see the light system, which will give you a yellow 1-minute warning, and then, when the red comes on, we would ask you to sort of wrap up your thought.

TESTIMONY OF DAVID HAGY, DEPUTY ASSISTANT ATTORNEY GENERAL, OFFICE OF JUSTICE PROGRAMS, UNITED STATES DEPARTMENT OF JUSTICE, SUBSTITUTING FOR REGINA SCHOFIELD, ASSISTANT ATTORNEY GENERAL FOR THE OFFICE OF JUSTICE PROGRAMS, UNITED STATES DEPARTMENT OF JUSTICE

Mr. HAGY. Okay; thank you, Mr. Chairman, Mr. Scott, and Members of the Subcommittee. Again, I'm David Hagy, as you know. I'm Deputy Assistant Attorney General in the Office of Justice Programs and substituting for Regina, and we wish her the best of luck, and we're anxious to hear the news.

I'm honored to stand in for her this afternoon and discuss efforts to reintegrate offenders successfully back into their communities. Most offenders, including the most violent offenders, will eventually return to their home communities. OJP's Bureau of Justice Statistics found that more than two-thirds of all released offenders were rearrested within 3 years.

This cycle of crime and imprisonment takes obviously a heavy toll. It is a threat to public safety and a drain on resources. The Administration has been greatly concerned about this issue since early in President Bush's first term. That's why, in 2002, the Department of Justice, in a partnership with other Federal agencies, launched Going Home: the Serious and Violent Offender Reentry Initiative known as SVORI. This initiative focuses on those offend-

ers most likely to pose a risk when they return to their communities.

In his 2004 State of the Union Address, the President proposed a broad, new reentry initiative, the President's Prisoner Reentry Initiative or PRI. This new Federal initiative is led by the Department of Labor. It will harness the resources and experience of faith-based and community organizations in working with nonviolent offenders in 30 urban communities across the nation. The Department of Labor expects to announce these awards soon.

These two initiatives complement but do not duplicate each other. Like SVORI, PRI will help communities provide services to returning offenders, including mentoring and job training. PRI will serve nonviolent offenders through local organizations, while SVORI serves serious and violent offenders through funding awarded primarily to Government agencies. PRI is just beginning, while SVORI funding will end next year.

Under SVORI, we have awarded more than $120 million to 69 grantees, covering all 50 States, the District of Columbia, and the Virgin Islands. Awards have helped jurisdictions develop and implement their own reentry strategies. Each strategy was designed by States and local communities to meet their own specific needs, but all strategies share a three-pronged approach that covers every stage of the reentry process.

While the offenders are still behind bars, we assess their needs, skills, and risk to public safety and develop individual reentry plans. Upon their release, the offenders are closely supervised and directed to follow their reentry plans. They are often required to report to a judge or a corrections officer and receive treatment and training. Finally, a network of public and private agencies provides long-term support. Cooperation and coordination across the community spectrum help reentry sites make sure that efforts are both comprehensive and coordinated.

The feedback from SVORI sites to date has been very encouraging. Many SVORI-funded programs have been used to bridge the gaps in existing State and local efforts. They are providing much needed transition services, counseling, mentoring and job training. What's just as positive is that the SVORI programs have developed their own innovative strategies. I have included a number of these examples in my written testimony which, with your permission, I am submitting for the record.

Determining what works and what doesn't work is critical to our reentry efforts going forward. We are conducting a comprehensive evaluation of SVORI to determine whether the programs funded have met their goals, are cost-effective, and most important, have reduced recidivism. We have already put information from the SVORI evaluation on the Web and will continue to share findings from the evaluation as soon as they become available.

We can all agree that there is much work still to be done. The Department will directly support PRI efforts through pre-release services to prisoners who will be served in PRI communities. We will also take what we have already learned from SVORI and what we will learn from our evaluations and share it with the field. We want to encourage more reentry efforts throughout the country that

are based on sound planning and a thorough knowledge of what works.

This Administration believes that successfully reintegrating offenders back into their communities is one of the most pressing issues facing our nation. State and local governments have shown that thoughtful policies and programs can be developed to address this issue. The Federal partners, including the Department of Justice, are committed to doing all we can to support this continued good work. This commitment is even reflected in the words of President Bush: "America is the land of second chances, and when the gates of prison open, the path ahead should lead to a better life."

We greatly appreciate your interest in this critical public safety issue. I welcome the opportunity to answer any questions that you may have, and I thank you for having me here today.

[The prepared statement of Ms. Schofield follows:]

PREPARED STATEMENT OF REGINA B. SCHOFIELD

TESTIMONY OF
REGINA B. SCHOFIELD
ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS

NOVEMBER 3, 2005

Mr. Chairman, Mr. Scott, and Members of the Subcommittee, I am Regina B. Schofield, Assistant Attorney General for the Office of Justice Programs. I am pleased to be here this afternoon on behalf of the Attorney General, the U.S. Department of Justice ("DOJ"), and especially the Office of Justice Programs ("OJP"), to discuss efforts to reintegrate offenders successfully back into their communities.

As you are aware, most offenders will eventually return to their home communities. A 2002 study from OJP's Bureau of Justice Statistics found that more than two-thirds of all released offenders were rearrested within three years. So, of the 600,000 people who will be released from State prison in 2005, over 400,000 are likely to be rearrested.

This cycle of crime and imprisonment takes a heavy toll on our communities. It is a threat to public safety and a drain on resources. Incarceration costs an average of $22,650 a year per person, with some States spending over $37,000. Since ex-offenders often return to the communities in which they committed their crimes, they can pose a danger to the very people they hurt before. The crime victims then bear the costs of property losses, physical injuries and lost earnings. Even these costs pale in comparison to the pain and suffering of victims, lost opportunities associated with activities not performed due to fear of crime, increased consumer costs resulting from increased

business costs, and overall costs to society because of crime and violence.

The issue of the safe and successful reentry of these offenders into their communities has been of great concern to this Administration since early in President Bush's first term. In 2002, the Department of Justice, in a then-unprecedented partnership with the U.S. Departments of Education, Health and Human Services, Housing and Urban Development, Labor, and Veterans Affairs and the Social Security Administration, launched Going Home: The Serious and Violent Offender Reentry Initiative ("SVORI"). As the name implies, this initiative has focused on those offenders considered the greatest potential risk to their communities.

Then, in his 2004 State of the Union address the President proposed a broad new reentry initiative, saying, "We know from long experience that if they [ex-offenders] can't find work, or a home, or help, they are much more likely to commit crime and return to prison."

The President's Prisoner Reentry Initiative is a federal partnership through which the Departments of Labor, Justice, Health and Human Services and Housing and Urban Development will support projects in 30 communities that will serve 6,250 non-violent ex-offenders in its first year. The Initiative is intended to help ex-offenders find and keep employment, obtain transitional housing and receive mentoring. It will also harness the resources and experience of faith-based and community organizations in helping returning inmates contribute to society.

On April 1, 2005, the Department of Labor issued a solicitation for the President's Prisoner Reentry Initiative, with a July 13, 2005 deadline. According to the Department of

Labor, the initial response was very encouraging with 549 applications received. The Department of Labor expects to announce these awards to 30 communities this week, and at the time of this testimony may have already done so. As DOJ's part of the President's Prisoner Reentry Initiative, we will then provide grants to selected States to provide pre-release services to prisoners who will be served in the President's Prisoner Reentry Initiative communities.

Like SVORI, the President's Prisoner Reentry Initiative will help communities provide services to returning offenders including mentoring and job training. But the President's Prisoner Reentry Initiative has some key differences so that it complements, and does not duplicate SVORI. While SVORI, as the name indicates, targets serious and violent offenders, the President's Prisoner Reentry Initiative focuses on nonviolent offenders. The President's Prisoner Reentry Initiative will provide funds directly to faith-based and other community organizations that work with offenders in urban communities while SVORI funds have gone primarily to government agencies in all 50 States, the District of Columbia, and the Virgin Islands.

Both of these initiatives reflect a change in overall thinking about the reintegration of offenders into society. For too long the common practice was to release ex-offenders into their communities with little more than $50 and a bus ticket. Even today, many of these ex-offenders also face a bitter combination of "not in my backyard" attitudes and government restrictions that limit their ability to find and keep a job or find a place to live. Probation and parole officers are often overwhelmed with caseloads and cannot properly monitor ex-offenders. The ex-offenders often don't know about treatment, job training

and other services that can help them. Those who provide these services frequently do not coordinate with each other. With few resources, few skills, and inadequate monitoring, ex-offenders often fall through the cracks. It's no wonder that these individuals soon turn back to what they know best – a life of crime.

It has become clear that "reentry" must be a process that begins while an offender is behind bars and continues until that offender is reestablished in the community as a contributing citizen. Programs based on pre-release assessments and individual offender needs can reduce recidivism and potentially save money. Many communities that have undertaken reentry efforts have reported savings in the costs related to investigating and prosecuting new crimes. Reentry efforts can also mean savings from the money that would otherwise be used to incarcerate those who re-offend.

Under SVORI, we have awarded more than $120 million to 69 grantees, covering all 50 States, the District of Columbia and the Virgin Islands, to develop and implement their own reentry strategies. SVORI grantees have established 89 reentry programs. Forty-three of these programs target adults, 37 target juveniles, seven programs target both adults and juveniles, and two cover juveniles tried as adults. The programs also vary in how long they work with offenders before and after they leave prison. A few programs specifically target the mentally ill or those with substance abuse problems.

Each reentry strategy was designed by States and the local communities to meet their own specific needs. However, all strategies share a three-pronged approach that covers every stage of the reentry process. These three elements are critical to successful reentry strategies. All of them must be present and integrated with each other, because a

single element in isolation is not sufficient. These elements are:

- Protect and Prepare: While participating offenders are still incarcerated, their needs, their skills, and their risk to public safety are assessed and, based on this assessment, formal reentry plans are developed. Examples of assessment tools include drug testing, interviews, mental health evaluations, and aptitude and skills testing. These offenders are provided access to services such as life skills training, education, parenting instruction, drug or alcohol treatment, mental health treatment, or vocational training that best meet their needs.
- Control and Restore: As soon as the participating offenders are released, they are closely supervised and follow their reentry plans, which often include requirements that they report to a judge or corrections officer and participate in specific treatment and training activities. These ex-offenders also receive transitional housing, employment assistance, mentoring, treatment, and other aftercare services. Close supervision is essential to supporting the offender and ensuring public safety during this critical time.
- Sustain and Support: Long-term support is provided through a network of public and private agencies. Participating ex-offenders are encouraged to maintain contact with support services even after they complete their probation or parole.

The SVORI reentry plans also include planning and participation by the faith community, neighborhood residents, and local police, who work closely with State and local government, corrections staff, probation/parole officers, treatment providers, and other relevant parties to make sure that all reentry efforts are not only comprehensive but are coordinated. Everyone works together so no ex-offender falls through the cracks.

The Department's role, in addition to providing funding, is to help State and local agencies navigate the complex field of State formula and block grants and to assist them in accessing, redeploying, and leveraging those resources to support all the components of this comprehensive reentry program. We also work with our federal partners to provide training and technical assistance. In addition, six U.S. Attorneys will hire Prisoner Reentry Coordinators for their districts. These coordinators will bring together agencies from all levels of law enforcement, government, support services, and community organizations to strengthen reentry efforts.

One new cooperative federal strategy to support reentry efforts is already well under way. DOJ recently signed an interagency agreement with the Corporation for National and Community Service to support assignment of AmeriCorps*VISTA volunteers to prisoner reentry projects in Weed and Seed and SVORI neighborhoods. The VISTA volunteers will work with faith-based and community organizations at Weed and Seed sites in 12 cities to build the capacity of these organizations to provide services such as mentoring, housing, and skills-building.

The Department's reentry efforts also include offenders convicted of federal crimes. Through the Bureau of Prisons Life Connections Pilot Program, offenders in five facilities volunteer to study for 18 months what their faith says about basic life skills, and receive mentoring and substance abuse treatment. Participants also complete victim impact programs and perform 500 hours of community service. One example of this community service occurs in the Life Connections dorm in Petersburg, Virginia, where participating inmates sew blankets for HIV-positive babies. The Bureau of Prisons is

conducting an ongoing evaluation of the Life Connections Pilot Program. It hopes to expand the program into five more sites in Fiscal Year 2007.

In September 2004, DOJ and our federal partners convened the first National Conference on Reentry in Cleveland, Ohio, so that our grantees could learn from each other and from other experts in the field. The more than 1,000 participants at the conference also included representatives from private organizations, community groups, and others who provide services to ex-offenders. The conference demonstrated to all those involved that community residents must be included in the reentry process and should be involved in decision-making related to program goals and priorities.

Critical in our reentry efforts is determining what works and what doesn't. Through funding, training and technical assistance, we provided all our grantees with tools to evaluate their own programs. OJP's National Institute of Justice is also conducting, through grants to the Research Triangle Institute and the Urban Institute, a comprehensive evaluation of SVORI to determine whether the programs funded have met their goals, are cost-effective, and most important, have reduced recidivism.

This evaluation has two phases. First is an implementation assessment, a measurement of how the programs have been established, how they are working, and who is being served. We have collected information from all 69 grantees and used this information to create the initial edition of *A National Portrait of the Serious and Violent Offender Reentry Initiative*, a summary of which I'm including for the written record. This summer we published two briefs. One, *Characteristics of Prisoner Reentry Programs*, examines the types of efforts that the different SVORI grantees emphasize.

The other, *Faith-Based Involvement: Findings from the SVORI Multi-site Evaluation*, examines the kinds of faith-based services provided to offenders before and after release. I am also including these briefs for the written record.

The second phase is a four-year impact evaluation from 2004 to 2008, which will examine whether SVORI has resulted in reduced recidivism, whether it is cost-effective, and whether it has helped provide ex-offenders what they need to become productive members of their communities. This phase will focus on 19 SVORI sites in 15 States, including Florida, South Carolina, and Virginia. These evaluation States are geographically distributed so that every region of the country is included in the study. We will not wait until all results are in to issue reports, but we are determined to share findings from the evaluation as they become available. Information is already available through the SVORI evaluation Website at *www.svori-evaluation.org*.

The feedback from the first phase of the evaluation has been very encouraging. Many SVORI-funded programs have been used to bridge the gaps in existing State and local efforts. They are providing much needed transition services, counseling, mentoring and job training. There has been close coordination of the services provided while offenders are still in prison with those provided once they are released.

Some SVORI programs have enlisted former offenders as mentors to newly released offenders. The mentoring relationship provides the offenders in the later stages of the reentry process with another way to be productive members of their community. It also offers the newly released offenders invaluable guidance, admonition, and support from those who have already walked the same path.

What's just as positive is that SVORI programs have developed their own innovative strategies. For example, the Fort Wayne/Allen County, Indiana program features a reentry court, which assesses the released offenders and develops personalized plans. Participants must adhere to their plans and appear before the court every two to five weeks to report on their progress. If they don't, they return to prison. The reentry court has a strong relationship with the faith community – local clergy attend court hearings and mentor the ex-offenders. The faith community also plays a critical role in a Michigan reentry program. A faith-based organization, Wings of Faith, provides case managers who guide offenders through every step of the reentry process. Wings of Faith also encourages community support for the program.

There are more examples of innovative strategies. Iowa provides computer training to offenders. Maine uses videoconferencing so that, while still in prison, offenders can interact with the community organizations that will work with them when they are released. Before participating offenders are released, Maine also offers mentoring services for their children. States such as Mississippi have family members talk to offenders while they are still in prison to help ease their transition to family life.

We have also received good news directly from the grantees. Through outreach to prospective employers, Illinois' North Lawndale Employment Network has placed ex-offenders in jobs, such as manufacturing and restaurant work, which might otherwise be unavailable to them. Through Ohio's Community-Oriented Reentry ("CORE") Program, ex-offenders who have been through the reentry process provide guidance and support to other ex-offenders. Kansas and Massachusetts have local law enforcement personnel meet

with offenders before their release to offer support and to let the offenders know what is expected from them when they are released.

What's also striking is the difference these programs make in people's lives. "Miller" (for the sake of these examples, these are pseudonyms) in Utah was completing his second prison term. A year before his parole he became part of the HOPE Therapeutic Community in Gunnison State prison. Since his parole he has completed six months of substance abuse treatment and has consistently tested negative for drug use. He now has a steady job and has been reunited with his 8-year old daughter.

There are more stories. "Bart," a juvenile offender in Montana, was placed in foster care after completing treatment at a correctional facility. After "Bart" completed his parole he graduated from high school on the honor roll. He has a job and will start college in the fall. "Charles," a young former gang member in Kansas, completed counseling for anger management and treatment for his substance abuse. A local company trained him and will give him a job. "Charles" also plans on getting his gang tattoo removed. "Tony," a young ex-offender in West Virginia, completed a reentry treatment program and now has a good job. As a volunteer, he currently tutors high school students and mentors other youth in his former reentry program.

"Miller, Bart, Charles, and Tony" are more than heartwarming stories. These are all people who very easily could have returned to lives of crime, but instead took advantage of the services provided through the SVORI partnership and are now leading productive lives. Stories like these give us all hope and strengthen our belief in the value of our reentry programs.

We believe that SVORI has made, and will continue to make, a difference in ex-offenders lives and in public safety. DOJ and our federal partners will continue to provide support to the SVORI grantees through funding, training, and other resources until these initial grants expire next year.

SVORI was a critical first step in helping communities reintegrate ex-offenders back into society. The President's Prisoner Reentry Initiative is the next step. Yet there is much work still to be done. We realize that even with our efforts there are still major service gaps, and that the vast majority of returning ex-offenders do not yet receive these services. The Department is committed to taking what we have already learned from SVORI, and what we will learn from our evaluations, and sharing it with law enforcement, corrections officials, policymakers, faith-based and other community organizations. Through this, we want to encourage more reentry efforts throughout the country that are based on sound planning and a thorough knowledge of what works.

Mr. Chairman, I believe that successfully reintegrating offenders back into their communities is one of the most pressing issues facing our Nation. As President Bush has said, "America is the land of second chances, and when the gates of prison open, the path ahead should lead to a better life." We must do right not only by the ex-offenders, but by their families, their victims, their victims' families, and their communities.

State and local governments have demonstrated that thoughtful policies and programs can be developed to address this issue. The federal partners, including the Department of Justice, are committed to doing all we can to support practitioners through our grant programs and technical assistance to continue this good work.

We very much appreciate the interest you and your colleagues have shown in this critical public safety issue. I welcome the opportunity to answer any questions that you may have. Thank you.

SECTION 1 | Introduction

In 2002, more than 630,000 prisoners—about 1,700 per day—were released from State and Federal prisons (Harrison and Karberg, 2004). If past trends continue, just over half of them will be reincarcerated within 3 years (Langan and Levin, 2002). This pattern, indicative of poor reintegration of prisoners into the community, has wide-ranging social costs, including decreased public safety and weakened family and community ties. The goal of the Federal Serious and Violent Offender Reentry Initiative (SVORI) is to reduce the likelihood of reincarceration by providing tailored supervision and services to improve the odds for a successful transition to the community.

This *National Portrait of SVORI* is the first in a series of publications documenting the work of the Multi-site Evaluation of SVORI. The *Portrait* is the final product of a preliminary assessment of all 69 sites funded under SVORI and is based on reviews of grantee proposals and workplans, telephone interviews with program directors, and visits to selected sites. Because this document is based primarily on what grantees and programs are reporting, the descriptions reflect individual variations; material included in the *Portrait* reflects a mixture of planned and implemented activities. The results of a full implementation assessment (currently underway) will provide analysis and richer detail on how grantees structure and operate their reentry programs. Primarily, the *Portrait* is intended to engage and inform local SVORI programs, practitioners, policy makers, researchers, and the Federal partners.

This first section of the report provides the background and context behind the impetus for improving reentry outcomes. Section 2 provides an overview of the SVORI Multi-site Evaluation, including data collection plans and forthcoming topical reports. Section 3 provides an overview of how sites are structuring the reentry programs funded under the Initiative and describes the patterns and commonalities across sites. Section 4 concludes the report with detailed information, by grantee, on the SVORI reentry efforts in jurisdictions across the United States.

Reentry Defined

In this report, *reentry* is defined as the process of preparing and supporting offenders incarcerated in adult prisons and juvenile correctional facilities as they complete their terms and return to society. Reentry affects all who are released, regardless of their method of release or form of community supervision, if any.

If the reentry process is successful, both the public and the released prisoner benefit. Public safety gains are typically measured in terms of reduced recidivism. Other reintegration benefits include increased participation in social institutions such as the labor force, families, neighborhoods, schools, and faith communities. There are financial and social benefits associated with all forms of improvement.

SVORI programs are geared toward serious and violent offenders, particularly adults released from prison and juveniles released from correctional facilities. Although reentry is also an issue for offenders released from jails, pre-trial detention, or Federal prisons, these facilities are not the focus of the SVORI programs or of this report (although in a few SVORI programs, prisoners are transferred to county jails for intensive programming prior to release).

SVORI Overview

SVORI is a collaborative Federal effort to improve outcomes for adults and juveniles returning to communities from correctional facilities. The Initiative addresses reentry outcomes along criminal justice, employment, education, health, and housing dimensions. Funded by the U.S. Departments of Justice (DOJ), Labor (DOL), Education (Ed), Housing and Urban Development (DHUD), and Health and Human Services (DHHS), this unprecedented national response is intended to help States better utilize their correctional resources to reduce recidivism.

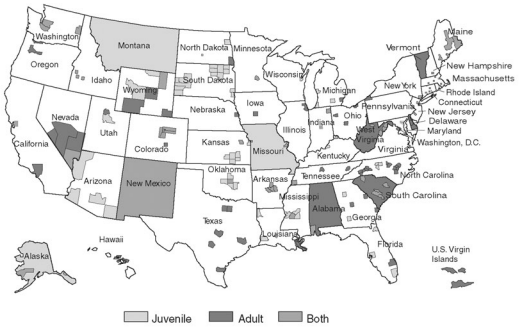
SVORI Goals

- To improve quality of life and self-sufficiency through employment, housing, family, and community involvement
- To improve health by addressing substance use (sobriety and relapse prevention) and physical and mental health
- To reduce criminality through supervision and by monitoring noncompliance, reoffending, rearrest, reconviction, and reincarceration
- To achieve systems change through multi-agency collaboration and case management strategies

Sixty-nine grantees at both State and local levels received a total of approximately $110 million to develop new or expand existing programs offering integrated supervision and reentry services to adults or juveniles leaving correctional facilities. Reentry efforts were funded through SVORI in all 50 States, plus the District of Columbia and the U.S. Virgin Islands. (See Exhibit 1-1, which shows the post-release geographical areas targeted by SVORI grantees. A list of SVORI grantees by State is shown in Appendix A.) Individually, grantees received between $500,000 and $2 million in single, 3-year awards. These funds were intended to enable jurisdictions to leverage other funds.

Although the program announcement closed in mid-2002, and all the grantees were allowed to spend travel funds from their full grant award to attend the initial cluster conference in August of 2002, there were certain requirements specific to each award that the grantees had to meet before being given approval to use their entire award. Varying amounts of time were needed to meet these requirements, which resulted in grantees receiving access to full funding at different times. By the last quarter of 2002, most grantees were allowed to spend up to 10% of their award for planning purposes while they completed site-specific requirements necessary to receive their full awards. Most grantees received full spending approval during 2003; about 10 grantees did not receive approval until early 2004.

Exhibit 1-1. Post-release Geographical Areas Targeted by SVORI Grantees



All grantees are required to establish and support a partnership between institutional and community agencies. For grantees targeting adult populations, these partnerships include the State Department of Corrections and at least one local community agency. For grantees targeting juvenile populations, the partnerships include the State agency responsible for juvenile correctional placements and a community agency involved in providing services to and/or supervising juveniles.

SVORI funding supports the creation of a three-phase continuum of services that begins in prison, moves to a structured reentry phase before and during the early months of release, and continues for several years as released prisoners take on increasingly productive roles in the community. Although conceptually straightforward, this model is far from "business as usual"—it requires State and local agencies to collaborate in ways that have been rare in the past.

Among the Initiative's priorities is providing services to those adults and juveniles who are most likely to pose a risk to the community upon release and to those who face multiple challenges upon returning to the community. Sites have an opportunity to create innovative reentry strategies that will contribute to the development of national models of best practices in reentry. In order to receive funding, the sites were required to identify and address service gaps and needs, while enhancing existing efforts with increased training and technical assistance. In doing this, sites were asked to ensure that programs promote productive social roles so that prisoners are able to move successfully from living under correctional control to becoming law-abiding and productive members of society.

Reentry Context

To better understand SVORI, it is important to consider the context surrounding reentry. State-level sentencing and release policies affect the reentry landscape and simultaneously reflect and shape public opinion regarding crime and criminals. Prison incarceration and release trends highlight the increasing importance of effective release planning and reentry programming. It is also essential to understand the significant needs of returning prisoners and to identify reentry strategies that are effective in addressing these needs.

Sentencing Policies

Adult Sentencing

The sentencing environment has undergone significant shifts over the past 30 years. For most of the 20th century, the U.S. judicial system was dominated by *indeterminate sentencing*, under which a prisoner's sentence consisted of a range of years (typically a minimum and a maximum), and a release authority (typically a parole board) determined when in that period to end the incarceration, resulting in a *discretionary release*. Within this framework, the parole boards played a critical role in determining the length of time a prisoner spent in prison, when post-release supervision would begin, and how to set sanctions and rewards for post-release behavior. Fundamental to this approach was a belief in rehabilitation—that with proper assistance, prisoners could become productive members of society (Petersilia, 2003).

Definitions

Indeterminate Sentencing—A prison sentence with a maximum term established at the time of sentencing, but not a fixed term. Parole boards determine when to release individuals from prison.

Determinate Sentencing—A prison sentence with a fixed term of imprisonment that is determined by a judge, a statute, or sentencing guidelines and that can be reduced by good-time or earned-time credits.

Discretionary Release—The release of an inmate from prison where the release date is decided by a board or some other authority.

Mandatory Release—The release of an inmate from prison where the release date is the result of a determinate sentence and is not decided by a panel or board.

Conditional Release—The release of an inmate from prison to community supervision (which includes probation or parole) with a set of conditions for remaining in the community. If the conditions are violated, the individual can be returned to prison or face another sanction in the community.

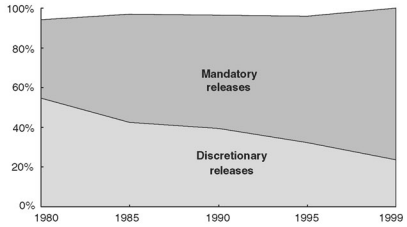
Unconditional Release—The release of an inmate from prison where he or she is not under community supervision and is not required to abide by special conditions (and therefore cannot be returned to prison without being convicted of a new offense).

Adapted from Travis and Lawrence (2002)

Beginning in the 1970s, however, public confidence in rehabilitation waned and support for incarceration increased as a result of a combination of factors, including the rising crime rate, increased problems with drug abuse, and research evaluations suggesting that rehabilitation had no effect on decreasing recidivism. A 1974 essay by Robert Martinson suggesting that "nothing works" (in reference to the effect of rehabilitation on recidivism rates) had a significant impact on policy (Martinson, 1974). In the next decade, the "war on drugs" resulted in tough anti-crime measures, increased spending on incarceration, and a crackdown on drug abusers.

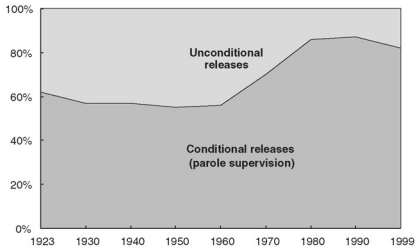
This policy shift led toward a system of *determinate sentencing,* under which prisoners receive a fixed-term sentence set by statute or sentencing guidelines that, in some cases, can be reduced by earned-time or good-time credits. The resulting release from a determinate sentence (called a *mandatory release*) is based solely on the statutory sentence length (plus or minus credits for behavior) and is not determined by a parole board. Under mandatory release policies, release occurs regardless of behavior, removing the incentive for good behavior. Between 1980 and 1999, the percentage of releases that were mandatory increased from 39% to 77% (Hughes, Wilson, and Beck, 2001). (See Exhibit 1-2.) The national trend over the past 25 years has been an increase in the use of imprisonment—incorporating certainty in sentence length—as a way to deter future crime and increase public safety (Petersilia, 2003).

Exhibit 1-2. Mandatory Prison Releases Compared with Discretionary Prison Releases, 1980, 1985, 1990, 1995, 1999



Source: Hughes, Wilson, and Beck (2001)

Exhibit 1-3. Unconditional Prison Releases Compared with Conditional Prison Releases, 1923–1999



Source: National Prisoner Statistics (NPS-1) Series, Bureau of Justice Statistics

Following release, some former prisoners continue to be supervised in the community, a practice generally termed *parole supervision*, though some States have replaced parole with other types of post-release supervision. The proportion of these supervised, or *conditional*, releases increased sharply between 1960 and 1980 (Hughes, Wilson, and Beck, 2001). (See Exhibit 1-3.) This trend leveled off during the 1980s, when 80% of prison releases were conditional. Since 1990, the proportion of prisoners released without parole supervision (*unconditional release*) has been increasing, totaling more than 100,000 (Hughes, Wilson, and Beck, 2001). The number of unconditional releases is still relatively small, however, compared with those released under conditional supervision or parole.

In addition to changes in determinate sentencing and methods of release, States have implemented a variety of sentencing reforms, including mandatory minimum sentences for designated crimes, truth-in-sentencing practices that reduce earned-time or good-time credits for violent offenders, and "three-strikes" laws that increase

the chance that persistent repeat offenders will be imprisoned for long periods of time or life. There has also been an increase in the use of specialized courts (e.g., drug courts), which attempt to balance punishment, treatment, and programming (Butts and Mears, 2001). Moreover, States have differentially adopted such policies, some choosing to implement them, others maintaining traditional models (Tonry, 1999). Despite the lack of uniformity, the overall philosophy on sentencing policy has changed, and this change has had an impact on the ways in which prisoners are prepared for their release and on their incentive for engaging in programming during incarceration.

Juvenile Sentencing

For juvenile offenders, sentencing policies have also changed. Many States have altered their laws to expand sentencing options for criminal and juvenile courts. As with adults, an increasing number of jurisdictions use specialized courts, such as teen courts, that provide a balance of punishment and rehabilitation (Butts and Mears, 2001). Blended sentencing practices allow for sentences to begin in the juvenile system and continue into the adult system (Mears, 2000). Although some juveniles spend their entire period of incarceration within the juvenile system, others begin in the juvenile system but complete their sentence in the adult system; still others begin and complete their sentence within the adult system. Revised transfer provision laws make it easier to transfer juveniles into the adult criminal justice system, and traditional confidentiality provisions have been loosened (Howell, 2003). The use of blended sentencing and relaxed transfer provisions means that it is now much more common to find juveniles in the adult system. These alternative juvenile incarceration options make the measurement and understanding of youth reentry especially complex (Mears and Travis, 2003).

Incarceration and Release Trends

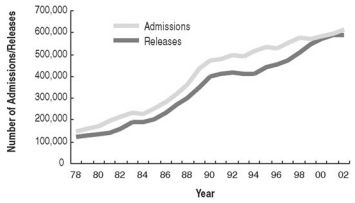
The relationship between sentencing policies and trends in incarceration is a complex one, as changes in sentencing policies can be prompted by patterns in admissions and releases and at the same time result in new trends. Current trends, indicating an increasing number of prisoners returning to the community, highlight the importance of reentry planning and preparation.

Adult Trends

The U.S. prison population nearly doubled in size between 1990 and the end of 2002, from 708,393 to 1,277,127 (BJS, 2003). This increase in prisoners was followed by an increase in the number of State and Federal prison releases from 405,400 to 630,000 between 1990 and 2002. Releases from State prisons increased 46% between 1990 and 2002, from 405,400 to 589,844 (Hughes and Wilson, 2003). (See Exhibit 1-4 for admission and release trends from 1977 through 2002; also see Appendix B for a detailed listing of admission and release numbers by State.)

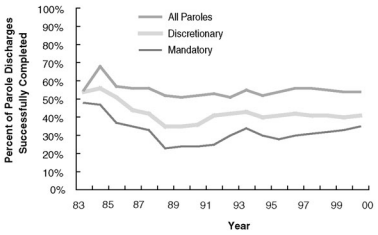
As stated earlier, the majority of prisoners are released to parole or some other form of conditional supervision. The type of parole appears to make a difference in the success of the parolee in avoiding a parole revocation that results in a return to prison. State prisoners released by a parole board (discretionary parolees) have consistently had higher success rates than those released through mandatory parole. (See Exhibit 1-5.) In 2000, 54% of discretionary

Exhibit 1-4. State Prison Admissions and Releases in the U.S., 1978-2002



Source: Correctional Populations in the U.S. (BJS, 2002) and Prison and Jail Inmates at Midyear 2002 and 2003 (Harrison and Karberg, 2004)

Exhibit 1-5. Percentage of State Parole Discharges Successfully Completing Supervision, 1983–2000



Source: Hughes and Wilson, 2003

State Budgets and Criminal Justice Expenditures

Recent pressure on State budgets has caused some States to begin reevaluating their criminal justice expenditures, which on average accounted for 13% of States' general funds and were estimated to total $68 billion in 2002 (National Governors' Association, 2004). The Massachusetts Taxpayers Foundation recently released a bulletin noting that, for the first time in several decades, Massachusetts is spending more on prisons than it is on public higher education, appropriating $830 million for corrections facilities and only $816 million for public higher education in 2003 (Massachusetts Taxpayers Foundation, 2003). The average annual cost of incarcerating an adult is roughly $25,000, which is more than the cost of many treatment programs or intermediate sanctions such as halfway houses or parole supervision.

As a result of increased expenditures in a time of resource scarcity, some States have begun to make changes in terms of policy and spending. According to findings from a survey by the Vera Institute of Justice, reductions in corrections expenditures in fiscal years 2003 and 2004 were evident in roughly one-quarter of States (Wool and Stemen, 2004). The study also noted that States have begun considering new policy options in an effort to reduce the number of prison admissions as well as the length of prison sentences. Some examples include treatment alternatives and reductions in the use of mandatory minimums. Responding to these budgetary concerns, shifting priorities, and the desire to increase public safety in the long term, SVORI has positioned States to take advantage of the available knowledge base regarding "what works" to reduce the recidivism rate.

parolees were successful, compared with 35% of mandatory parolees. The difference in success rates of those released on discretionary and mandatory parole may be attributable to differences in incentives or supervision practices or to differences in the characteristics of those released under the two release mechanisms. In other words, in States with both discretionary and mandatory parole, those chosen for discretionary release are likely to be those judged prior to release to have the highest likelihood of success following release.

Regardless of the type of parole being used by States, parole violators now make up a substantially larger percentage of total prison admissions. As a percentage of all admissions to State prison, parole violators more than doubled from 17% in 1980 to 35% in 1999. Between 1990 and 1999, the number of parole violators admitted to State prisons rose approximately 50%, while new court commitments rose only 7% (Hughes, Wilson, and Beck, 2001).

Juvenile Trends

Juveniles, though more likely to serve shorter sentences than adults (typically less than a year), are likely to have repeated placements; many of them will have been incarcerated for approximately one-third of their adolescence (Snyder, 2004). Additionally, the size of the population of incarcerated youth is more difficult to quantify because they are found in both the adult and juvenile systems. In spite of these complications, researchers estimate that roughly one-third of the more than 600,000 returning prisoners each year consists of those younger than 24 years of age (Mears and Travis, 2003). Of those individuals, it is estimated that roughly two-thirds will be rearrested within 12 months of release (Krisberg and Howell, 1998).

As a result of recidivism and stricter sentencing, the need for bed space in juvenile facilities is on the rise. Between 1989 and 1998, the number of juveniles adjudicated to residential placement facilities increased 37% (Sickmund, 2003). Increasing incarceration rates have also been attributed to higher numbers of drug-related and violent offenses, as well as to an increase in the sentencing of females to correctional facilities (up 50% between 1990 and 1999) (Harris, 2003).

Needs of Returning Prisoners

Released prisoners face enormous challenges, from finding jobs and housing to staying sober, while avoiding high-risk persons and places. One key to successful reentry is identifying these challenges and tailoring reentry plans and services to address them.

Finding employment is one of the most pressing needs facing returning prisoners. Although many prisoners were working prior to incarceration (Beck et al., 1993), their education level, work experience, and skills are well below national averages for the general population (Andrews and Bonta, 1994). Further, the stigma associated with incarceration often makes it difficult for returning prisoners to secure jobs (Holzer, Raphael, and Stoll, 2002); when they do, they tend to earn less than individuals with similar backgrounds who have not been incarcerated (Bushway and Reuter, 2001). Despite evidence that vocational and educational programs are effective (Bushway and Reuter, 2001), access to them is often limited in prisons, and availability has declined over the past decade (Lynch and Sabol, 2001).

Many prisoners have substance abuse problems. According to a 1997 national survey of State prisoners, 80% reported a history of drug use or alcohol abuse (Mumola, 1999). Although studies indicate that treatment can reduce drug use and criminal activity (Gaes, Flanagan, Motiuk, and Stewart, 1999), only 10% of State prisoners reported receiving formal substance abuse treatment in 1997, down from 25% in 1991 (BJS, 2000).

Prisoners are also much more likely than the general population to have chronic and infectious diseases, and they account for a significant portion of the total population infected with HIV or AIDS, hepatitis B and C, and tuberculosis (Hammett, Roberts, and Kennedy, 2001). Rates of mental illness among prisoners are two to four times those of the general population (Lurigio, 2001). Individuals with dual and triple diagnoses (e.g., for substance abuse, mental illness, and HIV infection) face acute difficulties, and the associated service needs present substantial challenges.

Many former prisoners lack the financial resources or personal references necessary to compete for and secure housing in the private housing market. Moreover, Federal laws may bar convicted felons from public housing and Federally assisted housing programs, and living with family or friends is not always an option. Returning prisoners who are unable to secure housing may go to shelters or become homeless.

Reentry Success Story—Hawaii BEST Reentry Program

"BEST held a career expo for 29 inmates including SVORI participants and other offenders. We bused all participants from the local facility to Maui Economic Opportunity, Inc.; 10 businesses participated and conducted mock interviews with the participants. BEST presented a short skit, *The Dos and Don'ts of Interviewing*, which was followed by a fashion show and information on affordable clothing for interviews and work fairs. Business leaders also made presentations throughout the workshop, such as *What Employers Look For, Attitude*, and *First Impressions*. During a break, BEST provided employers with information about incentives for hiring ex-offenders. We intend to make this an annual event. Evaluations completed by participants indicated that they felt they had benefited from the event."

—Verdine Kong, Hawaii BEST Project Director

Legal Barriers to Reentry Success

The Legal Action Center's recent report (2004) documents the legal barriers that former prisoners face upon their return to free society, including barriers related to employment, housing, benefits, voting, access to criminal records, parenting, and driving. Among its findings, the report indicates that over the past 20 years, Congress and State legislators have imposed new restrictions on eligibility for public benefits, student loans, and driver's licenses. Specifically, most States permit employer discrimination against individuals with criminal histories, restrict a former prisoner's right to vote, and limit a former prisoner's eligibility for public assistance and food stamps. The report's legislative recommendations include eliminating arrest records as a deciding factor in eligibility determinations for public benefits, reducing the public accessibility of conviction information on the Internet, and restoring former prisoners' right to vote.

Needs Related to Children and Families of Prisoners

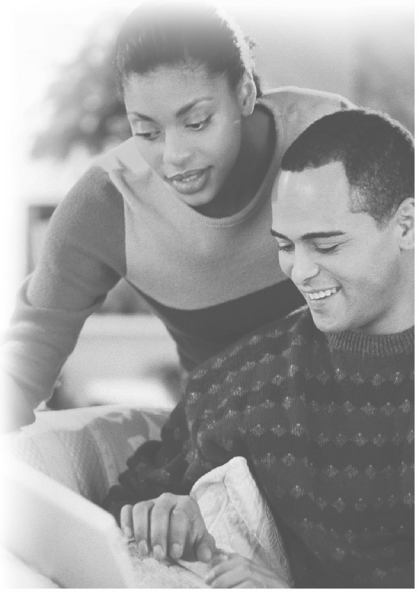
In 1997, 55% of State prisoners reported having one or more children, and nearly 46% of these parents lived with their minor children at the time they were admitted to prison (Mumola, 2000). While the percentage of prisoners who are parents has remained about the same over the past decade, the increase in the number of prisoners means that there are many more children who have one or more parents incarcerated. In 1999, about 1.3 million children under the age of 18 had parents in State prisons (Mumola, 2000).

Prisoners are often cut off from their families, and the same is true for contacts between incarcerated parents and their children. Lynch and Sabol (2001), using data from a 1997 BJS prisoner survey, reported that only about 20% of those incarcerated for less than a year had weekly visits with their children. This figure dropped to 10% for those incarcerated for 5 years or more. Similarly, those incarcerated for 5 years or more were less likely to have weekly communication through phone calls and letters than those with shorter sentences.

Specialized Needs of Juveniles

Longer and stricter sentences for young populations can also increase the challenges associated with successful reintegration into society. Increased time away from family members, jobs, and the educational system increases the chances that youth will fall even farther behind than they might have been before incarceration. Youth returning from commitment are likely to have relatives who have been incarcerated, to have not completed eighth grade, and to have begun regular drug and alcohol use at a young age (Snyder, 2004). A review of recent studies notes that 36% of committed juveniles suffer from a learning disability (Rutherford, Bullis, Wheeler Anderson, and Griller-Clark, 2002), and more than 40% of youth in the juvenile justice system have a history of substance abuse (Aarons, Brown, Hough, Garland, and Wood, 2001). Juveniles committed in facilities are more likely to have some type of mental illness than youth in the general population (Teplin, Abram, McClelland, Dulcan, and Mericla, 2002), resulting in additional risks and barriers upon release (Snyder, 2004).

The juvenile population also has unique developmental needs. Young released prisoners face challenges in both the transition from a correctional facility to the community and the transition from childhood to adulthood. Successful reintegration requires developmentally appropriate services and resources (Altschuler and Brash, 2004).



What Works

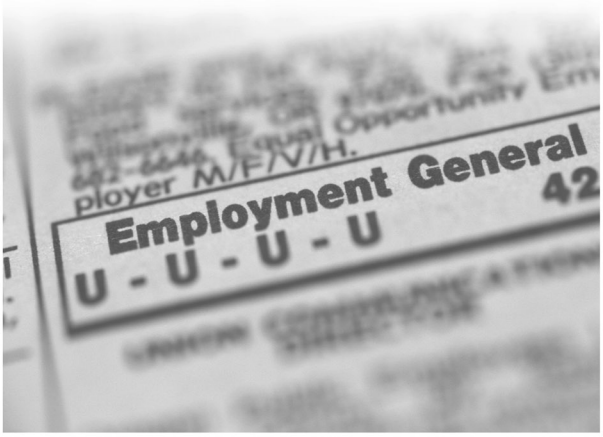
Recent research on rehabilitation-oriented programs is promising. Treatment geared toward reducing drug use and criminal activity among prisoners has been shown to be effective, particularly when the treatment spans the incarceration and post-release periods (Gaes et al., 1999). Job training and work programs have also been shown to have a significant impact on the employment and recidivism rates of older men (Bushway and Reuter, 2001).

A recent meta-review of reentry program evaluations identified several approaches that appear to work. For example, vocational and work-release programs were found to improve skills and reduce recidivism. Pre-release programs and some drug treatment programs had similar effects on participants. Those who stayed in halfway houses committed less severe and less frequent crimes, and educational programs were deemed capable of increasing achievement scores (Seiter and Kadela, 2003).

Reentry Success Story—Ohio Community-Oriented Reentry (CORE) Program

"As the project director for the grant, I have had the opportunity to observe and participate in the Reentry Management Teams. In all the years of working for the Department of Rehabilitation and Correction, this has been one of the most powerful and moving experiences I have been afforded. I have witnessed offenders—who in the past would have been written off—grow, mature, and begin to accept responsibility for their behaviors and attitudes. I wish I could record the interaction between the Reentry Management Team and the offender to illustrate what a wonderful tool this is becoming as the process begins to mature. One of the key differences I see with the reentry process is allowing offenders to have input and decision-making capabilities regarding their own lives. Offenders are beginning to take ownership of their life plan and of their future."

—Angela Lee, Ohio CORE Project Director



Reentry Success Story—Miller

Miller* was on probation before he came to prison for 2 years. Twelve months before being paroled, Miller became a resident in the HOPE Therapeutic Community at the Gunnison prison in Utah. Miller is now successfully living in his community with family members. Since the week he paroled, he has successfully completed 6 months of substance abuse treatment and has consistently tested negative for substance use. Miller has been employed as a laborer with a concrete company, where he makes $18.00 per hour. He is reunited with his 8-year-old daughter. He has a valid driver's license and an insured automobile. He attends the monthly Reentry Client/Family meetings and brought his daughter to the Christmas Party.

*Name has been changed.

As a result of these and other positive findings, attitudes about punishment and sentencing have begun to shift back toward recognizing the value of treatment. A 2001 study showed less public support for longer sentences as a means to reduce crime than had previously been found. Two-thirds of respondents supported the use of services such as job training and education as the proper approach to reducing crime. Only 28% believed that long sentences and increased incarceration were the most effective methods of increasing public safety. For the most part, survey respondents favored a more balanced approach to crime reduction, emphasizing services and prevention (Peter D. Hart Research Associates, Inc., 2002).

State governments have also begun to modify their approaches to corrections, balancing reductions in correctional budgets (in times of tight State coffers) with treatment-oriented programming. In 2003, 13 States reportedly enacted significant reforms to their corrections policies, some repealing mandatory minimums and others offering more treatment-oriented alternatives (Wool and Stemen, 2004). In an effort to support States in developing meaningful programming for a population that made up a large share of prison admissions—people failing after prison release—the Federal government launched SVORI.

This section has provided the context and rationale for the funding of SVORI. The trends in both prisoner populations and sentencing policies show the need for improved reentry planning, programming, and services. The following section provides further information about the multi-site evaluation of SVORI and plans for future analysis and reporting. The remainder of the report describes what SVORI grantees are doing across the United States.

The Multi-site Evaluation of the Serious and Violent Offender Reentry Initiative

Characteristics of Prisoner Reentry Programs

By Laura Winterfield, *Urban Institute,* and Christine Lindquist, *RTI International* July 2005

In 2003, the US DOJ, DOL, ED, DHUD, and DHHS funded 69 state agencies to implement reentry programs for prisoners. The SVORI funding is supporting 89 programs nationwide that are currently being evaluated by RTI International and the Urban Institute.

In this *Reentry Research in Action* brief, we describe the SVORI programs along various dimensions that characterize their areas of emphasis. Findings are based on data gathered from a June 2005 survey of the SVORI program directors.

The Federal SVORI funding consortium believed that individual states were better positioned than the Federal government to determine the particular elements of a reentry initiative that would most appropriately fit their individual offender needs and organizational resources. Thus, the various state-level activities being operated under SVORI funding are not intended to be viewed as a traditional treatment "program" with specific components dictated by an a priori model. This report describes the SVORI programs along various dimensions that characterize their areas of emphasis, based on data gathered from a June 2005 survey of the SVORI program directors for all 89 programs[1]. Table 1 summarizes the SVORI programs along key organizational characteristics.

As shown in the table, most (64%) program directors reported that the post-release phase of reentry programming is run primarily by a government agency rather than a private one, although staff from both types of agencies are likely to be involved. Additionally, most program directors reported using program funds to "fill service gaps" or "expand an existing program" rather than to "develop new programming."

Table 1. Characteristics of SVORI Programs

Characteristic	Programs n	%
Main Post-release Agency Type		
Government agency	57	64.0%
Private agency	25	28.1%
Primary Use of SVORI Funds		
Starting a new program	21	23.6%
Expanding an existing program	25	28.1%
Filling service gaps	36	40.4%
Phase Emphasis		
Pre-release	3	3.4%
Post-release	20	22.5%
Both	60	67.4%
Pre-release Geographic Targeting		
All facilities	36	40.4%
Select facilities only	46	51.7%
Post-release Geographic Targeting		
All communities (statewide)	8	9.0%
Select communities only	75	84.3%
Offender Needs Targeting		
General "serious and violent" population	71	79.8%
Subset of offenders with specific service needs	10	11.2%
Other	2	2.2%
Service Targeting		
Attempt to provide all needed services for participants	73	82.0%
Focus on a specific type of service or set of services	10	11.2%

Note: Percentages reported in this table are percentages of all (89) SVORI programs and do not sum to 100 because of missing data.

[1] The 69 SVORI grantees are operating a total of 89 distinct programs. The multi-site evaluation describes characteristics at the program level rather than the grantee level.

Consistent with the intent of SVORI to develop services and programming within the institution and the community to span three phases—institutional, supervised post-release, and post-supervision—most of the program directors reported that their programs did not focus primarily on either the institutional or the community phase but emphasized both.

An important characteristic of the SVORI programs is the extent to which each program chose to target pre-release resources on individuals in a few or all institutions and post-release programming on those returning to a few or all communities statewide. Most grantees reported that their SVORI program is geographically restricted. Slightly more than half have implemented SVORI in selected correctional institutions, and most have targeted specific communities of return.

Regarding the target population for SVORI services, program directors reported that, in general, they serve the serious and violent offender population as a whole as opposed to serving a subset of offenders with specific service needs. Additionally, rather than focusing service provision on a particular set of offender needs, they mostly reported attempting to provide all needed services.

Top service-need areas:
- Employment
- Community integration
- Family support/unification

The three service-need areas most often ranked as the number one priority were employment, community integration, and family support/unification (see Table 2). Other services that were frequently ranked in the top three include substance abuse treatment and education/skills building. Given that the literature supports the importance of work, integration into family and community, and decreased substance use as key factors influencing successful reentry, the programmatic foci seem not only appropriate but encouraging.

Table 2. Primary Focus of SVORI Programs

	All Programs				
	Any Rank		Top Rank		Mean
Service Type	n	%	n	%	
Employment/vocation	57	64.0%	24	27.0%	2.12
Community integration	44	49.4%	24	27.0%	2.25
Substance abuse	43	48.0%	9	10.0%	1.88
Education/skills building	36	40.4%	6	6.7%	1.78
Mental health	23	25.8%	6	6.7%	1.87
Family support/unification	25	28.0%	10	11.0%	2.12
Other	15	17.0%	2	2.2%	1.67
Physical health	0	n/a	0	n/a	n/a

Note: This table shows the results of a question asking program directors to rank the top three areas on which they are focusing their programs and services. Results are based on the 83 returned surveys. "Any Rank" means service was included in programs' list of top three services. "Top Rank" means service was identified as programs' top priority. "Mean" is the mean rank score for each service type (with "3" ranked highest)—a higher score indicates a larger number of high rankings.

Multi-site Evaluation of SVORI Principal Investigators

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The Multi-site Evaluation of the Serious and Violent Offender Reentry Initiative

Faith-Based Involvement: Findings from the SVORI Multi-site Evaluation

By Christine Lindquist and Susan Brumbaugh, *RTI International* July 2005

In 2003, the US DOJ, DOL, ED, DHUD, and DHHS funded 69 state agencies to implement reentry programs for prisoners. The SVORI funding is supporting 89 programs nationwide that are currently being evaluated by RTI International and the Urban Institute.

In this *Reentry Research in Action* brief, we provide information on the involvement of faith-based organizations in SVORI programs. Findings are based on data gathered from a June 2005 survey of the SVORI program directors.

One of the community partnerships suggested by the Federal partners in the funding solicitation for sites was with the faith-based community. In conceptualizing and implementing their reentry programs, many of the 89 SVORI programs[1] have developed strong collaborations with local faith-based agencies, including both individual faith-based organizations and umbrella groups representing numerous faith-based organizations in the community.

The table below reports the number and percentage of SVORI programs that reported the provision of specific services to SVORI participants by faith-based organizations both prior to and after release.

Number and Percentage of Programs Reporting the Provision of Services by Faith-Based Organizations Pre- and Post-Release

Service	Programs Offering Pre-Release		Programs Offering Post-Release	
	n	%	n	%
One-on-one mentoring	38	42.20%	48	53.30%
Housing placements or referrals	20	22.20%	38	42.20%
AA/NA	17	18.90%	36	40.00%
Counseling sessions	17	18.90%	32	35.60%
Peer support groups	17	18.90%	30	33.30%
Financial support/emergency assistance	16	17.80%	41	45.60%
Family reunification	16	17.80%	31	34.40%
Employment referrals/job placement	12	13.30%	27	30.00%
Parenting skills development	12	13.30%	34	37.80%
Anger management/violence counseling	12	13.30%	26	28.90%
Comprehensive drug treatment	11	12.20%	20	22.20%
Life skills training	10	11.10%	29	32.20%
Assistance obtaining benefits and completing applications	9	10.00%	16	17.80%
Treatment/release plan	8	8.90%	15	16.70%
Family counseling	8	8.90%	28	31.10%
Resume and interviewing skills development	7	7.80%	22	22.40%
Cognitive skills development/behavioral programming	7	7.80%	20	22.20%
Assistance obtaining identification	7	7.80%	25	27.80%
Domestic violence services	7	7.80%	21	23.30%
Education/GED/tutoring/literacy	6	6.70%	17	18.90%
Mental health services	5	5.60%	13	14.40%
Needs assessment	4	4.40%	10	11.10%
Risk assessment	3	3.30%	5	6.00%
Vocational training	3	3.30%	16	17.80%
Medical services	2	2.20%	13	14.40%
Legal assistance	1	1.10%	5	5.60%
Dental services	0		6	6.70%
Transportation	n/a		28	31.10%

[1] The 69 SVORI grantees are operating a total of 89 distinct programs. The multi-site evaluation describes characteristics at the program level rather than the grantee level.

Faith-based organizations tend to be more involved in service provision to SVORI participants after release than prior to release. The services most frequently delivered by faith-based organizations are one-on-one mentoring (provided to SVORI participants after release by faith-based organizations in over half of the SVORI programs), financial support/emergency assistance, and housing placements or referrals.

Services most frequently delivered by faith-based organizations:

- One-on-one mentoring
- Financial support/emergency assistance
- Housing placement/referrals

Other roles for faith-based organizations in SVORI include providing guidance to the program through participation in the program's steering committee, serving as community advocates for SVORI, or being involved in unique program components. For example, of the SVORI programs with Community Accountability Panels, 27% have representatives from faith-based organizations on these panels. Of those that utilize offender-specific reentry teams, 39% include faith-based representatives on the teams. In some programs, faith-based organizations are extensively involved in day-to-day service coordination. Case management is provided by faith-based organizations prior to release in 13 programs (14.6%) and post-release in 16 programs (18.0%).

Through interviews and site visits conducted by multi-site evaluation staff, it is evident that several of the programs have emphasized the value of involving faith-based organizations in their SVORI programs, particularly in the final phase of reentry, during which formal supervision ends and the responsibility for successful reintegration shifts to the community. A detailed example of faith-based involvement in one of the SVORI programs, the Michigan adult program, is provided in the box below (this information was originally published in the *National Portrait of SVORI*, which is available at www.svori-evaluation.org).

The Role of Faith-Based Organizations in the Michigan SVORI Program

The *Michigan Department of Corrections* reentry program is supported by the strong involvement of a local faith-based organization, Wings of Faith. This organization provides case management for all reentry clients. As program participants enter the pre-release facility in which they receive reentry programming, they are assigned to a Wings of Faith case manager. During the months prior to release, these case managers go into the participating facilities to conduct needs assessments and begin addressing barriers to success. After release, they continue to work closely with the parole officer assigned to participants. Although some agencies require that a service referral come from a parole officer, the Wings of Faith case managers provide the majority of service referrals (as well as needs assessments) for program participants. A notable feature of the program is that Wings of Faith and the parole officer are co-located in a one-stop center (The Samaritan Center) that also houses numerous local nonprofit service providers, facilitating more immediate access to services. Wings of Faith also does much of the public relations work and marketing for the program, which has helped promote community support.

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Reentry Research in Action
Findings from the Field

The Multi-site Evaluation of the Serious and Violent Offender Reentry Initiative

Characteristics of Prisoner Reentry Programs for Juveniles

By Laura Winterfield, *Urban Institute,* and Susan Brumbaugh, *RTI International* October 2005

In 2003, the US DOJ, DOL, ED, DHUD, and DHHS funded 69 agencies to implement reentry programs for prisoners. The SVORI funding supports 89 programs nationwide that are currently being evaluated by RTI International and the Urban Institute. Thirty-seven of these programs specifically target juveniles (the remaining 52 programs include 7 programs serving both adults and juveniles).

In this *Reentry Research in Action* brief, we describe SVORI programs exclusively serving juveniles along various dimensions that characterize their reentry approaches. Findings are based on data gathered from a June 2005 survey of the SVORI program directors.[1]

The SVORI multi-site evaluation team provides frequent, brief, and practical information on SVORI programs and interim evaluation findings through our RRIA series of topical briefs. This RRIA focuses on SVORI programs that serve juveniles exclusively, and highlights organizational characteristics, approaches to service coordination, and special service components. This information will be of immediate interest to those practitioners interested in designing similar programs.

The SVORI program solicitation provided only broad programmatic guidelines to the applicants, including requirements for three phases (pre-release, short-term post-release, and long-term community reintegration), needs assessment, and coordinated case management. As a result, the programs funded under the initiative vary widely in terms of programmatic characteristics and services delivered. Table 1 provides a summary of the key organizational characteristics of the juvenile SVORI programs. Although most SVORI funds were awarded to state juvenile justice or social service agencies, nearly one quarter of post-release phases were run by private agencies through contracts. Only a small minority of the juvenile programs reported starting a new program (22%), and most emphasize the pre- and the post-release phases equally.

Table 1. Characteristics of SVORI Programs Exclusively Serving Juveniles

Characteristic	Programs n	Programs %
Main Post-release Agency Type		
Government agency	28	75.7%
Private agency	9	24.3%
Primary Use of SVORI Funds		
Starting a new program	8	21.6%
Expanding an existing program	12	32.4%
Filling service gaps	17	45.9%
Phase Emphasis		
Emphasizes either the pre-release phase or the post-release phase	8	21.6%
Emphasizes both phases equally	29	78.4%
Pre-release Geographic Targeting		
All facilities	20	54.1%
Select facilities only	17	45.9%
Post-release Geographic Targeting		
All communities (statewide)	3	8.1%
Select communities only	34	91.9%
Offender Needs Targeting		
General "serious and violent" population	32	86.5%
Subset of offenders with specific service needs	5	13.5%
Service Targeting		
Attempt to provide all needed services for participants	30	81.1%
Focus on a specific type of service or set of services	7	18.9%

Note: Percentages reported in this table are based on the 37 SVORI programs serving juveniles or juveniles and youthful offenders (juveniles sentenced as adults). This analysis does not include any programs serving adults.

Although most of the juvenile program directors reported providing all needed services to participants, a higher proportion of juvenile programs (19%) appear to be targeting a specific set of services than adult programs (11%). This programmatic concentration is not surprising, in that juvenile programs are more likely than adult programs to provide specialized services.

Although post-release geographic coverage was generally targeted (nearly all programs targeted their post-release activities in selected communities), the programs were overwhelmingly inclusive with regard to their target population (with 87% of programs serving the general serious and violent population rather than a subset of offenders with specific needs) and general in their service focus (81% of programs attempt to provide all needed services rather than focusing on a specific subset).

The program directors were asked to rank, among a set of factors, the services that were their top three priorities (see Table 2). The service-need areas most often ranked as the number one priority were family support/unification, community integration, and employment. Among all of the possible services, education services were ranked most frequently in the top three. The concentration on family support/unification, community integration and skills building (employment, vocational, and educational services) seems entirely appropriate given both the nature of the population being served (juveniles) and the overall purpose of SVORI (effecting a successful community transition).

Top service-need areas:
- Family support/unification
- Community integration
- Employment

Table 2. Primary Focus of SVORI Programs Exclusively Serving Juveniles

	All Programs				
	Top Rank		Any Rank		Mean
Service Type	n	%	n	%	
Family support/unification	10	27.0%	20	54.1%	2.30
Community integration	10	27.0%	21	56.8%	2.19
Employment/vocation	9	24.3%	19	51.4%	2.11
Education/skills building	5	13.5%	22	59.5%	1.91
Substance abuse	2	5.4%	14	37.8%	1.71
Mental health	1	2.7%	10	27.0%	1.70
Other	0	n/a	5	13.5%	1.40
Physical health	0	n/a	0	n/a	n/a

Note: This table shows the results of a question asking program directors to rank the top three areas on which they are focusing their programs and services. Results are based on the 37 surveys returned by directors of juvenile programs. "Any Rank" indicates service was included in programs' list of top three services. "Top Rank" indicates the service was identified as programs' top priority. "Mean" is the mean rank score for each service type (with "3" ranked highest)—a higher score indicates a larger number of high rankings.

The remaining tables present information on the approaches used to coordinate service delivery (Table 3) and the use of unique program components (Table 4). In some cases, program directors report differences in services and components provided to SVORI participants and "non-SVORI"—defined as individuals comparable to SVORI participants in terms of age, needs, and risk criteria but who are not enrolled in the program.

Table 3 shows that SVORI juvenile programs include a high degree of case management—usually provided by the same case manager or supervising agent both pre- and post-release. Less than a quarter of the programs report providing case management for a higher proportion of SVORI participants than they do for comparable, non-SVORI offenders during the pre-release phase, indicating that case management is a general programmatic approach for these juvenile justice systems and not a new service just for SVORI participants.

One of the cornerstones of the Intensive Aftercare Program model popularized by David Altschuler is the linking of institutional and community corrections through structure, policies, programs, and practices. Several juvenile SVORI programs reflect this model, as exemplified by the SC Department of Juvenile Justice. There, the efforts of reintegration coordinators have made institutions more receptive to having community representatives come into the facility. The facility sets aside days for community service providers to work with juveniles while they are still incarcerated. This has enabled the institution to make direct links to the community.

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Table 3. Service Coordination Approaches among SVORI Programs Exclusively Serving Juveniles

Service Coordination Approach	Programs n	%
Case Management		
Provide pre-release case management	37	100%
SVORI proportion higher than comparison proportion	8	21.6%
Provide post-release case management	36	97.3%
SVORI proportion higher than comparison proportion	12	32.4%
Use same case manager for pre- and post-release	29	78.4%
Use same supervision officer for pre- and post-release	31	83.8%
Continuity of Care	**36**	**97.3%**
Wrap-Around Approach	**35**	**94.6%**
Community Accountability Panels/Boards	**13**	**35.1%**
Use only with SVORI participants pre-release	9	24.3%
Use only with SVORI participants post-release	8	21.6%
Composition of panel/board same for pre- and post-release	8	21.6%
Offender-Specific Reentry Teams	**22**	**59.5%**
Use only with SVORI participants pre-release	14	37.8%
Use only with SVORI participants post-release	16	43.2%
Composition of team same for pre- and post-release	8	21.6%
One-Stop Shop	**14**	**37.8%**

Note: Percentages reported in this table are based on the 37 SVORI programs serving juveniles or juveniles and youthful offenders (juveniles sentenced as adults). This analysis does not include any programs serving adults.

The programs also report that virtually all SVORI participants receive post-release case management, with about a third of the programs reporting that more SVORI than non-SVORI offenders receive post-release case management. Notably, a majority of programs reported that the same case manager (78%) and supervising officer (84%) work with SVORI participants both pre- and post-release. This provision of case management by the same individuals pre- and post-release is likely related to the almost universal reporting (97% of programs) of the provision of "continuity of care" (i.e., a model in which a case manager, supervision officer, or service provider is involved with an individual from the pre-release facility to the community).

> Within the juvenile justice arena, continuity of care is considered to be a "best practice." For SVORI programs, we found that virtually all programs report providing continuity of care, and that the actors (case managers and supervising officers) providing this care are the same both pre- and post-release (78% and 84% respectively). Having the same staff involved with the juvenile prior to and after release ensures that those managing the case are familiar with key aspects of both institutional and community service provision.

Another key aspect related to the coordination of services for juvenile SVORI offenders is the use of a "wrap-around approach" that is defined by a broad set of interested agencies developing and delivering a comprehensive, individualized treatment plan that includes the offenders' entire social network. Nearly all (95%) programs reported using such an approach that creates a more holistic intervention for the offender. As this approach is considered a "best practice" within the juvenile justice arena because it creates a more holistic intervention for the youth, it is encouraging to see the frequency with which it is reported being used.

Other approaches that can improve service coordination include the use of community accountability panels (used by one-third of programs, with more than half retaining the same board composition for pre- and post-release) and offender-specific reentry teams (used by more than half of the programs, with one-third of those teams comprising the same members pre- and post-release). More than one-third of programs report using a "one-stop shop" within which a variety of treatment providers are available to provide referrals or services to juveniles in a single location in the community.

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Table 4 shows other program components reported by program directors. Among these components, programs most often reported using a curriculum-based classroom program prior to release. These activities are not generally specific to SVORI, with three programs reporting activities used only with SVORI participants (although many programs report prioritizing SVORI participants).

Table 4. Program Components Used by SVORI Programs Exclusively Serving Juveniles

Program Components	Programs n	Programs %
Reentry Courts	**11**	**29.7%**
Use only with SVORI participants	6	16.2%
Video-Conferencing	**14**	**37.8%**
Use only with SVORI participants	4	10.8%
Pre-release Curriculum-Based Programs	**36**	**97.3%**
Use only with SVORI participants	3	8.1%
Restorative Justice		
Restitution	29	78.4%
Victim Mediation	10	27.0%
Victim Awareness/education	25	67.6%
Community service	34	91.9%
Community beautification/landscaping	13	35.1%
Special Programs and Activities		
Animal care/training	4	10.8%
Habitat for Humanity	14	37.8%
Weed & Seed	14	37.8%

Note: Percentages reported in this table are based on the 37 SVORI programs serving juveniles or juveniles and youthful offenders (juveniles sentenced as adults). This analysis does not include any programs serving adults.

A majority of programs also reported using several restorative justice components, including community service, restitution, and victim awareness. About one-third of programs reported using components such as reentry courts, video-conferencing, and various special programs.

Programs overwhelmingly (92%) reported making community service required of juvenile SVORI participants. This service, in concert with the use of community accountability panels, suggests that the juvenile SVORI programs are working to instill a sense of responsibility and reciprocity towards his or her community. This community emphasis is further strengthened by the use of victim awareness and education programs.

This report has shown that, overall, the juvenile SVORI programs are run by government agencies and focus equally on pre- and post-release. They tend to be targeted geographically but inclusive in their population and service focus. Most programs employ a continuity-of-care model that involves staff and community members working with juveniles both before and after release. This approach, combined with the provision of "wrap-around services" reported by most programs, indicates that the SVORI juvenile programs appear to be incorporating "best practices" recommended by the juvenile programmatic field.

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The Multi-site Evaluation of the Serious and Violent Offender Reentry Initiative

Implementation of SVORI Programs

By Christine Lindquist, *RTI International*

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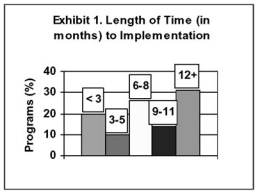
In 2003, the US DOJ, DOL, ED, DHUD, and DHHS funded 69 grantees to implement reentry programs for prisoners. The SVORI funding supports 89 programs nationwide that are currently being evaluated by RTI International and the Urban Institute.

In this *Reentry Research in Action* brief, we describe the implementation of SVORI programs, describing the status of the programs and implementation barriers encountered. Findings are based on data gathered from a June 2005 survey of the SVORI program directors.

Grantees funded under the Serious and Violent Offender Reentry Initiative (SVORI) were charged with planning, implementing, and developing a sustainability plan for their programs over a 3-year award period. Most grantees received partial funding in the last quarter of 2002 and full spending approval in 2003, though the specific funding schedule varied across sites and some did not receive full approval until early 2004. This report summarizes the SVORI implementation process as of June 2005, based on a survey of the program directors for all 89 SVORI programs.[1]

As of June 2005, three-quarters (74%) of the program directors classified their programs as fully operational. Most program directors indicated that their programs became fully operational in 2003 (46%) or 2004 (43%). Interestingly, 62% of the fully operational programs enrolled their first participants in 2003, suggesting that several programs enrolled participants before being fully operational. Exhibit 1 shows the reported length of time that programs took to get "up and running" once all Federal funds were released, with about one-third taking 12 or more months for implementation. Directors of programs that were not yet fully operational reported that remaining program areas to be implemented included securing the involvement of community, faith-based, and other partnering agencies; hiring staff; identifying eligible participants; and lining up specific services.



Most SVORI programs are quite small, with 38% having enrolled 50 people or less.[2] The enrollment numbers are likely to increase during the remainder of the grant period, however, as more programs become fully implemented and as operational programs continue expanding their programs.

Exhibit 2. Percentage of Programs Encountering Resistance from Types of Key Stakeholders	Programs (%)
Members of the community to which SVORI offenders return	26%
Supervisors at the facilities	20%
Line staff at the facilities	21%
Line officers at the post-release supervision agency	18%
Supervisors at the post-release supervision agency	17%
Top administrators at the facilities	14%
Top administrators at the post-release supervision agency	14%
Some of the SVORI partner agencies in the community	9%

Note: The percentages reflect the proportion of program directors who agreed or strongly agreed they had encountered resistance from key stakeholders.

We asked program directors about a variety of barriers and issues surrounding SVORI program implementation. Exhibit 2 shows that, for the most part, program directors did not report encountering much resistance from key stakeholders. Program directors were more likely to report encountering resistance from community members (26% agreed or strongly agreed) than from facility staff (including line staff, supervisors, and administrators) or staff from the post-release supervision agency. Very few program directors (9%) reported resistance from SVORI partner agencies in the community.

[1] The 69 SVORI grantees are operating a total of 89 distinct programs. The multi-site evaluation describes characteristics at the program level rather than the grantee level.

[2] Enrollment and enrollment barriers are discussed in more detail in a companion RRIA on enrollment (forthcoming).

Exhibit 3 presents other reported implementation issues. The most common barriers, reported by more than one-third of the SVORI program directors, included having insufficient staff available, inadequate funding for reentry, poor communication within agencies, turf battles, high staff turnover, and agency regulations that have made it difficult to implement SVORI. It does not appear that funding allocation, staff training, interagency communication, and service availability have been particularly problematic for SVORI programs.

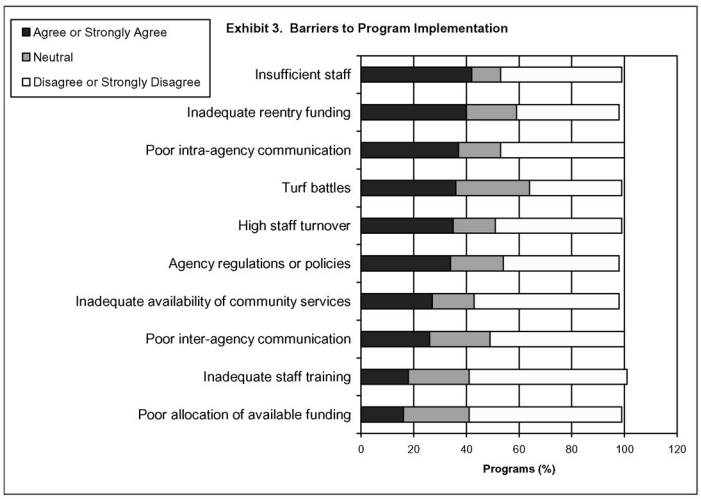


Exhibit 3. Barriers to Program Implementation

This report has shown that the majority of SVORI programs are fully operational yet small in scope. The programs do not appear to have encountered much resistance from agencies involved in the initiative, though community support has been somewhat problematic, along with the availability of staff and funding for reentry. Sustaining the programs implemented through SVORI after the funding period ends will be challenging to the grantees. Plans for program continuation and sustainability strategies undertaken by SVORI grantees are addressed in detail in a forthcoming RRIA on sustainability.

Multi-site Evaluation of SVORI Principal Investigators

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Mr. FEENEY. Thank you, Mr. Hagy.

Mr. Nolan, you are recognized.

TESTIMONY OF PAT NOLAN, PRESIDENT OF JUSTICE FELLOWSHIP, PRISON FELLOWSHIP MINISTRIES

Mr. NOLAN. Thank you, Mr. Chairman and Members. It is an honor to be here with you.

I bring a unique background to Prison Fellowship. In addition to being a member of the legislature in California for 15 years and Republican leader of the Assembly for 4 years, I was then prosecuted for acceptance of a campaign contribution. That was part of an FBI sting. I pleaded guilty to one count of racketeering and served for 26 months in Federal custody, another four in a halfway house.

So I had a chance to see the system from both sides. As a member of the legislature, I was reliably tough on crime. I believed it would keep our public safer. As a prisoner, I saw that the policies that I had so ardently supported were not making the public safer, because the men and women with whom I was housed for over 2 years weren't being prepared to return to the streets. Nothing was being done to reform their character or their hearts, and in fact, the skills that men and women develop in prison to survive make them antisocial when they get out.

This is a problem of huge magnitude, as we have criminalized so many activities and filled the prisons with 2.2 million Americans now; that is one out of every 134 Americans is incarcerated as we speak. As a legislator, I forgot about the back end, that these men and women would be coming out. As you have heard, there are over 650,000 men and women coming out this year. That's over 1,600 per day released.

That 600,000 is more than three times the size of the United States Marine Corps, and we all have grieved over the last few weeks at the destruction and devastation and suffering from the result of Katrina. We have seen those displaced families placed into other communities desperate for food, shelter, clothing and medical care, and we vehicle been frustrated that Government has been overwhelmed as they attempted to absorb these hundreds of thousands of families and provide them with those necessities of life.

This time, our prisons will release three to four times the number of families into communities from prison, families desperate for food, clothing, shelter, and medical care, and our communities are being overwhelmed by this. We have done so little to prepare our communities for these people coming back. But it won't just be coming back this year. More than that number will be coming back the next year and more than that the following year, and more than that the following year. We are going to have three to four Katrinas every year visited on our communities into the foreseeable future.

This bill is very important first of all, because it will give the money to the States to begin coordinating their efforts to respond to this. Reentry is not just a corrections problem. Corrections is obviously central to this, because they house the offenders. But it is a community problem. As the International Association of Chiefs of Police has said in support of this measure, the police are the first

intake when the system fails, when these people get back in trouble, and unfortunately, that happens very quickly. Within 3 years, over two-thirds are rearrested.

Within the first 6 months, over half of those that fail on reentry will have failed already within 6 months. Those first few days and weeks are so critical. Little is being done to prepare the inmates for return. While 80 to 85 percent of the inmates have a substance abuse problem in prison, less than 20 percent receive any treatment while they are in there. Only a third have received any vocational or educational training.

There are several policies that the Government has that impede our ability to help these men and women. Dr. Martin Luther King said to change someone, you must first love them, and they must know that you love them. We can't expect the corrections staff to love these men and women, but we can expect people from the community, especially the churches to come in and love them, and they do.

And yet, corrections policies often make that very difficult. The Bureau of Prisons currently prohibits a religious volunteer that has been mentoring and coaching a prisoner inside from maintaining contact with them when they leave. Most States have the same prohibitions on their religious volunteers. That makes no sense. I would urge all of you to contact the Bureau of Prisons—they say they are considering changing that—and ask them to change that policy, because the studies show, and I will finish with this, Dr. Byron Johnson studied a prison fellowship program called the Interchange Freedom Initiative, studied our program in Texas. He found that those in a matched group recidivated within 2 years 20.3 percent of the time.

Those that went through our program and completed it, stayed in touch with the mentor, stayed active in their church, followed up with their probation officer, only 8 percent recidivated. Now, you don't have to believe in religion to think that has an impact, but you can believe in the science of the study. It will save the public money. And the reason it saves money, Dr. Johnson made clear, is the relationship between that loving mentor and that person, to help them through the difficult steps back to the community.

Thank you for handling this important issue in such a wonderful way.

[The prepared statement of Mr. Nolan follows:]

PREPARED STATEMENT OF PAT NOLAN

Mr. Chairman and honorable members, I am grateful for this opportunity to testify in support of the Second Chance Act. This important legislation will help make our communities safer and reduce the number of victims by helping offenders make a safe and successful transition from prison to the community.

My name is Pat Nolan. I am a Vice President of Prison Fellowship and serve as President of their criminal justice reform arm, Justice Fellowship. I bring a unique background to Prison Fellowship. I served for 15 years as a member of the California State Assembly, four of those as the Assembly Republican Leader. I was a leader on crime issues, particularly on behalf of victims' rights. I was one of the original sponsors of the Victims' Bill of Rights (Proposition 15) and was awarded the "Victims Advocate Award" by Parents of Murdered Children.

I was prosecuted for a campaign contribution I accepted, which turned out to be part of an FBI sting. I pleaded guilty to one count of racketeering, and served 25 months in a federal prison and four months in a halfway house. During my time in prison, I had an opportunity to see the impact of the programs that I had so ar-

dently supported while in the legislature. What I saw troubled me, because I observed that little was being done to prepare my fellow inmates for their release.

Now, God has placed me in a position that I can share these observations with criminal justice officials, using my experiences as a lawyer, legislator and prisoner to improve our justice system. Justice Fellowship works with government officials at the federal and state levels, helping them develop policies that repair the harm done to victims, reform the hearts of offenders, and, in doing that, restore peace to communities. For the last three years, my efforts have been devoted largely to helping government leaders refocus their policies and resources to better prepare inmates for their return to freedom.

Since January, I have been to 17 states, working with governors, attorneys general, directors of corrections, judges, victims, legislators, prosecutors and pastors to assist them in revamping their prisoner reentry programs. I am honored to have this opportunity to share my observations on what is being done, and not being done, to prepare inmates to live healthy, productive, law-abiding lives.

First, I would like to thank you for holding this hearing. The importance of prisoner reentry is enormous. Nationally, more than 600,000 inmates will be released from America's prisons this year. To put that in context, that is three times the size of the U.S. Marine Corps. An average of over 1,600 offenders per day leave prison and return to neighborhoods across the country. Their sentences are completed, and these men and women are coming out. But our communities are largely unprepared.

We all grieve at the devastation and suffering hurricane Katrina visited upon the people of the Gulf Coast. We were all frustrated as we watched governments overwhelmed trying to meet the needs of the families, stripped of all their worldly possessions, searching for food, shelter, clothing and medical care. This year our criminal justice system will release the equivalent of two to three Katrinas to our local communities, straining their ability to feed, clothe, house and provide medical care to hundreds of thousands of families. And next year an even greater number will return needing these services, and the same the following year and each year into the foreseeable future.

What are we doing to prepare these communities to help these men and women and their families when they are released? What has been done to prepare these returning inmates to live healthy, productive, law-abiding lives? What kind of neighbors will they be? Each of us has a stake in seeing that these men and women make a safe and successful return to their communities. Yet, very little is being done to help them make that transition successfully. As President Bush said in his 2004 State of the Union address, "We know from long experience that if they can't find work, or a home, or help, they are much more likely to commit more crimes and return to prison."

The fact of the matter is most of the inmates we have released do commit more crimes. Over the last thirty years, the rate of rearrest has hovered stubbornly around sixty-seven percent. If two-thirds of the patients leaving a hospital had to be readmitted, we would quickly find a new hospital. So also, we must find a better way to prepare inmates for their release if we are to have safer communities. The Second Chance Act will provide the states and our communities help in developing better ways to do that.

Currently, most returning offenders spend years in overcrowded prisons where they are exposed to the horrors of violence and isolated from family and friends. Most are idle in prison, warehoused with little preparation to make better choices when they return to the free world. Just one-third of all released prisoners will have received vocational or educational training in prison. While approximately three of every four inmates have a substance abuse problem, less than 20 percent will have had any substance abuse treatment before they are released. The number of returning inmates is now four times what it was 20 years ago, yet there are fewer programs to prepare them return to their communities.

These men and women face additional barriers, often called "invisible punishments:" They are frequently denied parental rights, driver's licenses, student loans, the right to vote, and residency in public housing—which is often the only housing that they can afford.

Further, little is done to change the moral perspective of offenders. Most inmates do not leave prison transformed into law-abiding citizens; in fact, the very skills inmates develop to survive inside prison make them anti-social when they are released. Most are given a bus ticket to their hometown, gate money of between $10 and $200, and infrequently a new set of clothes. Upon leaving prison virtually all will have great difficulty finding employment.

If we do not prepare these inmates for their return to the community, the odds are great that their first incarceration will not be their last.

The moment offenders step off the bus they face several critical decisions: Where will they live, where will they be able to find a meal, where should they look for a job, how will they get to a job interview, and where can they earn enough money to pay for necessities? These returning inmates are also confronted with many details of personal business, such as obtaining identification cards and documents, making medical appointments, and working through the many everyday bureaucratic problems that occur during any transition. These choices prompt feelings of intense stress and worry over the logistics of their return to the outside world. To someone who has had no control over any aspect of their lives for many years, each of these problems can be difficult. In accumulation, they can be overwhelming.

My own experience provides a good example. Shortly after my release from prison to the halfway house, some friends took me to lunch at a local deli. The waiter came over to take our orders. Everyone else told him what they wanted, but I kept poring over the menu. My eyes raced over the columns of choices. I knew that I was supposed to order, but the number of options overwhelmed me. My friends sat in embarrassed silence. I was paralyzed. The waiter looked at me impatiently. I began to panic. How ridiculous that I wasn't able to do such a simple thing as order lunch. Finally, in desperation I ordered the next item my eyes landed on, a turkey sandwich. I didn't even want it, but at least it put an end to this embarrassing incident.

For two years I hadn't been allowed to make any choices about what I ate. Now I was having a hard time making a simple choice that most people face every day. If I had this much difficulty after only a couple of years in prison, think how hard it is for those inmates who haven't made any choices for five, ten, or fifteen years. And what about those who didn't have the wonderful home, the loving family, the strong faith and the good education that I had? They face a baffling array of options and little preparation. Is it any surprise that so many newly released prisoners make some bad choices and end up back in prison?

The choices offenders make immediately after release are extremely important. Of the ex-prisoners who fail, over half will be arrested within the first six months. That is not much time to turn their lives around. One study of rearrests in New York City found that the rate was especially high during the first hours and days following release. This early window of time is the most intense period for ex-prisoners, when they may be overwhelmed by the accumulation of large and small decisions facing them. On average, ex-offenders have only a one-in-three chance of getting through their first three years without being arrested.

As the number of people released from prison and jail increases steadily, we cannot afford to continue to send them home with little preparation. These policies have harmed too many victims, destroyed too many families, overwhelmed too many communities, and wasted too many lives as they repeat the cycle of arrest, incarceration, release and rearrest. The toll this system takes is not measured merely in human lives: The strain on taxpayers has been tremendous. As jail and prison populations have soared, so have corrections budgets, creating fiscal crises in virtually every state and squeezing money for schools, health care, and roads from state budgets.

It does not have to be this way. Fortunately, there are many things that the government in partnership with the community, and in particular our churches, can do that increase the likelihood that inmates will return safely to our communities.

One of the most important provisions of the Second Chance Act will provide grants to community and faith-based non-profits to link offenders and their families with mentors. Let me tell you why this is so important.

It is essential that returning inmates have a friend they can turn to as they take their difficult first steps in freedom. A loving mentor can help them think through their decisions and hold them accountable for making the right moral choices.

The importance of mentors to returning prisoners was stressed by Dr. Byron Johnson in his recent study of the Texas InnerChange Freedom Initiative (IFI), the reentry program operated by Prison Fellowship under contract with the state. Dr. Johnson's study found that IFI graduates were two and a half times less likely to be reincarcerated than inmates in a matched comparison group. The two-year post-release reincarceration rate among IFI graduates in Texas was 8 percent, compared with 20.3 percent of the matched group.

Dr. Johnson emphasized that mentors were "absolutely critical" to the impressive results. The support and accountability provided by mentors often make the difference between a successful return to society and re-offending. As these offenders make the difficult transition back into the community, they need relationships with caring, moral adults. The greater the density of good people we pack around them, the greater the chance that they will be successfully replanted into the community.

IFI recruits members of local churches to give at least one hour a week to mentor the IFI inmates, both while they are still incarcerated and after they return to their

community. In his interviews with the IFI participants, Dr. Johnson found that the mentors' weekly visits were very important to the inmates. "Without exception, IFI participants have indicated the critical impact volunteers have made in their lives. The sincerity and time commitment of volunteers has simply overwhelmed program participants." The benefit of these relationships with their mentors derives not only from the things discussed, but also for the love conveyed. By faithfully keeping their commitment to the weekly mentoring sessions, the mentors show a commitment to the inmates that many have never experienced before in their lives. As Dr. Martin Luther King, Jr., said, "To change someone, you must first love them, and they must know that you love them."

While many people would never associate the word "love" with prisoners, love is precisely what has been lacking in the lives of many of these men and women. They have gone through life without anyone caring about them or what they do, nor caring enough about them to coach them as they confront life. Many inmates are emotionally overdrawn checkbooks. We must make deposit, after deposit, after deposit before we will see any positive balance.

A mentor can help the ex-offenders think through employment options and tell them what their employer will expect of them on the job. Many offenders have never had someone in their lives who has held a steady job. They have no model for being a good employee. A mentor can teach them that they need to get up on time, go to work each day, and call their supervisor if they must be late or absent. Offenders may find it difficult to take direction or may lack skills to cope with a difficult boss or fellow employees. A mentor can help them with these and other everyday difficulties of the workplace and teach them the importance of punctuality, politeness, and diplomacy on the job.

Mentors help returning inmates deal with many of the personal problems they typically encounter upon leaving prison: no reliable friends outside their former gang network, marital problems, and no easy way to get on with life.

Mentors can also help the offenders learn decision-making skills and teach them how to keep track of bills and pay them on time. In prison, inmates do not have to deal with any of this. On the street such details may quickly overwhelm them. In short, offenders need to be taught how to make good choices, handle responsibility, and be accountable—to make the right choice even when no one is looking.

Corrections staff can't make this kind of commitment to help each individual prisoner. But volunteer mentors can, and, in fact are, making this commitment in programs throughout the country.

Most of us can remember a teacher, coach, or neighbor who believed in us and helped us believe in ourselves. That is exactly what returning offenders need, yet most have never had someone like that in their lives. Mentors can fill that void. A loving mentor lets returning inmates know that the community is invested in their success. And the Second Chance Act will provide concrete assistance to community and faith-based groups to recruit and train mentors for this essential work.

As you work to improve our criminal justice programs, I suggest you keep several concepts in mind:

The purpose of our criminal justice system is to create safer communities and reduce the number of victims. There is a tendency to focus on institutional safety, rather than community safety. Under this narrow, institutional focus, the surest way to avoid escapes and riots would be to keep prisoners in their cells 24 hours a day, seven days a week. However, the public would be in far greater danger after those prisoners were released. Instead of focusing on institutional convenience, correctional policy must be judged by whether it makes the public safer.

Reentry planning should start at intake. Planning for the release of inmates should start as soon as they are sentenced. Assignment to a prison should include factors such as the proximity of the prison to the inmate's family and the availability of needed programs.

Prison policies should strengthen families. Crime not only has a devastating impact on the direct victims, but also on the families of offenders. Incarceration puts tremendous stress on the spouses and children of offenders. These family members have committed no crime. The stress on the family is exacerbated by policies such as placing inmates far from their families, frequently treating visiting families with disrespect, and charging exorbitant fees for telephone calls.

In addition, there are often preexisting issues of drug abuse, physical abuse, and marital conflict. If these issues are not resolved during incarceration, reentry will be much more difficult. Programs such as *La Bodega de la Familia* in New York, work with the entire family to strengthen their relationships. A healthy, functioning family is one of the most important predictors for successful reentry. Our prison policies must be changed to strengthen families rather than destabilize them.

Prisons are for people we're afraid of, but many of those filling our prisons are there because we are merely mad at them. The response to a technical violation should not automatically result in return to prison. Obviously, it is important for offenders to learn to live by the rules. However, if an offender is making good progress it makes little sense to throw that all away because he didn't file his paperwork on time or missed a meeting with his probation officer. One judge told me, "Right now, I can either send him back to prison or let him go to the beach. Give me something in between."

Inmates should be encouraged to participate in faith based programs. To deal effectively with crime, we must first understand it. At its root, crime is a moral problem. Offenders make bad moral choices that result in harm to their victims. To break the cycle of crime, we must address this immoral behavior. There aren't enough police officers to stop everyone tempted to do something bad from doing it; inmates must rely on inner restraint to keep from harming others.

Job training and education alone won't transform an inmate from a criminal into a law-abiding citizen. For some inmates such programs merely make them smarter, more sophisticated criminals. It is a changed heart that can transform a prisoner. Unfortunately, many prison programs ignore the moral aspect of crime and avoid all discussion of faith and morality. In doing so, they are missing a significant factor that has proven very effective at changing criminals' behavior: faith. If inmates are to live healthy, productive, law-abiding lives when they return to their communities, we must equip them with moral standards to live up to and a worldview that explains why they should do so.

The community should "own" reentry. There is a tendency to view reentry as a program of corrections departments. While our prison systems are certainly central to the reentry process, it is the community that has the most at stake. Many corrections policies make it difficult for community and church groups to be involved in preparing inmates for release. Many systems "keep their options open" on release dates, often right up to the day of release, making it impossible to recruit, match and train mentors, locate appropriate housing, arrange for jobs or welcome the inmates at the bus. For reentry programs to be a success, community groups and churches should be viewed as important partners with the state, not as mere auxiliaries.

An important example of a corrections policy that makes reentry much more difficult is the so-called "non-fraternization" rule. I am sure you will be shocked to learn that the Federal Bureau of Prisons and many states DOC's prohibit religious volunteers from being in contact with inmates after they are released. This policy cuts the inmates off from the very people most likely to be able to help them make a successful transition. Corrections policies must be rewritten to encourage mentoring relationships to begin inside prison and continue after release. These healthy relationships should be encouraged, not prohibited. I am told the BOP is considering changes to this policy, but I would urge each of you to press them to eliminate this barrier to effective mentoring without further delay.

Programs are important, but healthy relationships are even more important. The support and accountability provided by mentors often make the difference between a successful return to society and re-offending. As offenders make the difficult transition back into the community, they need relationships with caring, moral adults. The greater the density of good people we pack around them, the greater the chance that they will be successfully replanted back into the community.

I have written a book, *When Prisoners Return,* which covers all these issues and is being used by departments of corrections, churches and community organizations to coordinate their efforts to help offenders during the difficult transition from prison to the community. If you and your staff would like copies, I will gladly provide them to you.

As a state legislator I made the mistake of thinking that locking people up ended our worries about them. Only when I was in prison did I realize that most inmates will be released someday, and that doing nothing to prepare them for their release is very dangerous for our communities. By passing the Second Chance Act you will avoid making the same mistake I made in the legislature. I commend the committee members and your excellent staff for developing this important bill.

Mr. FEENEY. Thank you, Mr. Nolan, for your personal story, which is quite compelling.

Mr. Wallenstein, you've got 5 minutes to address us.

TESTIMONY OF ARTHUR M. WALLENSTEIN, DIRECTOR, MONTGOMERY COUNTY DEPARTMENT OF CORRECTION & REHABILITATION

Mr. WALLENSTEIN. Very good. Pat is sitting next to me, and I want to commend him. I didn't know him a year and a half ago. I've come to know him very well. He visited our correctional system in Montgomery County and brought his board with him. I think a great deal of credit for his moxy and discussing his personal situation and continuing as a driving advocate for improvement in this field.

I want to thank the Chair and the Ranking Member. I would also like to thank Mr. Vassar for the courteous way that he engaged me to participate. I want to thank very specifically Congressman Chris Van Hollen for his support in me being here today. This is not the kind of thing where—I've thought about it; I would have fought my way to get this chamber today.

You're hitting on issues that touch a major nerve of public policy in this country, and while you deal with important public policy issues every day, it is doubtful that since 1973, any public policy issue has so touched every last community in the United States than has criminal justice and incarceration. So I think you are right smack in the middle of a major issue, and I commend you very, very much for engaging it.

Don Murray is also here today from NACO, and Don has been their senior criminal justice legislative mentor, really, for years and started working with me 28 years ago, when I became a warden for the first time in Bucks County, and I owe Don a great deal for keeping me focused and teaching me a great deal about the county aspect of this entire problem.

This is great legislation. This is not just average legislation. And I noted this morning that Members from California and Massachusetts noted this was an issue, a time we're able to engage something that has gone untouched for far too long, and it's reasonable, and it's bipartisan, and it doesn't focus on liberal versus conservative or harsh versus soft. They're going home, all right? Whatever got them there, they're going home, and it's measurable, so we should have some idea of whether we're showing some success in diminishing the potential for people to come back to incarceration. That alone makes this a problem certainly worthy of our attention.

A national voice is needed. This morning, it was very appropriately suggested maybe the States should deal with this. Maybe the local jurisdictions should deal with this. But every single community in America has seen vastly expanded incarceration, which means in terms of this legislation, a vast increase in the number of people going home to every district, every Congressional district, every State district, every neighborhood in this county, in this country, so it's certainly worthy of a national voice.

It's also appropriate that a national exposure be given to the issue, because it's going to require significant engagement, collaborative engagements of a vast array of organizations, and I think the Federal Government bears not only a special responsibility but a special ability to bring people together who are not used to talking, may have to be herded into the same room to begin this dis-

cussion to diminish the potential for return to correctional institutions.

I want to devote some time, as I have in my testimony that I ask be made part of the record, on counties. And I will try to be very short and very direct on this. Almost all of the discussion has centered on States. We all commend the President for mentioning 600,000 prisoners returning home in the State of the Union speech in 2004, that really got this ball rolling.

But the fact is it's not 600,000. It's 10,600,000. Counties must be added to the equation, and I'm not here as an apologist for the counties or simply to put the county agenda before the Committee; it's real: 3,320 jails in this country return between 7 and 10 million prisoners a year to local jurisdictions. This is serious business. And the counties need to be brought to the table.

This legislation, thanks to the efforts of people like Richard Hurtling from the Justice Department and others who have seen the county relevance, all right, have brought us to the table. So I would ask the Committee in its discussions to continue to represent the counties, and again, not 650,000; 10,650,000.

And it isn't all violent crime impacting public safety. Many of us have read, for example, the broken windows approach in New York, where minor crime, quote, minor, misdemeanor crime, drives public safety enormously in this country. Almost all domestic violence offenses are misdemeanors. They're handled at the county level. So people who smack their wives around and are going home often directly back into that same home are county based, and counties need to be considered and need to be urged, directed, cajoled, pushed, to address this whole issue of offender reentry, because the potential impact is enormous.

I actually believe that this legislation could have the same impact of the Juvenile Justice Act of 1975, that radically changed how we look at youth ending up in adult correctional institutions. While the dollar figure is modest, the public policy, the philosophical implications behind it are enormous, all right? That you're there, we can argue about how you got there and the whys and the lengths of sentences, but you're going home, and there, I think we have a chance to do something of enormous significance.

Mr. FEENEY. Mr. Wallenstein, we can tell your passions and capabilities and experience would allow you to go on for quite some time. Would you wrap up, because we want to get into questions.

Mr. WALLENSTEIN. Correct.

I would like to invite the Committee and its Members to come to Montgomery County at any time of your choice, see what we do on the floor, so you can see these issues in operation, and I urge you again: stay with us on this issue and don't let it slip. You've discovered something significant.

[The prepared statement of Mr. Wallenstein follows:]

PREPARED STATEMENT OF ARTHUR WALLENSTEIN

November 3, 2005

House of Representatives
Committee on the Judiciary
Subcommittee on Crime, Terrorism and Homeland Security
Oversight Hearing on "Offender Re-entry: What is Needed to Provide Criminal Offenders with a Real Second Chance

Arthur Wallenstein, Director
Montgomery County (Maryland) Department of Correction and Rehabilitation

Offender Reentry – A Call for Intergovernmental Cooperation: Bridging Public Policy Differences in Support of Public Safety Considerations

My name is Arthur Wallenstein. I am honored to present testimony in my capacity as Director of Correction and Rehabilitation in Montgomery County, Maryland before the House of Representatives in support of The Second Chance Act of 2005. I eagerly accepted this opportunity to offer my perspective as a veteran administrator of local correctional systems to contribute to the significant policy discussion about Offender Reentry. I have served as a committee member and chair of committees working on this issue for the National Association of Counties for over 28 years and served as an appointed member for county corrections of the National Institute of Corrections (US Justice Department) Advisory Board for 10 years.

As a correctional professional, I have been greatly encouraged by the national and bi-partisan support and interest in offender reentry over the past five years. We have learned an enormous amount in this period about the staggering social, economic, and public safety costs of large numbers of ill-prepared offenders returning home to families and communities. Importantly, we, in corrections, have learned that we can not approach offender reentry alone. This issue transcends our field and intersects directly with public safety and law enforcement, social services, and mental and physical health systems, and with the good works of community institutions with special focus on the determined efforts of the faith community. Offender Reentry requires correctional systems and institutions to reach out and develop active partnerships with community and government agencies, and ultimately this leads to greater transparency of our correctional operations and improved services to those in our custody, and as importantly, for the larger community for whom we serve.

Good offender reentry is good corrections. In order to prepare offenders for release, correctional systems need to carefully manage their inmate populations well and be able to offer different reentry strategies for individuals with different needs and who present different risks to the community. Fortunately, a body of evidenced-based research is now developing that provides us with better information about what types of programs, treatments, and supervision works in different settings and with different offender populations. In the past five years, there has been an explosion of promising reentry programming and strategies from across the country, and now individual correctional practitioners need to bring together their partners to determine which strategies will work best in their settings.

Offender Reentry Offers New Concepts That Promote Collaboration and a Clear Frame of Reference for Future Criminal Justice/ Public Policy Development and Operations

I have served as a senior correctional manager (Director/Warden) for the past 28 years and much of this period has been characterized by competing public policy theories that have driven criminal justice operations in many different directions. The past several years have focused on tougher sentencing structures and an enormous growth in jail and prison populations. Recently it has been widely realized that most of these individuals will be returning to the very communities in which they were arrested yet without the skills and behavioral characteristics most needed to diminish the potential for additional incarceration. It has also been realized that most offenders leaving correctional facilities and programs do not have any support in developing linkages to community based services and that many service providers have less than adequate interest and experience in working with offenders. All of this has led to an enormously high level of recidivism – well over 50% as documented by the Bureau of Justice Statistics which is unacceptable social and public policy no matter how difficult the client population nor the nature of criminal behavior within individual cases.

The recent focus on the reentry of offenders offers material and policy of substance to the criminal justice and public safety field. It largely removes political rhetoric or theories of punishment from the field of discussion and instead offers success or the lack thereof upon return to the community as a goal that can be measured and studied and evaluated as alternative methods are tested within the correctional and community based environment. Perhaps most valuable has been a growing understanding of community based linkages for offenders who are due to leave a correctional program or facility and arrive in some community based situation in what has traditionally been a vacuum. Absent program participation, supervision and organizational linkages the likelihood of post release success further diminishes as evidenced by numerous studies of post release failure.

The offender reentry movement and public policy focus have stimulated a new discussion and program development ethos stimulating linkages to a wide range of community based programs and like the faith community, seeks to build on structures, organizations and programs that already exist with years of street tested experience in the

community. Corrections as a profession has broadened its scope and is recognizing the critical importance of casting a far wider net not around prisoners but around organizations that seek to improve offender potential upon release.

Presidential Attention to Offender Reentry and a Second Chance

Correctional practitioners were both taken by surprise and deeply encouraged when the President's 2004 State of the Union Address included a significant statement that described prisoner reentry challenges and his commitment to provide funding for program development. While limited to state prisoners, the commentary directed attention to 600,000 prisoners and offered a laudatory Presidential admonition in support of funding for program development to assist offenders returned to the community from state correctional systems. President Bush had inherited an enormous national correctional population and it had become clear by 2004 that significant rates of recidivism would never diminish absent new strategies and approaches to both offender skill and educational/behavioral health development and linkage to quality community based programs for offenders and their family members. A "second chance" had meaning and offered encouragement to correctional systems that had become buried in enormous population growth, crowding, diminished program capacity, and high rates of return. Managing the symptoms of overcrowding was no longer sufficient and the President is commended for sounding a call for a major change in direction.

The Significant and Long Neglected Importance of County Government in Offender Reentry: Several Million Offenders Must Not Be Neglected

I need to comment extensively on this general issue area for the county role and the enormous scope of that role is not well understood nor articulated in the literature, public policy discussions or even well intentioned reports on the criminal justice system. . The National Association of Counties, a dedicated force in this field of corrections and public safety at the local level for over 30 years reports county based criminal justice expenditures of over $ 53 billion. When coupled with county offender reentry populations approaching 7 – 10 million persons the size and scope of this component is enormous. In partnership with my county colleagues in institutional and community corrections, workforce development, human services and numerous related disciplines we seek to stimulate discussion on the huge potential to engage community reentry through local county correctional programs in America and in a more focused manner. It also impresses upon elected officials and senior policy makers at all levels of government that there is an enormous area of operations in effect at the local level of government that surpasses the scope and impact of state and federal corrections that so often drive discussion, grants, other funding and policy considerations. County corrections urgently seek its presence in the wider public policy discussion. It is not a minor afterthought but rather a core element of a major issue area.

It is the local level of government and its relationship to criminal justice and corrections that guides this communication to you. Jail populations grew

significantly over the past 15 years. The public actively supported incarceration and often objects to lesser punishments and challenges the location of both new jails and community based correctional programs. The driving force has been expanded sentencing enhancements and other legislative provisions, which do not rest at the county level. The costs are supported at the county level with minimal general federal or state assistance. Because of other priorities, few state and federal officials have been able to focus on the size and the scope of the local correctional populations and the impact of offenders return to local communities. Local governments have not been able to effectively articulate the nature of this issue and using "Average Daily Population" as the primary program measure does not assist in explaining the issue. County Government must pay a substantial portion of the bill in a focus and policy area little understood when compared to better publicized and described state and federal correctional systems.

County corrections is enormous in scope and dwarfs both the federal and State correctional population when we focus on the impacts of the number of human beings committed to jail and correspondingly released back into local communities. This process occurs every day of the week and covers 24 hours a day and operations and procedures are implemented around the clock right in the middle of almost every community in this country. A look at some very basic data elements helps to present and explain this poorly articulated and not well understood hidden county jail population and its impact on thousands of local communities. It also creates the opportunity to intelligently engage public safety planning for the future and the potential to dramatically reduce crime if investments are made in establishing quality community linkages with programs that already exist in many communities

Two very fine Justice Department reports: **Prison and Jail Inmates at Midyear 2004,** (April, 2005) and **Mental Health and Treatment of Inmates and Probationers,** (July, 1999) written by the Bureau of Justice Statistics form the baseline for the discussion that follow. The Bureau of Justice Statistics has done superior work for many years and as an administrator in the field I have used the exemplary reports prepared by Allen Beck and his staff each year to assist in developing budget indicators, population projections and related data elements. These are excellent but for local policy considerations additional information must be provided, even it cannot be perfectly measured or has not been the subject of detailed data collection to date - **namely jail admissions and releases back to the community in America.**

The April, 2005 report **(Prison and Jail Inmates at Midyear 2004),** speaks to Average Daily Population and notes there were 713,990 inmates in local jails while there were 1,390,906 prisoners in state and federal prisons. That data element is accurate but that is not what local government and local communities must deal with every day of the week. The critical elements of **admissions, discharges and reentry to the community** creates data elements that are staggering at the local level and these elements have almost never been properly articulated by government, the media or within the legislative process. Using some very basic inference I will estimate that the number of persons admitted to county and municipal jails in this country and released

to the community **numbers between 7 and 10 million.** BJS reports estimate federal and state releases at over 650,000 at number pales when compared to the impacts on local communities of county correctional releases. Members of Congress and elected state representatives have almost no knowledge of this dramatic data element and we in the profession have not made a well reasoned effort to translate this material into useable data for public policy development.

Is this a linguistic discussion? **It is not.** It is substantive to the core because local government must respond to community linkage needs for millions of offenders and that is a major challenge far beyond the current capability of local government. The scope is not understood. Average Daily Population data that does not include bookings and releases back to the community, does not offer the hard data that policy makers need to justify the allocation of resources to programs that do impact criminal behavior and the conditions that generate expanded criminal activity.

If my suggested estimate of 10 million is close to accurate, county jails return 10 - 15 times the number of persons to the community that state and federal prisons return. Even accounting for multiple arrests and discharges for the same person, the number would be between 7 and 10 times the magnitude of releases. Multiple arrests and releases of the same person for non-violent offenses do not diminish the need for services upon release - indeed the need is more acute for a successful intervention would have a dramatic impact on future bookings.

From current reporting, professional reports and statistical assessments one would presume that county corrections is a minor aspect of the national correctional issue and not a major factor for local government, certainly not a major driver of local costs. Any such analysis would be totally incorrect. County corrections (prisoners serving sentences of less than 12 months per the program guidelines) was not included in the otherwise superior, progressive and ground breaking federal Going Home Grant Program. Counties have 10 million going home – not 650,000 as do the states.

The second BJS report (a bit dated but still directly on point) that was very professionally prepared prior to the special meeting called by the Attorney General of the United States in late July, 1999 focuses on the increased incarceration of the mentally ill **(Mental Health and Treatment of Inmates and Probationers,** July, 1999). Using the best options and data collection possible in the short time provided to BJS they suggested that at least 16% of jail inmates had a mental condition or engagement with inpatient mental health treatment. I believe that is a very good statistic.

The report focuses on Average Daily Population and suggests that on a given day about 95,000 mentally ill persons are in county jails compared to almost 200,000 in state and federal prisons. That might be an interesting number for prison operations where the same person stays on average more than 24 months but at the county jail level the 95,000 who are mentally ill on a given day becomes an annual number of well over 1,000,000 mentally ill who are returned directly to the community and who need linkage to professional treatment providers if the cycle of mental illness,

non-violent crime and incarceration is to end. Many are released without a professionally developed plan, a place to sleep, medication beyond a few days supply or any meaningful referral to a community based mental health provider. In some jurisdictions jail staff is precluded from access to state mental health reporting networks to even determine whether a prisoner is already part of the local community/public mental health system. One can only imagine the waste of time in developing new information, case histories and the linkage potential for already existing community based relationships.

The same would be true of persons with significant substance abuse problems. At the county level the number would be several million based upon federal data concerning substance abusers at the time their crimes were committed or at the time of their arrest. Progress in responding to crime requires linkage to services in the community - it also creates an enormous potential for stopping cycles of crime and incarceration if we understand and act upon the data and information that is either before us or could be generated with great support of the corrections community and the local county governments that conduct significant correctional business in this country.

Local officials find it difficult to understand why county level correctional operations receive so little interest in terms of legislative attention, grant or block grant programs, and related discussions when county corrections handle the vast majority of the correctional practice in this country. The corrections world beyond Truth in Sentencing, Violent Offender Reentry Initiative and Going Home (all are progressive and well thought out federal programs focusing on state level offenders) is significant and impacts local communities in a manner not well understood nor articulated. Imagine the potential for breaking the cycle of crime and incarceration if the focus would shift from just processing people at the local level to one of linking people with services and programs that already exist in the community. A public health agency most likely already interacts with family members where one is in a county jail as do a host of other community based human service providers. Expanding linkages while in jail and then making solid linkages prior to release or at the time of release offer true opportunities to engage persons when they are both vulnerable and in need of help as they return to the community.

Intergovernmental Collaboration and the Mosaic of Correctional Populations

Offenders move between county and state correctional systems. Almost all offenders initiate their correctional involvement at the county level and the vast majority serves their sentences in county correctional facilities. It should make no difference whether offenders are engaged at either county or state levels for the reentry equation impacts every level of government and any legislation that establishes reentry grants, programs or initiative must flow equally to county and state government . Attention and funding should follow the offenders and the data demonstrates this is a major issue at the locals level that requires significant attention if we are really to impact the reentering offender population. The legislation before us offers a significant opportunity to build bridges to local county government that bears such a significant cost of the total

correctional program in this country. Our time is now and Congress is commended for stepping forward in an area so long left to the vagaries of political rhetoric and non data driven responses.

Offender Reentry Programs at the Local Level – Montgomery County Maryland

Community-based offender reentry requires a 24/7 focus on accountability and services at the street level and the active engagement of community and government agency partners For more than 30 years, Montgomery County, Maryland has provided offender reentry services for offenders returning from local, state, and federal correctional systems. During this time, the Department of Correction and Rehabilitation has offered both residential and home-based reentry programs for carefully selected individuals that provide employment opportunities and training, help address substance abuse and other treatment issues, and which aim to foster positive family partnerships that are so central to improved opportunities for successful reentry. These programs offer real services and support; however, they also require individuals to be accountable 24/7 and to meet the program requirements of work. Individuals who fail to meet the program requirements are immediately suspended back to jail. In 2004, over 500 offenders participated in these reentry services. Both the Maryland Department of Corrections and the Federal Bureau of Prisons utilize this county based program for offenders returned to this region. Regular state and federal accountability visits are conducted to ensure the ongoing quality of the program

The Second Chance Act of 2005 will stimulate greater focus at every level of government and our program in Montgomery County is no exception. Members and staff of Congress are invited to visit the Montgomery County Pre-Release and Reentry program that is located within 20 miles of the Capitol in Rockville, Maryland. He you can observe first hand the daily challenges and opportunities of offender reentry and what can be accomplished and where new thoughts and initiatives can be field tested in real world correctional settings.

Offender reentry in Montgomery County proceeds from the assumption that criminogenic risk factors drive criminal behavior, and that each individual requires a different reentry strategy. All offenders considered for our programs are carefully assessed and screened. We use a validated risk/needs instrument that identifies individuals' dynamic and static criminogenic factors, and our reentry plans proceed directly from these results. During the reentry process, we require that offenders develop and implement strategies that will address those criminogenic factors that can be changed ("dynamic" factors) while better understanding how they have to present those that can not be changed (static factors). This analytical and programmatic approach advances reentry programming from merely a thoughtful inference and experiential decision making-process to a data driven operational process. Congress should rely upon proven examples of data driven program efforts for we all recognize that within the scope of limited resources funds must flow based upon proven success of specific programs and

approaches. Dynamic factors need to be attacked across a broad continuum of interventions that include the following:

a. education/employment/workforce development
b. financial planning
c. facility/martial support
d. housing
e. leisure/recreation
f. companions and friendships
g. alcohol/drug abuse
h. emotional/personal
i. attitudes and personal orientation
j. victim impact/empathy
k. restorative justice
l. mentoring
m. job skill training
n. community linkage to post release supervision

The Montgomery County Offender Reentry Program: How it Works in Brief

1. Inmates from the local, state, and federal correctional systems who are within 6 months of release are screened for the pre-release program, and only those that have a history of escape or recent institutional violence in detention facilities are automatically excluded from consideration.

2. During screening, all individuals are interviewed using a structured questionnaire and receive a risk/needs assessment (we use an instrument called the Level of Services Inventory - LSIR that assesses 10 treatment domains -- criminal history, education/employment, financial, family, accommodations, leisure/recreational, companions, alcohol drug problems, emotional/personal, attitudes/orientation);

3. Work Requirement Timeline:
   a. Sunday: Individuals are transported in the evening from the jail to the Pre-Release Center
   b. Monday: Individuals receive program orientation and meet with their assigned case managers and work release coordinators Case Managers
   c. Tuesday: Individuals are interviewed by a treatment team and they begin developing a preliminary reentry plan
   d. Tuesday through Friday: Job readiness training Friday
   e. 2nd Week: Individuals begin job search and treatment programming
   f. 3rd Week: Individuals are expected to work

4. Family
    a. Family members must attend 6 weekly "Sponsor groups" in a two-month period in order for residents to earn the privileges of taking home passes for extended periods of time (after two visits, residents can earn a basic privilege). These sponsor groups do not involve the residents and are opportunities for case managers to discuss how the family members can support the reentry of their loved ones.

5. Strong Case management
    a. Residents are assigned a case manager and a Work Release Coordinator. Case managers carry 15-20 cases and are responsible for developing achievable and individualized reentry plans and for ensuring that the basic reentry work is fulfilled (documentation, licenses, child support, etc.).
    b. Work Release Coordinators ensure that job placement is appropriate and that employers are fully knowledgeable about the offender and are participants in reentry.

6. Counseling
    a. All sex offenders immediately are referred to sex offender therapy with a counselor.
    b. Other residents may be asked to seek out individual or group counseling to address personal, substance abuse, and anger management issues.

7. Programs/services
    a. Many residents attend NA and AA meetings in the community and at the Prerelease Center on Sunday night.
    b. Proposed Initiatives
        i. Victim Impact/Empathy
        ii. Substance abuse aftercare
        iii. Restorative Justice
        iv. Mentoring
        v. Job Skill Training
        vi. Medication Resources
        vii. Financial Training
        viii. Detention/Pre-Release program coordination

(stefan.lobuglio@montgomerycountymd.gov)

Reentry in a Full Service County Jail – Montgomery County Correctional Facility

While community corrections offers the closest replication of the street focused community for reentry effort work must go on within the walls of jail and prison settings for not all prisoners meaningfully qualify for community corrections placement. Sufficient bed and program space is also not available in community facilities to accommodate the need. Political as well as financial support for attitudes must change regarding the need to accommodate reentry efforts at all levels of the national correctional system. This means politically supported work in the trenches of local communities to market the benefits of offender reentry programs.

In Montgomery County, Maryland we have traditionally operated meaningful adult educations programs, life skills training, substance abuse and alcohol treatment programs and mental health treatment (when commensurate with a short term jail setting). That is now being expanded to take cognizance of the leadership efforts developed nationally through the Department of Labor and Workforce/One Stop programs located in most counties in the United States. Corrections working with local workforce boards has opened a new dimension of intergovernmental collaboration that is essential to building meaningful offender reentry programs. In Maryland this collaboration is eagerly supported at the state level and flow through to local jurisdictions.

Montgomery County will open a One Stop/Workforce Development Center within the county jail (Montgomery County Correctional Facility) and offer assistance to all prisoners within 90 days of their release who may not have community corrections options open to them. This creative effort seeks to build on the strength and quality of the One Stop Centers that has effectively become the nation's workforce delivery system for the future. The jail is becoming part of a continuum of service delivery and not simply a provider of many unrelated however well intentioned services. Links are developed to community based programs that will hopefully remain with the offender upon reentry to the community. This is a work in progress and Committee members and staff are encouraged to visit this site when ther jail based One Stop/Workforce Center opens later this year. This month after consultation with prisoners and our county Criminal Justice Coordinating Committee valid reentry indentification start to be issued to prisoners who often have no verifiable means of establishing their identity upon release. The simple step reflected something universally suggested by offenders as they seek to develop initial linkages in the co0mmunity. It is something we as a profession have overlooked for years. (robert.green@montgomerycountymd.gov and eric.seleznow@montgomerycountymd.gov)

Hennepin County, Minnesota – A Quality Program Example

I am here to present information beyond a single jurisdiction and given many years association with Hennepin County developed through the NACO partnership I would like to mention an exemplary program to the Subcommittee. This Minnesota

jurisdiction has focused on prisoner reentry as long as any political unit in this country. Many portions of their correctional system are aimed at preparing offenders for a meaningful return to the community. The exemplary program – Sentencing to Service (STS) Homes bears mention today. This home construction program began in January, 2000 in community based partnership with the Minnesota Building and Trades Council, Regional Council of Carpenters and Joiners, Twin Cities Habitat for Humanity, and the State Department of Corrections. It primarily serves the local county and is focused toward preparing workers for the building and construction trades.

The trades organizations provide journeyman foreman crew leaders, who transport, supervise and instruct offenders in training and focus on quality work performance and safety. The program is rigorous, adopting a community standard of instruction, accountability and performance and covers the spectrum of housing construction and key skill/trades areas. Real wages are paid and are placed in internal accounts until the offender is released to the community. Many of the participants have active child support orders or have agreed to participate in voluntary support of their families. These deductions are made from payroll by the employer prior to deposit.

The Hennepin County program is a model of intergovernmental cooperation and significant collaboration with existing high quality organizations in the community. It establishes a community standard of skill development and performance that will significantly assist offenders upon their release. It approximates as closely as any program that I know the rigors and pressures and responsibilities of real life experiences prior to actual release from custody. It is the antithesis of sending offenders home by bus with a reporting date for post release supervision and an admonition to seek a job immediately. It is real, measurable and reflects the commitment of the community. (bob.hunter@co.hennepin.mn.us and Ron.Wiborg@co.hennepin.mn.us)

Conclusion - County government and other levels of government carry an enormous burden of millions of offenders and people at risk returning to the community who need services, direction, support and a focus on personal and family accountability. Many are non violent offenders but they require significant supervision and accountability programs. They access numerous human service systems including substance abuse, mental health and co-occurring disorders, developmental disability, Adult Basic Education and GED, ESOL, workforce development and job awareness, vocational training, community health services, children and family services, domestic violence/victim issues, affordable housing and emergency shelter services for the homeless, pre-natal counseling and early childhood development intervention. Each issue area has the potential to diminish return to the criminal justice system. When combined in an organized effort supported by data driven measures of need and intervention major improvements can be made.

No doubt that it would be preferable to invest afresh in early childhood development as organizations such as the National Association of Counties have so

vigorously advocated. This would significantly diminish the need for vast expenditures for adult correctional and criminal justice services over time but we are here in a present reality. We must engage both issues simultaneously given both the imperatives of prevention for the future while responding to the reality of offender reentry from prisons, jail and community correctional programs to the neighborhoods where they hope to reside.

The linkages mentioned above are essential for any hope of driving down the embarrassing and destructive level of prisoner recidivism in our country that so challenges and diminishes our goal of truly enhanced public safety and human growth and development. Your understanding, advocacy and support for encouraging, cajoling and pushing federal, state and local officials (counties and cities) toward the imperatives of the Second Chance Act of 2005 represents an enormous step forward in social and public policy in this country. Focusing on offender reentry at all levels of government grounds the discussion on results and diminishes the debate and rhetoric that often drives discussion in this field. There is little disagreement in the country regarding the goal of improving the success of offender reentry. Modest legislation can lead to enormous changes in national practice as we learned in the past from progressive juvenile justice legislation. The time has come for offender reentry to move to center stage.

I commend Congress to entering this fray when it would have been easier to place the issue in its tradition forums before a purely county, city and state platform. The issue is national is scope and warrants national attention. I am enormously proud to be in this Chamber today speaking on a public policy issue that has for so long eluded this level of review, program development and analysis. Please push hard and aggressively for quantum improvements in the process and methodology of offender reentry and strict evaluation templates that must accompany any allocation of federal resource to any jurisdiction seeking to participate in this program. . I speak today for myself and for Montgomery County, Maryland. I am mindful of the support and mentoring I have received through 28 years of association with the National Association of Counties through the good offices of Don Murray – Senior Legislative Manager for Criminal Justice. Any errors or omissions in my testimony are solely my own. I know I echo the hopes of correctional and criminal justice professionals across the nation who want quality and data driven offender reentry to become a reality. Thank you for permitting me to be present today.

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Mr. FEENEY. Thank you very much for your testimony.
And Ms. Shapiro, again, thank you for coming today.
Ms. SHAPIRO. Thank you.
Mr. FEENEY. And you're recognized for 5 minutes.

TESTIMONY OF CAROL SHAPIRO, PRESIDENT AND FOUNDER, FAMILY JUSTICE

Ms. SHAPIRO. Thank you very much, Chairman, Members of the Subcommittee, it really is a privilege. Like my colleagues here, I'm equally passionate and enthusiastic about this bill. My testimony, I hope, will reflect shifting the lens to think about the impact on families. It goes to the county issue, the State issue, and the Federal.

I'd like to take you to Rikers Island, where I was about 10 years ago, little longer, and introduce you to Mrs. Rodriguez. She came because there was a graduation at the boot camp. Her son Jose, was graduating, and she talked to me. She said, you know, when Jose comes home, he steals from me. I take care of his children. He's been in and out of drug treatment. But I love Jose, and I'm proud of Jose.

And this light bulb flickered to think okay, what about the families? What kinds of supports can we do? What can we be doing to improve the outcomes for drug treatment or people struggling with mental illness? And I think the importance of this bill, which as others have stated, has, you know, broad bipartisan support does a few things that get to some of the complexities—you just have to think about your own families—of some of the issues that people coming home from jail and prison are facing.

One, I think this bill really will enhance State and local reentry programs by rewarding partnerships, by really focusing on accountable types of partnerships, not just for the person coming home, but looking at issues of child support, housing, the confluence of those issues. Secondly, I think it inspires some cost-effective strategies to address recidivism, you know, the Jose that was going in and out of jail and prison and reentry challenges for family members by looking at measuring very concretely outcome measures tied to, you know, whatever the intervention is doing.

And thirdly, I really think a way that this bill enhances public safety is by looking at the context in which people are coming home from jail or prison. You can see that Ms. Rodriguez, and there are many Ms. Rodriguezes in the country, want to do well by their children. I think this bill is a really important step for hope to their families, but it also recognizes that the sheer numbers, the 2 million children affected, there's also caregivers. Many caregivers step up to the plate when someone is arrested, whether it's short time for a jail sentence or longer time from prison.

Here's why I think it's important we consider families: one is they are a natural resource that can be tapped into, and they're existing. They're there. They don't cost a lot of money. Think about your own families. Families are also—the families that we're talking about are also connected to multiple governmental systems such as TANF, such as housing, such as welfare, such as, you know, a variety of things.

But they're also connected to informal social networks, be it faith community, be it clinics, be it AA. Secondly, families want their sons and daughters, their loved ones, to succeed. They don't want them going in and out of jail and prison. Families are also there 24 hours, and families are there when Government leaves.

The Urban Institute study suggests that most people do go home to their families, and most were living with their families after getting out and getting financial support. At our direct storefront in New York, La Bodega de la Familia, we tested the notion of improving drug treatment just by supporting families. For some, outpatient drug treatment is wonderful; for others, longer term residential treatment is really needed. How we match the treatment, how we think about the family, the kids, the seniors that are affected makes a difference whether somebody stays in treatment or leaves treatment.

We found that we were able to reduce drug use from 80 to 42 percent just after 6 months of coming home from prison, but equally significant is family well-being improved. Housing was stabilized. Employment was stabilized. Kids were staying in school. Those are family measures which I think this bill is really supporting.

I think there are examples, creative examples around the country where partnerships between public housing and supportive housing are actually working with the local fabric of communities. I think there are a number of States where there is leadership saying we have to use science, we have to measure, and we have to look at outcomes that are not just related to someone coming home from prison such as recidivism but looking at all the family indicators.

We have developed and tested some of these initiatives with a number of Federal and State and local partners, and in closing, I just want to say that this Second Chance Act is for the many Mrs. Rodriguezes in this country, but it's also for the many Joses, and the idea of doing both together, I think, is really exemplary.

Thank you for the opportunity.

[The prepared statement of Ms. Shapiro follows:]

PREPARED STATEMENT OF CAROL SHAPIRO

Statement of Carol Shapiro, Founder and President of Family Justice
in Support of H.R. 1704
Second Chance Act of 2005: Community Safety through Recidivism Prevention
Before the Subcommittee on Crime, Terrorism and Homeland Security
of the House Judiciary Committee
November 3, 2005

Chairman Coble and members of the Subcommittee, it is an honor to appear before you today and speak in support of this important legislation. On behalf of Family Justice, a national nonprofit organization that taps the strengths of government, families, and communities to break cycles of criminal justice system involvement and promote public safety, I am pleased to express my enthusiastic support of H.R. 1704, the *Second Chance Act of 2005: Community Safety through Recidivism Prevention.* As you know, this legislation has broad bipartisan support, including from the White House. I urge favorable, swift action on this bill that will enhance state and local reentry programs, putting in place cost-effective strategies for addressing recidivism and other reentry challenges in communities throughout the United States, thereby increasing public safety.

This legislation is an important step in enhancing state and local reentry programs to support the parents, grandparents, sons, daughters, and whole communities affected by incarceration. Entire families and neighborhoods will benefit from this legislation, not just incarcerated individuals: consider the positive impact enhanced reentry programs will have on the 3,500,000 parents supervised by the correctional system, the 2,000,000 children with a parent in a Federal or State correctional facility, and the countless caregivers who step in when incarceration separates family members. These people will directly benefit from this legislation's support of coordinated planning for release, family-based treatment for substance abuse, and the recognition and incorporation of the role of family, as experts in the lives of their own members, into reentry programming and planning at an institutional and community level.

By engaging government and nonprofit partners to help families stay connected pre- and post-release, this legislation also stabilizes our social and economic structures. For communities, this entails increased workforce participation, greater public safety, and lower social service costs. By bolstering research and evaluation of reentry efforts, including additional assessment of the impact on affected families and communities, this initiative ensures that we create evidence-based practices that recognize and respond to the context in which people come home from jail or prison. For corrections and community corrections agencies, this requires a complement to existing assessment tools, which measure risks posed by individuals, and a focus on bridging the gap between assessment and the family-focused case management that makes reentry successful. Such tools will also help the field be more cognizant of the ramifications of gender in the reentry experience, an issue that is increasingly important as demographics shift; the number of incarcerated women, for example, grew 4% from 2003 to 2004, compared with a 1.8% increase for men.

Communities are embracing family-focused methods and family-based treatment because it is cost-efficient, customized, and sustainable. Family Justice's experience working with families, confirmed by other organizations' research, demonstrates the important role families play in the success of

people returning home from jail or prison, especially for those coping with addiction. With support, families are a critical resource in reducing recidivism and substance abuse; they are naturally vested in successful reentry, often the first to intervene before issues become crises, available 24 hours, and able to sustain over the long term the gains made by correctional, law enforcement, and nonprofit interventions.

We applaud The Second Chance Act's recognition of the success of family-based treatment. Family-focused methods have been demonstrated as a cost-effective way of decreasing substance abuse, reducing recidivism rates, improving access to physical and mental health care, and increasing overall family well-being.

According to the most recent data from the Bureau of Justice Statistics, the number of drug offenders in prisons and jails has risen from 40,000 in 1980 to more than 450,000 today. More than half of federal inmates were sentenced for drug offenses.[1] These statistics underscore the reality of our criminal justice system: any initiative to reduce criminal justice system involvement is inextricably linked to substance abuse treatment.

As this legislation notes, strong evidence demonstrates that family-based treatment programs help improve outcomes for individuals under criminal justice supervision. An evaluation by the Vera Institute of Justice[2] of Family Justice's direct service learning center, La Bodega de la Familia, showed that, by focusing on providing family support to people under parole supervision:

- Illegal drug use declined from 80% to 42% after six months—*not as a result of additional time in treatment, but rather family inclusion;*
- Rearrest rates declined; and
- Overall family well-being increased.

Additional research[3] documents that the family plays a critical role in achieving sobriety and rehabilitation for drug users.

This bill calls for expanding family-based treatment programs that offer comprehensive treatment services for parents and their children as a complete family unit. In addition to the Council of State Governments Reentry Policy Report, a growing body of literature[4] highlights the importance of family support in generating efficient and inclusive treatment.

The Urban Institute longitudinal studies of reentry in urban areas, such as Chicago and Baltimore, demonstrate that families of released prisoners are an important source of both emotional and tangible support for people returning home from incarceration. For example, former prisoners living in Chicago four to eight months post-release from custody cited family as the most important factor in helping them stay out of prison[5]:

- 92% reported getting financial support from someone in their family, and
- 88% were living with family.

Tapping family involvement in existing government services allows for early prevention and intervention in community justice supervision, preventing drug relapse, technical violations, and reincarceration. Supporting and incorporating families does not necessarily require additional resources. Most families involved in the criminal justice system are already connected to multiple government systems such as child welfare, public housing, and faith-based and social services. Family-focused methods prevent generational criminal justice system involvement because they work beyond the individual under supervision and contextualize the role of family in the reentry process.

We applaud this legislation's support for local and state initiatives. We have found that successful, replicable programs are created when state and local entities have the guidance, funding, and leadership necessary to foster real change. Reentry provides an opportunity to address many interrelated challenges by uniting law enforcement, community service providers, and families in the common goal to break cycles of intergenerational criminal justice system involvement and improve substance abuse treatment outcomes.

Family Justice supports policies that promote effective reentry programs that integrate families into their prevention and intervention efforts, including reentry planning, substance abuse treatment, and other services. Successful reentry is enhanced by effectively *engaging* families to draw on their insights, strengths, and the other natural support they can provide to address reentry and family issues, rather than focusing only on deficits. By involving the family, prevention and intervention efforts can:

- Tap an existing resource;
- Improve outcomes in multiple areas that contribute to criminal justice system involvement, such as substance abuse, access to and coordination of mental and physical healthcare services, and housing; and
- Integrate long-term prevention and intervention strategies into current community supervision and other efforts.

Family Justice, supported by the U.S. Justice Department, U.S. Housing and Urban Development, the National Institute of Justice, the Substance Abuse and Mental Health Services Administration, the Office of Juvenile Justice and Delinquency Prevention, and state and local governments, has developed, tested, and implemented training and technical assistance for parole and probation agencies and non-profit organizations. Through our local and national work, we have learned that programs that successfully engage families must be culturally and linguistically competent, and program outcome measures must go beyond tracking recidivism rates to examine the factors that contribute to successful reentry.

We admire this legislation's support for programs and research that integrate reentry planning and social services and look forward to this initiative's success in uniting assessment, case management, and outcome measures to benefit the families and communities affected by criminal justice involvement.

About Family Justice

Family Justice taps the strengths of government, families, and communities to break cycles of involvement in the criminal justice system. Through our unique, cost effective Bodega Model®, we partner with government and families to enhance the health and well-being of poor families and improve the safety of communities with high rates of crime.

Our model helps families build on their strengths to support one another, bolstering the efficacy of services, and marshaling families' previously unrecognized resources. Our work is as much about prevention as it is about intervention, helping families address challenges and live a life without crime as well as improving outcomes for those under criminal justice supervision.

Family Justice addresses the overlapping issues that often occur in families, such as substance abuse, mental health and inadequate housing. This central aspect of our work identifies, and works to find solutions to the challenges that could otherwise hamper an individual's successful return to his or her community. Often, our work recognizes similar issues facing other family members, intervening to find solutions before a problem develops.

References

[1] Harrison, Paige M. and Beck, Allen J. *Bureau of Justice Statistics Bulletin: Prisoners in 2004*. Washington DC: U.S. Department of Justice, 2005 (NCJ Publication No: 210677). *See also* Carroll, Rebecca. "Study Shows Upswing in Arrests of Women." *The Washington Post*, October 24, 2005.

[2] Sullivan, Eileen. *Families as a Resource in Recovery from Drug Abuse: an Evaluation of La Bodega de la Familia*. New York, NY: New York: Vera Institute of Justice, 2002. The evaluation was funded by the National Institute of Justice, the Robert Wood Johnson Foundation, the Jacob and Valerie Langeloth Foundation, and the Fan Fox and Leslie R. Samuels Foundation.

[3] Center for Substance Abuse Treatment. "Selected Research Outcomes for Family Approaches to Substance Abuse Treatment." *Substance Abuse Treatment and Family Therapy*. (2004). Treatment Improvement Protocol (TIP) Series, Number. 39. DHHS Publication No. (SMA) 04-3957. Rockville, MD: Substance Abuse and Mental Health Services Administration.

[1] See for example: Travis, Jeremy, Amy Solomon, and Michelle Waul. *From Prison to Home: The Dimensions and Consequences of Prisoner Reentry*. Washington, DC: The Urban Institute, 2001. *See also:*
La Vigne, Nancy G., Visher, Christy, and Castro, Jennifer. *Chicago Prisoners' Experiences Coming Home*. Washington, DC: The Urban Institute, 2004.
The Urban Institute. "News release: Family Support, Substance abuse help, and work release programs are essential as ex-prisoners restart lives in Baltimore." Washington, DC: The Urban Institute, March 15, 2004.
Human Rights Watch. *No Second Chance: People with Criminal Records Denied Access to Public Housing*. New York: Human Rights Watch, 2004.
Council of State Governments. *Report of the Re-Entry Policy Council: Charting the Safe and Successful Return of Prisoners to the Community*. New York: Council of State Governments, 2004.
Center for Substance Abuse Treatment. "Data Needs of Client and Family Member" *Comprehensive Case Management for Substance Abuse Treatment*. (1998). Treatment Improvement Protocol (TIP) Series, Number 27. DHHS Publication No. (SMA) 98-3222. Rockville, MD: Substance Abuse and Mental Health Services Administration.

[5] La Vigne, Nancy G., Visher, Christy, and Castro, Jennifer. *Chicago Prisoners' Experiences Returning Home*. Washington, DC: The Urban Institute, 2004. See also [3]La Vigne, Nancy G., Visher, Christy, and Travis, Jeremy. *Returning Home: Understanding the Challenges of Prisoner Reentry*. Washington, DC: The Urban Institute, 2001. *Returning* documenting experiences of prisoners returning to Maryland, Illinois, Ohio, and Texas.

Mr. FEENEY. Thank you very much, Ms. Shapiro.

And now, we are going to commence a series of questions of the panelists. I am going to start and take 5 minutes. Mr. Hagy, first to you in terms of what the Justice Department has done so far under SVORI, obviously, as each individual needs a slightly different tailored approach, because some have families, some have support groups, some have peer pressure that's going to be very challenging to overcome if they go back to their communities. Just like each individual needs a tailored approach, there are some 30 different experiments that you have underway.

You've talked about some of the common, the three common things with respect to each of these approaches, but what you have you found about the differences, and what, if anything, are your statistics on recidivism showing at this point?

Mr. HAGY. The way the program is set up is obviously, we give a lot of flexibility to each State to set up their program based on the needs that they know probably better than we do on the individual basis. What we're finding is that they're each trying something different or focusing on something a little bit different.

We're seeing, like, for instance, we talked about the importance of family and how important that was; if you look in Mississippi, they're having the families come into the pre-release and talk to the prisoners and discuss things with them and have them to start moving back out into the post-release stage and working with them there. Maine uses videoteleconferencing if the families are at a distance, to work with those families so that when they are released, they can connect better with those families.

A lot of programs are using faith based post-release counseling and mentoring, one-on-one mentoring. I think about 54 percent of the programs are using some kind of that. So each State is doing something just a little bit different and focusing a little bit different area on how they are approaching the problem.

Mr. FEENEY. And are you evaluating the relative successes?

Mr. HAGY. Yes, and the national portrait just came out, and I think the way they're evaluating it through the Research Triangle Institute is a great way of doing it. The way they started was the national portrait of the SVORI program, which really was descriptive, going out saying all right, who's set up? How are they setting up? And then, it has a profile of the States and what they're doing, some of those being described as I do now.

They are in the early stages; obviously, it's going to be over a period of time where we evaluate this program. I was reading something last night: the first 12 months, obviously, a lot of the recidivism occurs in that, so what you are going to see now is a lot of that, but as we go on in the second and the third and the fourth year, some say up to 7 years to evaluate these programs, but we're looking at a 4-year time frame, we will be better able to say what is working and what is not.

The great thing about it is on this Website, I think, that I mentioned, they are releasing reports and studies about the effectiveness of parts of that program as we go along which are publicly available. So, you don't have to wait for the 4 years. The best results will come 4 years down the road when we have time to look at people, but right now, we looked at one study on faith-based pro-

grams; again, the national portrait described them. The faith-based study talks about what faith-based institutions are doing. There's a juvenile report that was just released. So we're releasing that information as we go along to inform you and our constituents on how that's working as we go along.

Mr. FEENEY. Has the Justice Department taken a position on Mr. Nolan's suggestion that there's no sense to a policy that will not allow a mentor to have contact with a prisoner once released?

Mr. HAGY. He said he was working with the Bureau of Prisons. I will have to check with them on that and where they are in their decision making process. I don't know if any final decision has been——

Mr. FEENEY. Well, maybe I'll ask Mr. Nolan, then, again, thank you for your testimony. And you talked about the importance of mentoring, and is there any reason given at all for why contact with the mentor after release is a problem?

Mr. NOLAN. First, I forgot to ask that—I have a full written statement, if that could be incorporated into the record.

Mr. FEENEY. All of the written statements will be entered into the record.

Mr. NOLAN. The reason I'm given, and this is true in many States; it's not just the Federal Bureau of Prisons, is that somehow the inmates might pull the wool over the eyes or take advantage of that mentor outside, and that's always the risk. And that's why training is important.

On the other hand, what it does is sacrifice the ability of a healthy, good relationship that started in prison from continuing. It cuts them off from the person other than the family, and Carol has done such a good job describing the importance of healing families and——

Mr. FEENEY. Well, Mr. Nolan, do a lot of these mentors have some training before they go into prisons?

Mr. NOLAN. Absolutely. We recruit them. We match them specifically with that prisoner, and we train them. And I don't know of any instance—there probably have been some—of an inmate taking advantage. You've got to understand, too, it's more work for the prison to keep track of it, but public safety should trump institutional convenience.

And it's really important that we remember that prisons don't exist for their own sake. They exist to keep us safer. And if their policies inhibit keeping us safer, we ought to change the policies. The Bureau of Prisons says they're reviewing it, but they're slow. With the money in this bill going out to mentoring programs, those relationships should start in prison.

I brought up one of our mentees and his mentor to meet with several of the Members, and Mark Souder asked him well, what would happen if you hadn't had this relationship while you were in prison? And David said I would have seen this funny little man in a bow tie with a fedora hat, and what angle does he have? Why is he interested in me? And blown right past him, because he stood between me and freedom.

He said it was only because Jim came faithfully every week for over a year to see him, to work with him, to work on a life plan, to tell him what it mean to be a good employee, how to heal rela-

tionships with his family, to work on all those issues. David said it was probably three or 4 months before he began to take Jim seriously, because he always kept thinking, well, what's his angle? What's he trying to get up on me?

David had been so abused by so many people in his life that he wasn't able to trust anybody. And it was only that love of week after week, just showing up, just being there, caring about him that broke down that barrier and had David say this person really does care about me so that he could stay with him when he got out.

Now, to show the other side of the relationship, Jim, a wonderful guy, retired Quaker Oats executive, said I told David if he goes back, they better have two beds, because I'm in for attempted murder. [Laughter.]

But there's wisdom in that, because he's holding David accountable. He's not only there to help him, but he's saying David, you've got to keep your nose clean.

Mr. FEENEY. Well, thank you.

My time has expired. The gentleman from Virginia is recognized.

Mr. SCOTT. Thank you. Mr. Nolan, just following up on that in terms of the contact after prison, that's for all volunteers, not just——

Mr. NOLAN. Right, it's not just religious. It's all volunteers are prohibited from that. Now, 95 percent of volunteers in prison are religious, but yes, it applies across the board to all volunteers.

Mr. SCOTT. And these are volunteers.

Mr. NOLAN. Correct.

Mr. SCOTT. So we don't get into who's paying what money to who.

Mr. NOLAN. Right, right.

Mr. SCOTT. Okay; Mr. Hagy, SVORI, do you have a study on which programs work and which do not work?

Mr. HAGY. Well, and that's what I'm talking about, that longitudinal study. We have some descriptive stuff now, the first national portrait that came out. We really haven't had time to complete a study. Most of these programs that were basically funded in 2002 and 2003, didn't really ramp up immediately. In fact, I think the last study, about 75 percent of the programs, this just came out, are actually fully functioning with the rest on some kind of variation of that. So we don't have it; we have some good anecdotal evidence of, again, some of the family reentry using the faith-based and what they're actually doing, but the effectiveness will come along as we move along.

Mr. SCOTT. Well, based on the information and studies that you have, is it fair to say that education helps reduce recidivism?

Mr. HAGY. Yes, a lot of the different programs are using education within the pre-release programs to prepare them to leave. Again, I think that's an important part of it and using the mentoring after they leave.

Mr. SCOTT. Now, along those lines, would it be helpful to fund college education for prisoners, or would it be more helpful to deny them college education?

Mr. HAGY. I can't speak to that issue. I have no evidence one way or the other on that one at this point from the Department on this issue.

Mr. SCOTT. You don't know whether helping people get a college education would be helpful or not?

Mr. HAGY. I mean, that is a priority for Congress, but obviously, how they fund that, but obviously, a college education does help you get a job after—in any case helps you be more employable. But, how that's funded and what a priority that is for Congress, I can't speak to.

Mr. SCOTT. Well, I'm not talking about priorities. I'm just saying if your goal is to reduce crime, helping prisoners get a college education would be helpful if your goal is to reduce crime.

Mr. HAGY. I can agree that education does improve your opportunities.

Mr. SCOTT. Okay; what about employment opportunities in prison? Would that be helpful to reducing recidivism?

Mr. HAGY. I do know they start talking about that in the prerelease stage, and obviously, on the post-release stage——

Mr. SCOTT. I'm talking about jobs in prison, like the Prison Industries program. Has that been studied?

Mr. HAGY. I think there are some Federal programs, the UNICOR program that seems to have done a pretty good job at doing some job training.

Mr. SCOTT. And UNICOR participants have a lower incidence of recidivism.

Mr. HAGY. That is being shown.

Mr. SCOTT. Okay; Ms. Shapiro, you're working with families; many of the prisoners have children within their families.

Ms. SHAPIRO. That is correct.

Mr. SCOTT. Have you found that to be a high risk group for future criminal activity?

Ms. SHAPIRO. Well, the research suggests there is a very high correlation, so the answer is yes. And it's why I think it's important, and I think this bill recognizes how you do successful transition home that includes interventions for children and helping kids stay in school and helping their father or mother get the drug treatment they need so that it stabilizes the family. I think it is very intertwined. And many families have more than one person involved in the criminal justice system, not only children at high risk.

Mr. SCOTT. And has intervention with the children been able to reduce the likelihood that they may get in trouble?

Ms. SHAPIRO. I can't speak to the full research on this. I think it has been very promising. There are studies, for example, from some of the drug courts where for women, I know, who have had children, the kids have remained drug free and healthier for a long period of time. And it's relatively new in this field to actually look at somebody, and to see the family as the unit of analysis and measure outcomes for others in that household.

Mr. SCOTT. Thank you.

And Mr. Wallenstein, you indicated that it's not 600,000 but 10 million. One of the problems with funding programs for those in jail is that they're there often for a short period of time. So by the time they're processed in and processed out, you don't really have a lot of time. Are you suggesting that there is an opportunity here

to reduce recidivism for those even though you may have them for a short period of time?

Mr. WALLENSTEIN. There is a dramatic opportunity to diminish recidivism. First of all, jail sentences can be for up to 18 months and in a few States even longer. But take the smaller group of 12 months. You can engage people in very short periods of time. In fact, our whole treatment, substance abuse treatment system in this country is based on increasingly short periods of time.

Remember, what works, we have to challenge traditional ways of looking at programs, so if you're going to prepare someone to go out to work, there are work force development factors that the one-stops have done dramatic work with all across this country: role-playing with people, rehearsing them, practicing with them, real world applications; you don't need years. In fact, I would argue years can be counterproductive. Months can be very valuable, because what you teach and what we teach in Montgomery County on Monday, Tuesday, Wednesday, Thursday, and Friday, you may practice out on the streets the following Monday, Tuesday, Wednesday, Thursday, and Friday, because we won't let you sit. Get out there and get a job. The counties have got to be involved in this because of the size and scope of this population.

Mr. SCOTT. And how can we help them get a job after they get out?

Mr. WALLENSTEIN. The one-stop movement in this country to me is one of the most valuable undertakings. Department of Labor has implemented it through grants to States. One-stops exist in almost every county in America. Insisting, I mean, dramatically insisting what are you doing to help the local criminal justice population should be part of the guidelines to every work force board and every one-stop in the United States.

You can use volunteers, faith community individuals, get them thinking about a job and get the work force to intervene inside of the jails. We're opening a one-stop center inside the Montgomery County Correctional Facility in Clarksburg, Maryland. It's a new step forward. We welcome you to come and take a look. It's a work in progress. Use every hour of the day that we have these people.

Mr. FEENEY. Thank you very much. The gentleman's time has expired.

Without objection, we'd like to give Mr. Van Hollen, who is not a Member of the Committee, 5 minutes to engage in questions.

Mr. VAN HOLLEN. Thank you very much, Mr. Chairman.

Thank you all for your testimony. Mr. Nolan, thank you for sharing your experiences and what you've done as a result and are doing as a result of those experiences. You point out in your testimony the number of people who go into prison with substance abuse problems, almost 75 percent according to your testimony that very few of them, maybe one-fifth of those people get any substance abuse treatment while they're in prison.

I mean, do we have pilot programs? I mean, I know Mr. Hagy suggested that we're waiting for these longitudinal studies. There must have been, must have been lots of pilot programs out there that have been done at the various levels to see what works and doesn't work with respect to substance abuse, because common sense will tell you someone goes into prison and has substance

abuse and doesn't get treated and comes out with substance abuse problems, you know, you haven't really gotten anywhere.

Mr. NOLAN. Right, what have we accomplished?

Mr. VAN HOLLEN. So what works? What doesn't work? Tell us about some models you know of.

Mr. NOLAN. Well, first of all, a great resource on this is CASA at Columbia University, Council on Alcohol and Substance Abuse; I think that's the title. Joe Califano heads it up, former Secretary of Health, Education and Welfare. There are plenty of studies that show what works. There are some great faith-based programs, one called Celebrate Recovery, which is part of, you know, the—an overall transformation of the person. They have a great success rate.

But the key thing is doing nothing is so irresponsible. To lock somebody up for 5 years, 10 years, 15 years with an addiction problem but do nothing about the underlying addiction and then release them back on the street, you know, it's a fraud on the public, and it's a fraud on them. We've done nothing about the underlying problems, and we've released somebody who is very likely to commit another crime, so create more victims as well.

And to show how the bureaucracy plays okey-doke, I appeared before the Virginia Reentry Commission, and I talked about this. And a representative of one of the Virginia programs said, well, I want to reassure the members of the Commission that every Virginia prison has drug treatment programs. Well, that's technically correct. Every one does. It's just not available for most of their prisoners. Only a tiny percentage get it. But here she is telling the legislators, oh, every—you know, and only if you knew that only a few were getting it would you realize she's essentially misleading that committee.

And we've got to decide if we're spending all this money, more than a Harvard education, to lock somebody up, shouldn't we do something to change their heart and their habits to leave them better than when they came in? I would also say we need to look at even sending somebody with a drug abuse problem to prison. Prisons are for people we're afraid of. It's essentially a quarantine. It's segregating them from us so we can live safely.

We've filled them with a lot of people that we're mad at, and then, we do nothing about the reason that we're mad at them. And they come out, do it again, and we're still mad at them.

And one last thing: as a legislator, I said, well, at least they don't have access to drugs while they're in prison. Wrong. There were more drugs available to me in prison than there were when I was in college, and most of them didn't come in through the visitation room. They came in in the guards' lunchpails in return for money and sex and everything else.

That's the reality of prison life. Chuck and I have said, Chuck Colson and I, we went to bed every night with the smell of marijuana in the air every night. There were plenty of drugs available in prison. So the idea that as a legislator that somehow, well, at least they're abstaining from drugs while they're in prison is just not true.

Mr. VAN HOLLEN. Thank you, Mr. Nolan.

And on that point, I was in the Maryland State Legislature and asked the same questions and got the response, which is that there are these drugs in prison. I am still confounded by the fact that we can't do more about it. I realize the difficulties, and I realize the current reality, but I also believe that we can do more to change that reality, and drug abuse programs should be part of that. But we also, to the extent that there is all this corruption going on, which is always what you hear about, we should be able to do more about that as well.

Mr. Wallenstein, if you could comment on that.

Mr. WALLENSTEIN. The vast number of correctional officers in this country are totally and completely honest and wouldn't condone drugs in their prison for a second, as I know Pat would support.

Mr. NOLAN. Yes.

Mr. WALLENSTEIN. The few that are there and do it should be prosecuted and put in the prison. It's a very, very small amount.

The issue is we must engage, but it needs to be done intelligently. And I think the Committee can help. Not a dime of Federal money should go to any program that doesn't present an evaluation and research template, not 2 years after you funded them but prior to any monies flowing. And groups like NIJ and BJS, who are excellent, should help develop the right questions to be asked and the methodologies to be used to measure up front, so we go into the programs with an idea of how we can gauge our success.

Mr. FEENEY. The gentleman's time has expired.

We have time for part of another round if you're interested. Mr. Hagy, is that what we're doing in terms of requiring a template, what Mr. Wallenstein just suggested with SVORI?

Mr. HAGY. Again, it's a little bit broader than that, but we do provide the pre-release evaluation. That's one of the things that we're looking at is that you have to evaluate the person and then carry them through the entire process. So yes, there is an evaluation of each prisoner's situation and what they need to make them more successful, whether it be drugs or other issues.

Mr. FEENEY. Well, I misunderstood. I thought what Mr. Wallenstein was saying, and correct me if I'm wrong, Mr. Wallenstein, is that there has got to be some demonstration that the process has some positive results before the process gets any Federal funding. Is that basically what you were telling us?

Mr. WALLENSTEIN. Correct.

Mr. HAGY. Yes, and then, I think I can speak to your sort of issue as well as these longitudinal studies. What we're studying with the SVORI program is the compilation of these programs and how do they work over time. Obviously, in any program, any facility, any State, some of those drug treatment programs may be very, very successful; others are not. In fact, one of the questions I ask our evaluators was when you do come out with a SVORI program, and you tell me 4 years down the road it's working, how do you isolate whether it was the individual programs for that prison or that facility or it was actually the combination of the efforts?

So the longitudinal studies actually speaks to the combination of efforts and are we doing a good job at making them coordinate all those efforts and focus on the many different problems that may

confront a prisoner. And again, in each one of those, there are successes. We have the RSAT program that has proven to be very successful, residential substance abuse program, and our drug courts. So we have seen programs individually that work. It's the analysis of the SVORI as a combination we're going to try to look at.

Mr. FEENEY. Okay; and because I've got to be done by 1:30, the gentlelady from Texas is recognized.

Ms. JACKSON LEE. I'll ask unanimous consent to put my statement in the record.

[The prepared statement of Ms. Jackson Lee follows:]

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS, AND MEMBER, SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

Mr. Chairman and Ranking Member, today's legislative hearing was of extreme importance, and this oversight hearing is just as important. The Second Chance Act, H.R. 1704, responds to the fact that, for example, in 2003, over 2,000,000 people were incarcerated in Federal or State prisons or in local jails. During 2003, more than 650,000 people were released from State and Federal prisons to communities nationwide. This nation is in desperate need of high quality and well-thought-out programs for the reentry of criminal offenders.

One of my great concerns over the years has been the need for legislation to facilitate the early release of nonviolent offenders, and today's hearings go hand in hand with that principle. My legislation, the "Federal Good Time Release for Non-Violent Offenders Act," or the "Federal Prison Bureau Nonviolent Offender Relief Act of 2005," H.R. 256, provides for the release of federal prisoners who have served one-half or more of their term of imprisonment if that individual has attained the age of forty-five (45) years and has never been convicted of a crime of violence.

Passage of this legislation will confer both economic and social benefits—just as would the Second Chance Act. Some of those who are incarcerated face excessive sentences, and my provisions would mitigate this problem. Non-violent offenders can provide important community service to the public, reduce taxpayer burdens, and restore a sense of self-worth, accomplishment, and duty to these persons.

The number of federal inmates has grown from just over 24,000 in 1980 to 173,739 in 2004. The cost to incarcerate these individuals has risen from $330 million to $4.6 billion since 2004. At a time when tight budgets have forced many states to consider the early release of hundreds of inmates to conserve tax revenue and when our nation's Social Security system is in danger of being totally privatized, early release is a common-sense option to raise capital.

The rate of incarceration and the length of sentence for first-time, non-violent offenders have become excessive. Over the past two decades, no area of state government expenditures has increased as rapidly as prisons and jails. Justice Department data released on March 15, 1999 show that the number of prisoners in America has more than tripled over the last two decades from 500,000 to 1.8 million, with states like California and Texas experiencing eightfold prison population increases during that time. America's overall prison population now exceeds the combined populations of Alaska, North Dakota, and Wyoming.

Over one million people have been warehoused for nonviolent, often petty crimes. In addition, the European Union, a political entity of 370 million, has a prison population, including violent and nonviolent offenders, of roughly 300,000. This is one third the number of prisoners which America, a country of 274 million, has incarcerated for only nonviolent offenses.

The 1,185,458 nonviolent offenders we currently lock up represents five times the number of people held in India's entire prison system, even though it is a country with roughly four times our population.

As the number of individuals incarcerated for nonviolent offenses has steadily risen, African-Americans and Latinos have comprised a growing percentage of the overall number incarcerated.

In the 1930s, 75% of the people entering state and federal prison were white (roughly reflecting the demographics of the nation). Today, minority communities represent 70% of all new admissions—and more than half of all Americans behind bars.

The Nonviolent Offender Relief Act of 2005 would address these disparities and the detrimental impacts that are caused by keeping nonviolent offenders behind bars. I will work with the Gentleman from Ohio, Mr. Portman, and my colleagues

Mr. Davis of Illinois, Ms. Tubbs-Jones of Ohio, as well as the Gentlemen from Indiana, Ohio, and Utah—Messrs. Souder, Steve, and Cannon respectively to explore the possibility of incorporating my provisions with those of the Second Chance Act—of course after making appropriate changes to make H.R. 256 apply to the states.

In addition, I would like to recognize the hard work that the Gentleman from Michigan, our distinguished Ranking Member John Conyers, has done in introducing his "Rebuild Lives and Families Re-Entry Enhancement Act of 2005"—legislation of which I am an original co-sponsor. His proposal seeks to re-authorize adult and juvenile offender State and local reentry demonstration projects that are already public law. This proposal really makes sense and requires much less by way of legislative draftsmanship to implement. Furthermore, that bill contains very substantive provisions that will remove some of the barriers to re-entry. I will work with that Gentleman to combine our legislative efforts as well.

I hope that as we move the Second Chance Act—with the enhancements to be offered by the Ranking Member and me, forward toward the House floor so that this critical issue can be expeditiously addressed. Thank you, Mr. Chairman and Mr. Ranking Member, and I yield back.

Ms. JACKSON LEE. Thank you, gentlemen. It's good to see you, Mr. Hagy.

Simply, I want to acknowledge that this is a very instructive bill and one that's overdue. I think there is sentiment on both sides of the aisle as well as in the House and the Senate. A number of Senators have spoken about the issue dealing with Second Chance, and I visited a number of Federal prisons, including the Federal prison in Beaumont, low, medium, and maximum security as well as the prisons in California, some of the most stark conditions; some of them are Federal prisons.

But my question would be if you could, just for my edification, emphasize the value that you would see or could see in tying this legislation to what we call good time release. What does that mean? We have over the years done an excellent job with the numbers of crime coming down, and I think we can attribute that to the past Administration continuing with Attorneys General that have been consistent on the issue of crime and communities have appreciated.

Although this bill ties itself to State programs and faith based groups working locally, let me ask you this: about the numbers of individuals languishing in prison, nonviolent, have had a record of 10, 15, 20 years of good time, meaning well behaved, having the opportunity tied to this bill, meaning that they would be released to a program, and that means that they would be released before the time that was set, because under these sentencings that are enormous, be released to programs like this, so it's called good time; the concept is good time, early release. You are a prisoner, and there's also the factor of maybe age. Maybe they would be 40, 45 years old, people who have been in 20 years.

I would like—hopefully, these are gentlemen who believe this bill has some merit and ladies. How would you view that issue?

Mr. HAGY. I'll go first and then maybe let our issues—how that works. Obviously, there is some idea that these people have good behavior. I don't see anything in our legislation that prevents someone from taking advantage of our programs; again, I can't speak to the Department's policy. Obviously, that is an idea that's come up, and I can take that back to our leg team and see how they feel about it.

Ms. JACKSON LEE. I would appreciate it.

Mr. HAGY. I will certainly do that for you.

Ms. JACKSON LEE. Ms. Shapiro?

Ms. SHAPIRO. Well, obviously, anything that will get people out of prison into a structured support system is preferable than, you know, maintaining their lives in prison, again, because it affects their whole network and whole neighborhoods.

I think the challenge is always for the seamlessness, and as much as there may be great drug treatment, for example, or programming in prisons, what's the connective tissue when they're coming home? And how do we really think about programming that is conscious of that at the time? And I think the supports we give at the community level is also recognizing that purpose. The research suggests the more people are watched when they're coming back from jail or prison, the more they go back to jail and prison for technical violations.

So I think the truth in what we want to accomplish can happen with this bill, particularly if we are building an accountability for the individual but also measurement for some of the other indicators that I think are so critical for healthy families and healthy neighborhoods.

Ms. JACKSON LEE. And so, with this kind of infrastructure in place, if we can move this along in a bipartisan manner, the terminology I'm using, because maybe the microphone, early release. So what I am suggesting is that you would have early release of individuals who have documented evident good time, meaning they have been models, good behavior, whatever positions, you know, whatever they are because of their behavior, because of also their age——

Ms. SHAPIRO. Right.

Ms. JACKSON LEE.—that they could be released; they still have some work life in them, and they could be released to these—and so, you would get early release before the traditional time, because if you take statistical analysis, you have beds loaded up in both State and Federal prisons with individuals who really are nonviolent—again, I say that; their crime was nonviolent, and who are able to come out into this system.

Is that something that you could see being a good, as you said, seam that would lead itself into a positive return?

Ms. SHAPIRO. Well, I can't speak to the particular State or local systems and how that might work institutionally. I don't know if my colleagues can do——

Ms. JACKSON LEE. But you can speak, is that something that would be a good fit into a structure?

Ms. SHAPIRO. Absolutely, particularly as you think about case management and how it flows from an institutional setting to a community setting, yes.

Ms. JACKSON LEE. Mr. Nolan.

Mr. NOLAN. Yes, we definitely need something like that. As a legislator, I supported abolition of parole. I wasn't thinking, because——

Mr. SCOTT. You supported or opposed?

Mr. NOLAN. I supported it, and it was a mistake. And the reason that it was a mistake was that it took away all incentive to be involved in any programming that bettered themselves. And I have a perfect example: within the Federal Bureau of Prisons right now,

if you serve out your time, you have no tail. You finish your time; you walk out the gate——

Ms. JACKSON LEE. And no support.

Mr. NOLAN.—with no restrictions and no support, exactly.

On the other hand, and I know guys that turn down halfway houses because it's stricter, it's more accountable. They have more choices, more options, but they're also held accountable for it. They didn't want that. They just beat the clock. They'd serve their time watching TV, lying in the rack, and then walk out the gate a free man; literally, in their terminology, cutting their tail.

It is more important to introduce to men and women inside choices, options, give them an incentive for preparing themselves, coming up with a plan, work with them on the support systems that Carol talked about. And right now, that isn't done in most cases.

Ms. JACKSON LEE. And if I may, and thank you, that means whatever we call it, but if we did the early release, which is not necessarily parole; it means that you look at a category of personalities, you look that they've been good time for this period, and you say you know what? You're out, but you put that seam, and therefore——

Mr. NOLAN. There's got to be that follow-through.

Ms. JACKSON LEE. Income producers but out and take those beds away from all that we're paying for people who are just sitting there.

Mr. FEENEY. The gentlelady's time has expired. Mr. Nolan, you can answer that, and then, we're going to have five more minutes——

Ms. JACKSON LEE. I thank the gentleman.

Mr. NOLAN. Parole did it the wrong way. They just said, okay, who's the next few to get out; we'll let them loose. No preparation.

Ms. JACKSON LEE. Right.

Mr. NOLAN. Opened the gate, pushed them out. That's the wrong early release. Instead, you do it intelligently. You prepare them and say you, we've given you responsibility; you've shown you can handle it. You have a life plan. You're going out, and here's the support system to help you make it. That's the right way to do early release.

Ms. JACKSON LEE. Thank you to the Ranking Member and the Chairman. Thank you very much.

Mr. FEENEY. Thank you.

And I'm going to recognize the Ranking Member for 5 minutes. He can either use it; he can yield it; or he can lose it. That will be his discretion. He can have the last 5 minutes.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. Nolan, are you aware of any studies that would suggest that simply lengthening the time that someone is incarcerated without anything else, no education, no job training, you just lengthen the time, that that would reduce recidivism?

Mr. NOLAN. No; on the contrary, I think experience has shown the opposite. Mr. Wallenstein alluded to this. Sometimes, doing more time actually makes—institutionalizes someone, makes them less able to make choices. Let me just give you an example person-

ally. For 2 years, I was locked up. That's not a long time compared to a lot of folks in prison.

I got out and went to the halfway house. A bunch of my buddies took me to the Eighth Street Deli near the Capitol in Sacramento. We sat there, and they all ordered. The waiter was there. And I looked at the menu, and I looked at it, and I knew what I was supposed to do, but I was paralyzed. I couldn't choose what to eat. For 2 years, I hadn't chosen what I ate. And here I was unable to do that.

Finally, out of embarrassment, my eyes lighted on a turkey sandwich, and I ordered it. I didn't want a turkey sandwich. But I didn't want this long, agonizing moment when I couldn't make a decision to go on. Now, think of somebody who didn't have my education, my faith, my family, my position of responsibility. Think of them: they get off the bus in the middle of the night, and they've got to choose where they're going to sleep that night, where they're going to eat the next day, how do they get a job? How do they get to a job interview; all those decisions stretching before them.

The longer they're institutionalized—again, I'd only been locked up 2 years, and I couldn't order from a menu. Think of all those options. They go from a position where every minute of their day is accounted for. They're told what to do, when to get up, who they're with, where they go, what they can do, and then, we're told, okay, you're free. Make all these choices. And the longer you're locked up, the less chance you have of being able to make intelligent choices, because you've been deprived of that, unless there is some transition, unless there is some support group for you, helping you, walking with you, thinking those things through.

Mr. SCOTT. And a parole system helps that? I think I'd heard from your testimony that someone developing, having an incentive to put a parole plan together so that they convince the parole board that they're ready; they've got somewhere to go, something to do; they've gotten some education, and they've got an incentive to do that, because they've got to convince the parole board before they can get out that that makes more sense than ready or not, here I come.

Mr. WALLENSTEIN. Right, far more.

Mr. SCOTT. I yield the balance of my time to the Gentleman from Maryland.

Mr. VAN HOLLEN. I thank my colleague, and again, thank the Chairman and the Ranking Member, Mr. Scott, for allowing me to participate here.

Mr. Wallenstein, the core of your testimony was don't forget about the guys in the county jails, because there are 10 million of those individuals. Is there a correlation between the people who have gone to jail and gone to prison? In other words, of the 650,000 people in prison, do most of them begin at some point or another in the county jails? And is that, therefore, an opportunity to get to them earlier? Is there not much of a correlation? Or is that data just not available?

Mr. WALLENSTEIN. No, it's there. It's a perfect correlation. Almost no one goes directly to a State prison. And even in serious offenses, there will be county jail time spent. The time is enormously productive, because it's right there in the community; the commu-

nity based groups are there. That's why this legislation is so important, because as you push the collaborative potential between community based organizations, intergovernmental cooperation, and work at the local level, it isn't taking a bus, a train, or a plane. It's walking down the street. And the potential has not even begun to be tapped, which is really why I was pushing the county agenda so hard, because not only is it numerical in size and scope; it's right there in front of us.

Mr. VAN HOLLEN. Good. If there are any statistics, because I think you make a very good point; if there are any statistics showing that all the individuals, the 650,000 people we're talking about ending up in State and Federal prisons have earlier served time in local jails, any data you've got on that, because I think your point is a very good one: if you can catch people early and provide them the resources in the community and divert them out of, you know, the prison system at that point, it obviously would be money and time well spent.

Mr. WALLENSTEIN. The person in this country on this issue is Alan Beck, the chief of correctional statistics within the Bureau of Justice Statistics at the U.S. Department of Justice. He is respected from one end of the country to the other. If you engage Alan on this issue, there is no better person in the country.

Mr. WALLENSTEIN. Thank you.

Mr. HAGY. And I think that was some of our significance on the Prisoner Reentry Initiative on the nonviolent offenders: get there before it become a bigger and bigger problem.

Mr. VAN HOLLEN. Thank you very much, Mr. Scott.

Mr. FEENEY. The gentleman yields back, and thank you, Mr. Van Hollen and Mr. Scott. We want to thank all of our witnesses for your testimony. The Subcommittee very much appreciates your contribution. All of it will be part of the record. In order to assure a full record and adequate consideration for this important issue, the record will be left open for additional submissions for 7 days. Also, any written question a Member wants to submit should be submitted within the same 7-day period.

This concludes the oversight hearing on "Offender Reentry: What is Needed to Provide Offenders with a Real Second Chance?" Again, thank you for your cooperation. The Subcommittee is adjourned.

[Whereupon, at 1:28 p.m., the Subcommittee adjourned.]

APPENDIX

Material Submitted for the Hearing Record

LETTER TO THE SUBCOMMITTEE FROM BILL HANSELL, PRESIDENT, NATIONAL ASSOCIATION OF COUNTIES (NACO), AND BEVERLY O'NEILL, PRESIDENT, THE UNITEED STATES CONFERENCE OF MAYORS (USCM)

November 2, 2005

The Honorable Howard Coble
Chair
House Subcommittee on Crime, Terrorism
and Homeland Security
207 Cannon House Office Building
Washington, DC 20015

The Honorable Bobby Scott
Ranking Member
House Subcommittee on Crime,
Terrorism and Homeland Security
1201 Longworth House Office Building
Washington, DC 20015

Dear Chairman Coble and Ranking Member Scott:

On behalf of the National Association of Counties (NACo) and The United States Conference of Mayors (USCM), we are pleased to express enthusiastic support for the Second Chance Act of 2005, H.R. 1704.

This modest but outstanding piece of legislation provides comprehensive assistance to state and local governments in developing evidence based programs that will help enable persons leaving jail or prison to successfully re-enter their communities. It has been estimated that more than two-thirds of local detainees and state prisoners will be re-arrested within three years of their release and half will be re-incarcerated.

At the local level, cities and counties share responsibility for administering the local criminal justice system. According to the Census Bureau in 2002 local governments spent $87 billion annually on criminal justice. In addition, counties are the primary providers of public health and human service programs at the local level, while municipalities have overwhelming responsibility for public housing. Cities and counties share responsibility for job training and employment programs and help fund educational initiatives.

The legislation recognizes the important role of cities and counties in re-entry efforts and acknowledges the role of the local jail as a staging area for re-entry services. In the United States, with few exceptions, virtually no one goes directly to prison. If an individual is to be detained, he or she goes directly to jail.

The National Association of Counties and The U. S. Conference of Mayors believe the legislation will be important not only in funding demonstration programs at the local level but also in influencing how cities and counties invest their own funds. For further information, please contact Donald Murray at NACo (202) 942-4239 and Nicole Maharaj at the USCM (202) 861-6735.

We commend the committee for its leadership on such a critical issue.

Bill Hansell

Bill Hansell
NACo President

Beverly O'Neill

Beverly O'Neill
USCM President

LETTER TO THE SUBCOMMITTEE FROM CALVIN BASS, PRESIDENT, AND KEVIN STOUT, VICE PRESIDENT, LIFER'S GROUP, INC.

Est. 1972

Lifer's Group, Inc.

East Jersey State Prison
Lock Bag R
Rahway, New Jersey 07065

The Honorable Howard Coble
Chair, Subcommittee on Crime, Terrorism and Homeland Security
2468 RHOB
United State House of Representatives
Washington, D.C. 20515

Dear Rep. Coble:

We are writing this communique in support of HR 1704 (The Second Chance Act of 2005), which is before your subcommittee.

The name of our organization is Lifers' Group Inc., but we have been more commonly known as "Scared Straight". Over the past 28 years we have talked with over 250,000 young people about the serious consequences of juvenile delinquency, and how it can lead to prison.

Although our organization along with other long term offenders, comprises of men who are serving sentences ranging from 25 years to life, we nonetheless will one day be released back into free society. Many of us are fortunate to still have the support and care of our families, but many others will be given a bus ticket and little else.

It is the hope and prayers of many long termers to finish out their sentences and once again try to live productive lives. But the reality of reentering back into society is terrifying, and more troublesome when there is a lack or void of supporting services.

We have seen and studies have shown that without the proper support and assistance many will return back to prison. The Second Chance Act is a bill that speaks directly to these needs and concerns.

In closing, we realize that this bill alone will not solve all the problems, but it is a push in the right direction as it will afford one with housing, jobs, counseling, health care, etc. We need this help.

Where there is no vision, the children will perish...

Telephone: (732) 574-2107 ◆ Fax: (732) 499-5505 ◆ Hotline : (732) 574-2107

Sincerely,

The Lifers' Group Executive Board

Calvin Baas, President

Kevin Stout, Vice President

Aaron Troupe, Secretary

Harun Shahid, Treasurer

C:
The Honorable Robert C. "Bobby" Scott
1201 LHOB
United States House of Representatives
Washington, D.C. 20515

SAMPLE QUESTIONS SUBMITTED BY CHARLIE SULLIVAN, CO-DIRECTOR, CITIZENS UNITED FOR REHABILITATION OF ERRANTS (C.U.R.E.)

CITIZENS UNITED FOR REHABILITATION OF ERRANTS (C.U.R.E.)
P.O. Box 2310
Washington, D.C. 20013-2310
www.curenational.org

Submitted by Charlie Sullivan, Co-Director

SAMPLE QUESTIONS: Chaplains and Re-Entry

1. Given institutional priorities on prison containment, security and safety, how can prison administrators work with chaplains in order to welcome faith based trained mentors into prisons for the purpose of initiating mentoring relationship with inmates that can carry over after release?

2. How can the chaplain's role of nurturing the faith and spiritual values among prisoners help prepare them for the effective transition to community living?

3. What role do you envision prison chaplains playing recruiting faith communities to undertake a welcoming/integrating ministry with the newly released?

4. How would you see chaplains helping to re-establish and strengthen relationships between inmates and their families?

REVISED PREPARED STATEMENT OF ARTHUR WALLENSTEIN, DIRECTOR, MONTGOMERY COUNTY DEPARTMENT OF CORRECTION & REHABILITATION

November 3, 2005

House of Representatives
Committee on the Judiciary
Subcommittee on Crime, Terrorism and Homeland Security
Oversight Hearing on "Offender Re-entry: What is Needed to Provide Criminal Offenders with a Real Second Chance

Arthur Wallenstein, Director
Montgomery County (Maryland) Department of Correction and Rehabilitation

Offender Reentry – A Call for Intergovernmental Cooperation: Bridging Public Policy Differences in Support of Public Safety Considerations

My name is Arthur Wallenstein. I am honored to present testimony in my capacity as Director of Correction and Rehabilitation in Montgomery County, Maryland before the House of Representatives in support of The Second Chance Act of 2005. I eagerly accepted this opportunity to offer my perspective as a veteran administrator of local correctional systems to contribute to the significant policy discussion about Offender Reentry. I have served as a committee member and chair of committees working on this issue for the National Association of Counties for over 28 years and served as an appointed member for county corrections of the National Institute of Corrections (US Justice Department) Advisory Board for 10 years.

As a correctional professional, I have been greatly encouraged by the national and bi-partisan support and interest in offender reentry over the past five years. We have learned an enormous amount in this period about the staggering social, economic, and public safety costs of large numbers of ill-prepared offenders returning home to families and communities. Importantly, we, in corrections, have learned that we can not approach offender reentry alone. This issue transcends our field and intersects directly with public safety and law enforcement, social services, and mental and physical

health systems, and with the good works of community institutions with special focus on the determined efforts of the faith community. Offender Reentry requires correctional systems and institutions to reach out and develop active partnerships with community and government agencies, and ultimately this leads to greater transparency of our correctional operations and improved services to those in our custody, and as importantly, for the larger community for whom we serve.

Good offender reentry is good corrections. In order to prepare offenders for release, correctional systems need to carefully manage their inmate populations well and be able to offer different reentry strategies for individuals with different needs and who present different risks to the community. Fortunately, a body of evidenced-based research is now developing that provides us with better information about what types of programs, treatments, and supervision works in different settings and with different offender populations. In the past five years, there has been an explosion of promising reentry programming and strategies from across the country, and now individual correctional practitioners need to bring together their partners to determine which strategies will work best in their settings.

Offender Reentry Offers New Concepts That Promote Collaboration and a Clear Frame of Reference for Future Criminal Justice/ Public Policy Development and Operations

I have served as a senior correctional manager (Director/Warden) for the past 28 years and much of this period has been characterized by competing public policy theories that have driven criminal justice operations in many different directions. The past several years have focused on tougher sentencing structures and an enormous growth in jail and prison populations. Recently it has been widely realized that most of these individuals will be returning to the very communities in which they were arrested yet without the skills and behavioral characteristics most needed to diminish the potential for additional incarceration. It has also been realized that most offenders leaving correctional facilities and programs do not have any support in developing linkages to community based services and that many service providers have less than adequate interest and experience in working with offenders. All of this has led to an enormously high level of recidivism – well over 50% as documented by the Bureau of Justice Statistics which is unacceptable social and public policy no matter how difficult the client population nor the nature of criminal behavior within individual cases.

The recent focus on the reentry of offenders offers material and policy of substance to the criminal justice and public safety field. It largely removes political rhetoric or theories of punishment from the field of discussion and instead offers success or the lack thereof upon return to the community as a goal that can be measured and studied and evaluated as alternative methods are tested within the correctional and community based environment. Perhaps most valuable has been a growing understanding of community based linkages for offenders who are due to leave a correctional program or facility and arrive in some community based situation in what has traditionally been a vacuum. Absent program participation, supervision and

organizational linkages the likelihood of post release success further diminishes as evidenced by numerous studies of post release failure.

The offender reentry movement and public policy focus have stimulated a new discussion and program development ethos stimulating linkages to a wide range of community based programs and like the faith community, seeks to build on structures, organizations and programs that already exist with years of street tested experience in the community. Corrections as a profession has broadened its scope and is recognizing the critical importance of casting a far wider net not around prisoners but around organizations that seek to improve offender potential upon release.

Presidential Attention to Offender Reentry and a Second Chance

Correctional practitioners were both taken by surprise and deeply encouraged when the President's 2004 State of the Union Address included a significant statement that described prisoner reentry challenges and his commitment to provide funding for program development. While limited to state prisoners, the commentary directed attention to 600,000 prisoners and offered a laudatory Presidential admonition in support of funding for program development to assist offenders returned to the community from state correctional systems. President Bush had inherited an enormous national correctional population and it had become clear by 2004 that significant rates of recidivism would never diminish absent new strategies and approaches to both offender skill and educational/behavioral health development and linkage to quality community based programs for offenders and their family members. A "second chance" had meaning and offered encouragement to correctional systems that had become buried in enormous population growth, crowding, diminished program capacity, and high rates of return. Managing the symptoms of overcrowding was no longer sufficient and the President is commended for sounding a call for a major change in direction.

The Significant and Long Neglected Importance of County Government in Offender Reentry: Several Million Offenders Must Not Be Neglected

I need to comment extensively on this general issue area for the county role and the enormous scope of that role is not well understood nor articulated in the literature, public policy discussions or even well intentioned reports on the criminal justice system. . The National Association of Counties, a dedicated force in this field of corrections and public safety at the local level for over 30 years reports county based criminal justice expenditures of over $ 53 billion. When coupled with county offender reentry populations approaching 7 – 10 million persons the size and scope of this component is enormous. In partnership with my county colleagues in institutional and community corrections, workforce development, human services and numerous related disciplines we seek to stimulate discussion on the huge potential to engage community reentry through local county correctional programs in America and in a more focused manner. It also impresses upon elected officials and senior policy makers at all levels of government that there is an enormous area of operations in effect at the local level of

government that surpasses the scope and impact of state and federal corrections that so often drive discussion, grants, other funding and policy considerations. County corrections urgently seek its presence in the wider public policy discussion. It is not a minor afterthought but rather a core element of a major issue area.

It is the local level of government and its relationship to criminal justice and corrections that guides this communication to you. Jail populations grew significantly over the past 15 years. The public actively supported incarceration and often objects to lesser punishments and challenges the location of both new jails and community based correctional programs. The driving force has been expanded sentencing enhancements and other legislative provisions, which do not rest at the county level. The costs are supported at the county level with minimal general federal or state assistance. Because of other priorities, few state and federal officials have been able to focus on the size and the scope of the local correctional populations and the impact of offenders return to local communities. Local governments have not been able to effectively articulate the nature of this issue and using "Average Daily Population" as the primary program measure does not assist in explaining the issue. County Government must pay a substantial portion of the bill in a focus and policy area little understood when compared to better publicized and described state and federal correctional systems.

County corrections is enormous in scope and dwarfs both the federal and State correctional population when we focus on the impacts of the number of human beings committed to jail and correspondingly released back into local communities. This process occurs every day of the week and covers 24 hours a day and operations and procedures are implemented around the clock right in the middle of almost every community in this country. A look at some very basic data elements helps to present and explain this poorly articulated and not well understood hidden county jail population and its impact on thousands of local communities. It also creates the opportunity to intelligently engage public safety planning for the future and the potential to dramatically reduce crime if investments are made in establishing quality community linkages with programs that already exist in many communities

Two very fine Justice Department reports: **Prison and Jail Inmates at Midyear 2004,** (April, 2005) and **Mental Health and Treatment of Inmates and Probationers,** (July, 1999) written by the Bureau of Justice Statistics form the baseline for the discussion that follow. The Bureau of Justice Statistics has done superior work for many years and as an administrator in the field I have used the exemplary reports prepared by Allen Beck and his staff each year to assist in developing budget indicators, population projections and related data elements. These are excellent but for local policy considerations additional information must be provided, even it cannot be perfectly measured or has not been the subject of detailed data collection to date - **namely jail admissions and releases back to the community in America.**

The April, 2005 report **(Prison and Jail Inmates at Midyear 2004),** speaks to Average Daily Population and notes there were 713,990 inmates in local jails

while there were 1,390,906 prisoners in state and federal prisons. That data element is accurate but that is not what local government and local communities must deal with every day of the week. The critical elements of **admissions, discharges and reentry to the community** creates data elements that are staggering at the local level and these elements have almost never been properly articulated by government, the media or within the legislative process. Using some very basic inference I will estimate that the number of persons admitted to county and municipal jails in this country and released to the community **numbers between 7 and 10 million.** BJS reports estimate federal and state releases at over 650,000 at number pales when compared to the impacts on local communities of county correctional releases. Members of Congress and elected state representatives have almost no knowledge of this dramatic data element and we in the profession have not made a well reasoned effort to translate this material into useable data for public policy development.

Is this a linguistic discussion? **It is not.** It is substantive to the core because local government must respond to community linkage needs for millions of offenders and that is a major challenge far beyond the current capability of local government. The scope is not understood. Average Daily Population data that does not include bookings and releases back to the community, does not offer the hard data that policy makers need to justify the allocation of resources to programs that do impact criminal behavior and the conditions that generate expanded criminal activity.

If my suggested estimate of 10 million is close to accurate, county jails return 10 - 15 times the number of persons to the community that state and federal prisons return. Even accounting for multiple arrests and discharges for the same person, the number would be between 7 and 10 times the magnitude of releases. Multiple arrests and releases of the same person for non-violent offenses do not diminish the need for services upon release - indeed the need is more acute for a successful intervention would have a dramatic impact on future bookings.

From current reporting, professional reports and statistical assessments one would presume that county corrections is a minor aspect of the national correctional issue and not a major factor for local government, certainly not a major driver of local costs. Any such analysis would be totally incorrect. County corrections (prisoners serving sentences of less than 12 months per the program guidelines) was not included in the otherwise superior, progressive and ground breaking federal Going Home Grant Program. Counties have 10 million going home – not 650,000 as do the states.

The second BJS report (a bit dated but still directly on point) that was very professionally prepared prior to the special meeting called by the Attorney General of the United States in late July, 1999 focuses on the increased incarceration of the mentally ill **(Mental Health and Treatment of Inmates and Probationers,** July, 1999). Using the best options and data collection possible in the short time provided to BJS they suggested that at least 16% of jail inmates had a mental condition or engagement with inpatient mental health treatment. I believe that is a very good statistic.

The report focuses on Average Daily Population and suggests that on a given day about 95,000 mentally ill persons are in county jails compared to almost 200,000 in state and federal prisons. That might be an interesting number for prison operations where the same person stays on average more than 24 months but at the county jail level the 95,000 who are mentally ill on a given day becomes an annual number of well over 1,000,000 mentally ill who are returned directly to the community and who need linkage to professional treatment providers if the cycle of mental illness, non-violent crime and incarceration is to end. Many are released without a professionally developed plan, a place to sleep, medication beyond a few days supply or any meaningful referral to a community based mental health provider. In some jurisdictions jail staff is precluded from access to state mental health reporting networks to even determine whether a prisoner is already part of the local community/public mental health system. One can only imagine the waste of time in developing new information, case histories and the linkage potential for already existing community based relationships.

The same would be true of persons with significant substance abuse problems. At the county level the number would be several million based upon federal data concerning substance abusers at the time their crimes were committed or at the time of their arrest. Progress in responding to crime requires linkage to services in the community - it also creates an enormous potential for stopping cycles of crime and incarceration if we understand and act upon the data and information that is either before us or could be generated with great support of the corrections community and the local county governments that conduct significant correctional business in this country.

Local officials find it difficult to understand why county level correctional operations receive so little interest in terms of legislative attention, grant or block grant programs, and related discussions when county corrections handle the vast majority of the correctional practice in this country. The corrections world beyond Truth in Sentencing, Violent Offender Reentry Initiative and Going Home (all are progressive and well thought out federal programs focusing on state level offenders) is significant and impacts local communities in a manner not well understood nor articulated. Imagine the potential for breaking the cycle of crime and incarceration if the focus would shift from just processing people at the local level to one of linking people with services and programs that already exist in the community. A public health agency most likely already interacts with family members where one is in a county jail as do a host of other community based human service providers. Expanding linkages while in jail and then making solid linkages prior to release or at the time of release offer true opportunities to engage persons when they are both vulnerable and in need of help as they return to the community.

Intergovernmental Collaboration and the Mosaic of Correctional Populations

Offenders move between county and state correctional systems. Almost all offenders initiate their correctional involvement at the county level and the vast majority serves their sentences in county correctional facilities. It should make no difference whether offenders are engaged at either county or state levels for the reentry equation impacts every level of government and any legislation that establishes reentry grants, programs or initiative must flow equally to county and state government . Attention and funding should follow the offenders and the data demonstrates this is a major issue at the locals level that requires significant attention if we are really to impact the reentering offender population. The legislation before us offers a significant opportunity to build bridges to local county government that bears such a significant cost of the total correctional program in this country. Our time is now and Congress is commended for stepping forward in an area so long left to the vagaries of political rhetoric and non data driven responses.

Offender Reentry Programs at the Local Level – Montgomery County Maryland

Community-based offender reentry requires a 24/7 focus on accountability and services at the street level and the active engagement of community and government agency partners For more than 30 years, Montgomery County, Maryland has provided offender reentry services for offenders returning from local, state, and federal correctional systems. During this time, the Department of Correction and Rehabilitation has offered both residential and home-based reentry programs for carefully selected individuals that provide employment opportunities and training, help address substance abuse and other treatment issues, and which aim to foster positive family partnerships that are so central to improved opportunities for successful reentry. These programs offer real services and support; however, they also require individuals to be accountable 24/7 and to meet the program requirements of work. Individuals who fail to meet the program requirements are immediately suspended back to jail. In 2004, over 500 offenders participated in these reentry services. Both the Maryland Department of Corrections and the Federal Bureau of Prisons utilize this county based program for offenders returned to this region. Regular state and federal accountability visits are conducted to ensure the ongoing quality of the program

The Second Chance Act of 2005 will stimulate greater focus at every level of government and our program in Montgomery County is no exception. Members and staff of Congress are invited to visit the Montgomery County Pre-Release and Reentry program that is located within 20 miles of the Capitol in Rockville, Maryland. He you can observe first hand the daily challenges and opportunities of offender reentry and what can be accomplished and where new thoughts and initiatives can be field tested in real world correctional settings.

Offender reentry in Montgomery County proceeds from the assumption that criminogenic risk factors drive criminal behavior, and that each individual requires a

different reentry strategy. All offenders considered for our programs are carefully assessed and screened. We use a validated risk/needs instrument that identifies individuals' dynamic and static criminogenic factors, and our reentry plans proceed directly from these results. During the reentry process, we require that offenders develop and implement strategies that will address those criminogenic factors that can be changed ("dynamic" factors) while better understanding how they have to present those that can not be changed (static factors). This analytical and programmatic approach advances reentry programming from merely a thoughtful inference and experiential decision making-process to a data driven operational process. Congress should rely upon proven examples of data driven program efforts for we all recognize that within the scope of limited resources funds must flow based upon proven success of specific programs and approaches. Dynamic factors need to be attacked across a broad continuum of interventions that include the following:

a. education/employment/workforce development
b. financial planning
c. facility/martial support
d. housing
e. leisure/recreation
f. companions and friendships
g. alcohol/drug abuse
h. emotional/personal
i. attitudes and personal orientation
j. victim impact/empathy
k. restorative justice
l. mentoring
m. job skill training
n. community linkage to post release supervision

<u>The Montgomery County Offender Reentry Program: How it Works in Brief</u>

1. Inmates from the local, state, and federal correctional systems who are within 6 months of release are screened for the pre-release program, and only those that have a history of escape or recent institutional violence in detention facilities are automatically excluded from consideration.

2. During screening, all individuals are interviewed using a structured questionnaire and receive a risk/needs assessment (we use an instrument called the Level of Services Inventory - LSIR that assesses 10 treatment domains -- criminal history, education/employment, financial, family, accommodations, leisure/recreational, companions, alcohol drug problems, emotional/personal, attitudes/orientation);

3. Work Requirement Timeline:
    a. Sunday: Individuals are transported in the evening from the jail to the Pre-Release Center
    b. Monday: Individuals receive program orientation and meet with their assigned case managers and work release coordinators Case Managers
    c. Tuesday: Individuals are interviewed by a treatment team and they begin developing a preliminary reentry plan
    d. Tuesday through Friday: Job readiness training Friday
    e. 2nd Week: Individuals begin job search and treatment programming
    f. 3rd Week: Individuals are expected to work

4. Family
    a. Family members must attend 6 weekly "Sponsor groups" in a two-month period in order for residents to earn the privileges of taking home passes for extended periods of time (after two visits, residents can earn a basic privilege). These sponsor groups do not involve the residents and are opportunities for case managers to discuss how the family members can support the reentry of their loved ones.

5. Strong Case management
    a. Residents are assigned a case manager and a Work Release Coordinator. Case managers carry 15-20 cases and are responsible for developing achievable and individualized reentry plans and for ensuring that the basic reentry work is fulfilled (documentation, licenses, child support, etc.).
    b. Work Release Coordinators ensure that job placement is appropriate and that employers are fully knowledgeable about the offender and are participants in reentry.

6. Counseling
    a. All sex offenders immediately are referred to sex offender therapy with a counselor.
    b. Other residents may be asked to seek out individual or group counseling to address personal, substance abuse, and anger management issues.

7. Programs/services
    a. Many residents attend NA and AA meetings in the community and at the Prerelease Center on Sunday night.
    b. Proposed Initiatives
        i. Victim Impact/Empathy

ii. Substance abuse aftercare
iii. Restorative Justice
iv. Mentoring
v. Job Skill Training
vi. Medication Resources
vii. Financial Training
viii. Detention/Pre-Release program coordination
(stefan.lobuglio@montgomerycountymd.gov)

Reentry in a Full Service County Jail – Montgomery County Correctional Facility

While community corrections offers the closest replication of the street focused community for reentry effort work must go on within the walls of jail and prison settings for not all prisoners meaningfully qualify for community corrections placement. Sufficient bed and program space is also not available in community facilities to accommodate the need. Political as well as financial support for attitudes must change regarding the need to accommodate reentry efforts at all levels of the national correctional system. This means politically supported work in the trenches of local communities to market the benefits of offender reentry programs.

In Montgomery County, Maryland we have traditionally operated meaningful adult educations programs, life skills training, substance abuse and alcohol treatment programs and mental health treatment (when commensurate with a short term jail setting). That is now being expanded to take cognizance of the leadership efforts developed nationally through the Department of Labor and Workforce/One Stop programs located in most counties in the United States. Corrections working with local workforce boards has opened a new dimension of intergovernmental collaboration that is essential to building meaningful offender reentry programs. In Maryland this collaboration is eagerly supported at the state level and flow through to local jurisdictions.

Montgomery County will open a One Stop/Workforce Development Center within the county jail (Montgomery County Correctional Facility) and offer assistance to all prisoners within 90 days of their release who may not have community corrections options open to them. This creative effort seeks to build on the strength and quality of the One Stop Centers that has effectively become the nation's workforce delivery system for the future. The jail is becoming part of a continuum of service delivery and not simply a provider of many unrelated however well intentioned services. Links are developed to community based programs that will hopefully remain with the offender upon reentry to the community. This is a work in progress and Committee members and staff are encouraged to visit this site when ther jail based One Stop/Workforce Center opens later this year. This month after consultation with prisoners and our county Criminal Justice Coordinating Committee valid reentry indentification start to be issued to prisoners who often have no verifiable means of establishing their identity upon release. The simple step reflected something universally suggested by

offenders as they seek to develop initial linkages in the co0mmunity. It is something we as a profession have overlooked for years. (robert.green@montgomerycountymd.gov and eric.seleznow@montgomerycountymd.gov)

Hennepin County, Minnesota – A Quality Program Example

I am here to present information beyond a single jurisdiction and given many years association with Hennepin County developed through the NACO partnership I would like to mention an exemplary program to the Subcommittee. This Minnesota jurisdiction has focused on prisoner reentry as long as any political unit in this country. Many portions of their correctional system are aimed at preparing offenders for a meaningful return to the community. The exemplary program – Sentencing to Service (STS) Homes bears mention today. This home construction program began in January, 2000 in community based partnership with the Minnesota Building and Trades Council, Regional Council of Carpenters and Joiners, Twin Cities Habitat for Humanity, and the State Department of Corrections. It primarily serves the local county and is focused toward preparing workers for the building and construction trades.

The trades organizations provide journeyman foreman crew leaders, who transport, supervise and instruct offenders in training and focus on quality work performance and safety. The program is rigorous, adopting a community standard of instruction, accountability and performance and covers the spectrum of housing construction and key skill/trades areas. Real wages are paid and are placed in internal accounts until the offender is released to the community. Many of the participants have active child support orders or have agreed to participate in voluntary support of their families. These deductions are made from payroll by the employer prior to deposit.

The Hennepin County program is a model of intergovernmental cooperation and significant collaboration with existing high quality organizations in the community. It establishes a community standard of skill development and performance that will significantly assist offenders upon their release. It approximates as closely as any program that I know the rigors and pressures and responsibilities of real life experiences prior to actual release from custody. It is the antithesis of sending offenders home by bus with a reporting date for post release supervision and an admonition to seek a job immediately. It is real, measurable and reflects the commitment of the community. (bob.hunter@co.hennepin.mn.us and Ron.Wiborg@co.hennepin.mn.us)

Superior Sources of Information and Data

Any presentation might contain references to a multitude of sources. The Subcommittee will have access to many references and sets of data. I want to present two that I have used in my testimony and that speak to a practitioner's view of this topic and its relationship to correctional issues in general. No review of reentry is complete without a thorough review of the most comprehensive operational review to date: Report of the Re-Entry Policy Council – Charting the Safe and Successful Return of Prisoners to the Community, Council of State Governments, New York, New York, 2004, 648p. Members of the Judiciary Committee and staff members are urged to review this superior report covering virtually every facet of offender

reentry. The Council of State Governments is commended for creating the opportunity for many government and community based organizations to come together and develop operational working materials to both focus attention and daily operations on the best practices for effective offender return to the community. (www.reentrypolicy.org)

Data and statistics covering correctional operations in this country are improving and legislative committees are urged to support these efforts. As a line practitioner I have relied upon the superior reports of the Bureau of Justice Statistics for the past 28 years. Special attention should go to the reports developed, authored, edited and overseen by Dr. Allen Beck, Chief, Correctional Statistics Program, Bureau of Justice Statistics. Dr. Beck is respected throughout the correctional and criminal justice public policy community. He is an unrelenting source of the best data available and his work fuels both operational considerations and major research projects. This subcommittee is urged to turn to Dr. Allen Beck as the finest source and analyst of corrections data in this country. (http://www.ojp.usdoj.gov/bjs/)

Conclusion - County government and other levels of government carry an enormous burden of millions of offenders and people at risk returning to the community who need services, direction, support and a focus on personal and family accountability. Many are non violent offenders but they require significant supervision and accountability programs. They access numerous human service systems including substance abuse, mental health and co-occurring disorders, developmental disability, Adult Basic Education and GED, ESOL, workforce development and job awareness, vocational training, community health services, children and family services, domestic violence/victim issues, affordable housing and emergency shelter services for the homeless, pre-natal counseling and early childhood development intervention. Each issue area has the potential to diminish return to the criminal justice system. When combined in an organized effort supported by data driven measures of need and intervention major improvements can be made.

No doubt that it would be preferable to invest afresh in early childhood development as organizations such as the National Association of Counties have so vigorously advocated. This would significantly diminish the need for vast expenditures for adult correctional and criminal justice services over time but we are here in a present reality. We must engage both issues simultaneously given both the imperatives of prevention for the future while responding to the reality of offender reentry from prisons, jail and community correctional programs to the neighborhoods where they hope to reside.

The linkages mentioned above are essential for any hope of driving down the embarrassing and destructive level of prisoner recidivism in our country that so challenges and diminishes our goal of truly enhanced public safety and human growth and development. Your understanding, advocacy and support for encouraging, cajoling and pushing federal, state and local officials (counties and cities) toward the imperatives

of the Second Chance Act of 2005 represents an enormous step forward in social and public policy in this country. Focusing on offender reentry at all levels of government grounds the discussion on results and diminishes the debate and rhetoric that often drives discussion in this field. There is little disagreement in the country regarding the goal of improving the success of offender reentry. Modest legislation can lead to enormous changes in national practice as we learned in the past from progressive juvenile justice legislation. The time has come for offender reentry to move to center stage.

I commend Congress to entering this fray when it would have been easier to place the issue in its tradition forums before a purely county, city and state platform. The issue is national is scope and warrants national attention. I am enormously proud to be in this Chamber today speaking on a public policy issue that has for so long eluded this level of review, program development and analysis. Please push hard and aggressively for quantum improvements in the process and methodology of offender reentry and strict evaluation templates that must accompany any allocation of federal resource to any jurisdiction seeking to participate in this program. . I speak today for myself and for Montgomery County, Maryland. I am mindful of the support and mentoring I have received through 28 years of association with the National Association of Counties through the good offices of Don Murray – Senior Legislative Manager. Any errors or omissions in my testimony are solely my own. I know I echo the hopes of correctional and criminal justice professionals across the nation who wants quality and data driven offender reentry to become a reality. Thank you for permitting me to be present today.

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