

REAUTHORIZATION OF THE SECOND CHANCE ACT

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM,
AND HOMELAND SECURITY

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

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REAUTHORIZATION OF THE SECOND CHANCE ACT

WEDNESDAY, SEPTEMBER 29, 2010

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

The Subcommittee met, pursuant to notice, at 4:10 p.m., in room 2237, Rayburn House Office Building, the Honorable Robert C. “Bobby” Scott (Chairman of the Subcommittee) presiding.

Present: Representatives Scott, Conyers, and Gohmert.

Also Present: Representative Davis of Illinois.

Staff Present: (Majority) Bobby Vassar, Subcommittee Chief Counsel; Jesselyn McCurdy, Counsel; Keenan Keller, Counsel; Veronica Eligan, Professional Staff Member; (Minority) Kimani Little, Counsel; and Kelsey Whitlock, Legislative Assistant.

Mr. SCOTT. Good afternoon. Welcome to the oversight hearing on Reauthorization of the Second Chance Act.

In April, 2008, the historic Second Chance Act was signed into law. It authorized Federal grants to government agencies and non-profit organizations in order to better address the needs of the growing population of ex-offenders returning to our community.

Although the 2-year authorization for the Second Chance Act will expire on September 30, there are still grant funds that were appropriated under the original authorization that the Department of Justice will award over the next year.

As Congress continues to evaluate and implement the Second Chance Act, today’s hearing will examine some of the programs that have been funded under the law. According to the U.S. Bureau of Labor Statistics, in 2008 more than 7.3 million people were on probation or parole or in prison, which equals 3.2 percent or one in every 31 adults. This is the highest rate in the world. The number of prisoners have quadrupled over the past two decades to more than 2.3 million, and the number of adults under the criminal justice system through parole and probation agencies has more than tripled, to more than 5 million.

The growth of the incarcerated population has resulted in over 700,000 people being released from prisons and jails every year. These people must successfully reintegrate in our society or be at risk of going back to prison. The bipartisan Second Chance Act was established to provide resources to local communities to help former offenders transition back to their communities.

Today we will hear about a program in the Richmond Virginia Sheriffs Office funded by the Second Chance Act that provides wraparound services, including substance abuse treatment, education, employment readiness, and life skills to people returning home from jail. This program serves up to 50 participants and assists them in successfully reuniting with their community or otherwise improving their lives.

One of the problems we have with the Second Chance Act programs is that funding of the programs has not been made available long enough for the programs to show enough activity and results to credibly evaluate their impact. Moreover, with a 2-year authorization period, the Act's reauthorization is about to expire before there is sufficient basis to evaluate its impact in the normal way we do it. But we know there are reentry programs across the country that are successful in stopping the cycle of incarceration. So I hope that we can provide for a longer period for evaluation for the next reauthorization.

The reentry programs funded by the Department of Justice prior to funding being made available under the Second Chance Act does give us a basis for evaluation, except that we had a July Department of Justice Inspector General's audit report that found that, while DOJ has apparently established appropriate procedures for oversight and evaluation for Second Chance Act grants, it did criticize DOJ oversight of prisoner reentry programs that were established prior to the Second Chance Act.

Although this report found flaws in the Department's design and performance measures of the Serious and Violent Offender Reentry Initiative and its Prisoner Reentry Initiative, the audit was clear about the fact that these problems were being addressed in the context of the Second Chance Initiative.

Several of the today's witnesses will discuss reentry programs funded by the Second Chance Act that are making great progress in keeping former offenders from returning to prison. Another of today's witnesses will discuss the audit and how the Department of Justice has responded to those criticisms. I look forward to hearing more from our witnesses about the good work that is being done with the Second Chance Act funding, and I would like to hear how we can improve the Second Chance Act during this reauthorization process to provide more opportunities for the rehabilitation of offenders.

We have several witnesses today, but, before I introduce them, I will yield to the Ranking Member of the Subcommittee, the gentleman from Texas, Judge Gohmert.

Mr. GOHMERT. Thank you, Mr. Chairman.

Today's hearing does focus on reauthorization of the Second Chance Act signed into law by President Bush on April 9, 2008. The goal of the legislation was to provide Federal assistance to help State and local governments implement programs to ease the transition of offenders from prison back to the community. The Act authorizes up to \$330 million for prison reentry programs during fiscal years 2009 and 2010.

Reentry programs are essential in assisting the nearly 700,000 individuals who are released from incarceration each year. Studies show that, unfortunately, about two-thirds of these ex-offenders

will recidivate within 3 years. Higher recidivism rates not only decrease the safety of the neighborhoods affected by the crime but also increase government expenditures on prisons and criminal justice systems.

To combat recidivism, the Second Chance Act authorizes the Department of Justice to provide Federal grants to State and local government agencies and nonprofit organizations to provide employment assistance, substance abuse treatment, housing, family programming, rendering victim support and other services that can help reduce recidivism.

When we debated the Second Chance Act of 2007 in the last Congress, I supported including a provision to fund faith-based initiatives because of their proven success and cost efficiency. Faith-based programs are frequently less expensive than other reintegration initiatives.

Further, faith-based prisoner rehabilitation and post-relief programs have proven successful in reducing the likelihood that a prisoner will reoffend. In a previous hearing on the collateral consequences of incarceration, one witness noted that some faith-based groups have created reentry programs that reduce recidivism among its participants by over 50 percent.

As Federal deficits continue to skyrocket, Congress needs to continue to identify successful programs as we cannot afford to just fund programs blindly, especially if they only provide mediocre results. As Congress considers whether to reauthorize the Second Chance Act, we need to gather as much information as possible to ensure that the prisoner reentry programs funded by the DOJ actually result in the goal of reducing recidivism. Unfortunately, we do not have very much information about whether these programs reduce recidivism, because many reentry grant recipients are not closely monitored by the DOJ.

In July of this year, the DOJ Inspector General released a report concluding that the Department did not establish an effective system for monitoring recipients of grants made under the Serious and Violent Offender Reentry Initiative and the Prisoner Reentry Initiative, two programs that were precursors to the Second Chance Act. The audit did not find specific flaws with the Second Chance Act reentry grant programs because its audit only covered programs funded from 2002 to 2009.

That said, other observers have not been able to fully evaluate the Second Chance Act programs as the programs are still very new. There has not been sufficient time to examine and evaluate the programs for effectiveness. However, the Second Chance Act does not require grant recipients to track and report baseline and ongoing recidivism data. As we consider reauthorizing these programs, Congress should contemplate including directives to the DOJ to collect this information and improve its monitoring of reentry grants.

Lastly, I understand that some proponents of the Second Chance Act are not only actively seeking its reactivation but also pushing for an expansion of the reentry programs funded by DOJ. At this time of economic hardship, it is not prudent to expand these programs to increase their level of authorization, especially considering their effectiveness has not been yet proven.

As a former State judge, I strongly support efforts to reduce recidivism by assisting ex-convicts in their reentry into communities. However, we can no longer afford to wantonly spend Federal money on programs that may or may not be inefficient and ineffective.

I look forward to working with my colleagues on both sides of the aisle to develop a sensible, cost-efficient Federal policy to reduce recidivism and to improve ex-convict reintegration into communities and families.

Again, I thank the Chairman for holding this hearing. This is an important topic regarding the safety of our country. So I look forward to hearing the witnesses' testimony and yield back my time.

Mr. SCOTT. We are joined by the Chairman of the full Committee, a strong supporter of the Second Chance Act, Mr. Conyers.

Mr. CONYERS. Thank you, Mr. Chairman.

I would like my statement to be put into the record.

Mr. SCOTT. Without objection.

[The prepared statement of Chairman Conyers follows:]

Statement of the Honorable John Conyers, Jr.
for the Hearing on the
Reauthorization of the Second Chance Act
Before the Subcommittee on Crime, Terrorism, and Homeland Security
Wednesday, September 29, 2010, at 4:00 p.m.
2237 Rayburn House Office Building

Today's hearing is about the Second Chance Act and several programs that have been funded by Second Chance Act grants.

I'd like to begin by pledging my ongoing support for the Second Chance Act. And I hope that we will take the opportunity during today's hearing to discuss ways to improve this law.

In particular, I would like the witnesses to focus on the following three areas:

First, the Second Chance Act is just beginning to provide resources and services to facilitate the rehabilitation of former offenders. As a result, we need to continue the funding for these programs.

Two years ago, the landmark Second Chance Act was signed into law, and it authorized federal grants to provide employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services for former offenders.

These services play an absolutely critical role in facilitating the transition of those who have paid their debt to society, from prison into our neighborhoods and communities, so that they do not fall into a cycle of recidivism.

During this fiscal year, \$114 million was appropriated for prisoner reentry

programs in the Department of Justice, including \$14 million for reentry initiatives in the Federal Bureau of Prisons and \$100 million for Second Chance Act grant programs. In just the last few months, these Second Chance Act grants are being awarded by the Justice Department.

Two years is not long enough for these recently the programs to establish a track record of real results. We should reauthorize the Second Chance Act for an additional four years as soon as possible, so that people returning from prison can continue to benefit from these services.

Second, the Second Chance Act Reauthorization legislation should address the additional civil penalties – known as “collateral consequences” – that often remain with former offenders long after they have served their criminal sentence.

The Second Chance Act has made important resources available to individuals who have completed their prison term, to assist them with reintegration after their incarceration ends.

However, there are still many collateral sanctions that ex-offenders are subjected to after completing their criminal sentences.

These penalties are referred to as “collateral consequences,” and they exist at the federal and State levels.

Rather than helping the formerly incarcerated successfully transition from prison to the community, many of these laws have just the opposite effect. They essentially limit an individual’s ability to obtain a job, housing, or public assistance.

A criminal conviction negatively affects a person’s legal status as a

productive member of society. For example, an individual convicted of certain felonies may lose his or her right to vote, or be ineligible to hold public office.

In addition, federal laws bar individuals with convictions from serving in the military, and on civil and criminal juries.

Collateral sanctions can also result in the deportation of non-citizens who are convicted of crimes.

Like their federal counterpart, State legislatures have embraced civil sanctions for convicted individuals. Studies show that there are of hundreds of collateral sanctions and disqualifications imposed by State law or regulation.

This study also found that employers in 37 States can deny jobs to people because they were arrested, even if they were never convicted of any crime.

Finally, it is important to remember that the recent Justice Department Office of Inspector General audit outlined problems with prisoner reentry programs that existed before the enactment of the Second Chance Act.

In July, the Inspector General released a report looking at three prisoner re-entry grant programs maintained under the supervision of the Office of Justice: the Serious and Violent Offender Reentry Initiative, Prisoner Reentry Initiative, and the Second Chance Act Prisoner Reentry Initiative.

Although the audit documented several problems with the Serious Violent Reentry and the Prison Reentry Initiative, it did not find similar concerns with the Second Chance Act programs. In fact, the report says that the Second Chance Act has promoted efforts to correct some of the deficiencies found in the other two initiatives.

The findings in the Inspector General report are just one more example of why it is important to continue the work of the Second Chance Act.

As we put more resources into prison reentry programs, we learn more about what actually works to help former offenders, and how to measure the success of reentry services. The Inspector General's audit findings indicate that the Second Chance Act is doing just that.

I am looking forward to hearing from today's witnesses, and hope that this discussion will provide meaningful guidance on how we should improve reentry services in this upcoming reauthorization of the Second Chance Act.

Mr. CONYERS. Then I would just like to talk about the environment in which this bill was brought forward and created. And the whole theme under it is that people with different views can work together.

Look, when Conyers and George Bush can land on the same subject, when Judge Gohmert and Bobby Scott can land on the same subject, when Danny Davis and Rob Portman can land on the same

subject, this illustrates that there may be other areas that we may be able to come together on.

One of them is the Performance Rights Bill which I have a number of conservative members working with me on. And this is heartening because, well, I was just asked on the floor during the last series of votes by—I'm pretty sure she was a freshman Member—and she said, have you ever seen it so partisan since you've been here? And I said the short answer is yes. And I'm amazed when people say the atmosphere has never been so vitriolic.

Look, when I came here, Strom Thurman and Bilbo—there was a long list of people who—there was no chance of us talking to even see if we could come together. There was very serious divisions. And I say that not to make it seem that it is okay for what is going on now but to say that the nature of the political process is that there are sharp divisions and certain—some individuals go to different ways to express the strongness of their convictions that are held.

So what this bill represents is the combined thinking of moderates, conservatives, and liberals together. And it is probably to the Chairman and Ranking Member of this Committee that much of that emanated from.

Sure, I was surprised on April 9, 2008, in the White House when President George W. Bush signed this bill into law. And he was unreservedly enthusiastic about it. And I was just as surprised that he was enthusiastic as he was enthusiastic about it.

So I think that is a very important backdrop on the work that Danny Davis and Rob Portman began. We have come a long way on a very important subject.

So I will return the balance of my time.

I will yield to the judge.

Mr. GOHMERT. I have been asked that question, too: Have you ever seen things so vicious between parties?

I explain historically around the 1800's there was one senator that called the other liar. And that one spit on the one who called him a liar and whacked him with his cane. The one that got whacked went over and got fire tongs and they beat each other and eventually were broken up.

And then of course Senator Sumner on the floor of the Senate was nearly beaten to death with a cane. Senator Sam Houston was involved in a caning for a guy that called him a thief and liar or fraud.

I tell people, we haven't had a good caning since I've been here. So, as bad as it has been here recently, it is not as bad as it was historically, and it will always be a pleasure and an honor to serve with you.

Thank you.

Mr. CONYERS. I will have to make a note of all of these incidents. I didn't know anybody was keeping track. Very good. Thank you, Judge Gohmert.

Mr. SCOTT. We have several witnesses to help us consider the issues today.

Our first witness is Le'Ann Duran, who is the reentry project director for the Council of State Governments and the Justice Center. She oversees efforts at the Council of State Governments to im-

prove the likelihood that people's transition from prison to the community are safe and successful. In this capacity, she manages the National Reentry Resource Center, which is funded by a Second Chance Act grants.

After she has testified, our next witness will be Michele Banks from the Richmond Second Chance Reentry System. She is the grant manager for the City of Richmond, Virginia. In addition to managing a diverse grant portfolio, she also writes and administers grants from a variety of funders for the City of Richmond. We are delighted to have you here, and particularly I look forward to your testimony on what the sheriff has been doing on behalf of reducing recidivism.

Next will be Nancy La Vigne, who is the director of the Justice Policy Center of the Urban Institute, where she leads a staff of over 30 researchers and oversees a research portfolio of more than three dozen active projects spanning a wide array of crime, justice, and public safety topics. Before being appointed as director, she served as senior research associate at the Urban Institute, directing projects on prisoner reentry, crime prevention, and the evaluation of criminal justice technologies.

Next witness will be David Muhlhausen, who is a leading expert on criminal justice programs in the Heritage Foundation's Center for Data Analysis. A senior policy analyst at Heritage, he has testified frequently before Congress on the efficiency and effectiveness of law enforcement grants administered by the Department of Justice.

Our final witness will be Gladys Taylor, the acting director of the Illinois Department of Corrections. She has been involved in all areas of the Department of Corrections policy, procedure, and operations. She left the Department in 2005 for a position in the Governor's Office of Management and Budget where she served as deputy director. She returned to the Department in February as chief fiscal officer and director of the Public Safety Shared Services Center before being appointed as acting director.

Each of our witnesses' written statements will be entered in the record in its entirety. I ask the witnesses to summarize your testimony in 5 minutes or less; and to help stay within that time there is a timing device before you that will start green, change to yellow when you have 1 minute remaining, and change to red when your time has expired.

Ms. Duran.

TESTIMONY OF LE'ANN DURAN, DIRECTOR, NATIONAL RE-ENTRY RESOURCE CENTER, COUNCIL OF STATE GOVERNMENTS, NEW YORK, NY

Ms. DURAN. Thank you, Chairman Scott, Ranking Member Gohmert, and Members of the Committee for holding this hearing on the Second Chance Act.

My name is Le'Ann Duran. I am the director of the National Reentry Resource Center. When the Second Chance Act was passed in 2008, I had been working for 5 years to design and implement a comprehensive reentry effort called the Michigan Prisoner Reentry Initiative.

Second Chance came at a critical time in Michigan's work. For the first time, there was Federal legislation and a clear message from Congress that improving reentry policy and practice is vital to public safety. This message fueled public and legislative support for Michigan's reentry initiative, which enhanced public safety by reducing recidivism and ultimately allowed the State to reduce its prison population by 12 percent, saving an estimated \$900 million. The establishment of a National Reentry Resource Center was an important step to advance the reentry field.

Congress and the Bureau of Justice Assistance are strengthening government, community, and faith-based organizations receiving Federal funds to ensure the most effective use of those investments.

Following a highly competitive process, the Bureau of Justice Assistance awarded the contract for the National Reentry Resource Center to the Council of State Governments Justice Center.

We have learned a great deal from our work with Second Chance grantees, though it is still very early in the process.

Second Chance Act programs have been incredibly popular. In the first year of the program, over 950 applicants applied for Second Chance funding. Of those applications, 67 grantees were funded across 31 States. This demand establishes the Second Chance Act as one of the most competitive justice programs with only a 7 percent funding rate in the first year. Over 170 2010 awards were announced this week, representing the best of almost 1,000 applications. The demand for continued and expanded funding is strong.

Two types of grant programs were funded in 2009. The first category, demonstration projects, was for State, local, and tribal governments interested in advancing their reentry initiatives. For example, the Florida Department of Corrections is partnering with the City of Jacksonville to implement a comprehensive reentry model designed to reduce the risk of men and women returning to Jacksonville.

The second program category, mentor grants, is available to non-profit organizations to advance their pro-social support efforts. In Texas, Volunteers of America is using their grant to implement a new reentry initiative targeting incarcerated mothers and will provide mentoring and family case management services to improve the outcomes of these moms and their children.

The resource center and its partners have designed three core strategies to respond to grantee needs as well as the field at large. First, we're creating a number of Web-based tools to help practitioners help themselves; second, we are building a more cohesive, knowledgeable reentry field by facilitating peer-to-peer learning; and, third, we are providing individualized assistance to grantees to respond to their emerging needs.

We are also working with the Urban Institute to develop an online what works library for policymakers and reentry practitioners.

So the big question is, how is it going? While still very early in the process, the program is thriving, both in the immense demand for grants, the establishment of a resource center for the field, and early accomplishments by the first cohort of grantees.

It is apparent there is good work happening; and government, community, and faith-based organizations are working together to

address the needs of this population. It is an exciting time to be working in the field of reentry which has existed for barely more than a decade but is vibrant with innovation.

Also, through this process, several challenges have emerged. First, around program design. Grantees in the reentry field generally are becoming increasingly familiar with the body of evidence about the strategies that reduce recidivism, but they continue to struggle with translating these concepts into policy and practice. The Second Chance Act is a strong first step to providing the reentry field with guidance about smart program interventions, but it will take time to turn the battleship of corrections in a data-driven direction.

Second, tracking recidivism. The Second Chance Act sets appropriately high expectations for sites that receive Federal funding to reduce recidivism, but grantees will need assistance understanding what to measure and how to obtain and routinely track quality information. BJA and the Resource Center will continue to work closely to implement the recommendations outlined in the Inspector General's report of Federal programs.

Key to effectively addressing the OIG's concerns is working with grantees to track outcomes, but it will take time.

We appreciate your leadership and your work through the Second Chance Act. It is a monumental step in changing how we address reentry. We hope you will reauthorize the program quickly to help further advance the field at large and expand our knowledge about reentry evidence and the practice of smart reentry strategies nationwide.

Thank you.

[The prepared statement of Ms. Duran follows:]

PREPARED STATEMENT OF LE'ANN DURAN



the NATIONAL REENTRY
RESOURCE CENTER

A project of the CSG Justice Center —

Statement by

Le'Ann Duran

Director, National Reentry Resource Center

A project of the Council of State Governments Justice Center

With funding provided by the U.S. Department of Justice Bureau of Justice Assistance

Hearing on

Reauthorization of the Second Chance Act

September 29, 2010

Subcommittee on Crime, Terrorism, and Homeland Security

Judiciary Committee

U.S. House of Representatives

Thank you Chairman Scott and Ranking Member Gohmert, and members of the Committee for your efforts to highlight and address the extraordinary challenges to public safety presented by the ever increasing numbers of people released from prison and jail and for holding this hearing on the Second Chance Act. This legislation is a necessary first step in addressing recidivism rates nationwide. It is also the foundation to build on as criminal justice agencies and communities struggle to find more effective strategies to keep neighborhoods safe, promote public safety, and reduce victimization all while using resources more efficiently.

My name is Le'Ann Duran. I am the Director of the National Reentry Resource Center, a project of the Council of State Governments Justice Center. Prior to accepting this position, I was the administrator of the Office of Offender Reentry for the Michigan Department of Corrections where I helped design and implement the Michigan Prisoner Reentry Initiative (MPRI). You may be familiar with the incredible gains Michigan has made through its reentry effort in effectively reducing its costly recidivism rates by improving the long-term outcomes of parolees. The improved outcomes of returning citizens allowed the state to reduce its prison population by approximately 12% (6,500 individuals) and close 20 corrections facilities, which saved an estimated \$900 million.

Having been a practitioner working in a state that has had much success in reducing recidivism, I am hopeful that other jurisdictions will be able to see similar improvements to public safety. I am also keenly aware, however, that bringing about change of this magnitude is an extraordinary challenge. In my new role with the National Reentry Resource Center, a project of the Council of State Governments Justice Center, we have the important job of supporting states, local governments, and community and faith-based organizations as they design and implement reentry initiatives.

Following a highly competitive process, the Bureau of Justice Assistance, a division of the Office of Justice Programs in the U.S. Department of Justice, awarded the contract for the National Reentry Resource Center to the Council of State Governments Justice Center. The CSG Justice Center, using data-driven, bipartisan, consensus-based strategies, has emerged as one of the country's leaders in shaping smart corrections policy, serving policymakers and practitioners at the local and state level from all three branches of government. I am honored to be part of this impressive team.

I also wanted to thank the Bureau of Justice Assistance and the Office of Juvenile Justice and Delinquency Prevention for their commitment to seeing evidence-based reentry strategies take root around the country. Without their leadership, realizing the goals outlined in the Second Chance Act would not be possible.

The Problem

The numbers of people being released from prisons and jails is growing steadily in this country. In 2000, about 600,000 people were released from prison growing to more than 680,000 people in 2008.¹ Between 1990 and 2004, the jail population increased from

¹William J. Sabol, Heather C. West, and Matthew Cooper, *Prisoners in 2008*, NCJ 221944 (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2009)

approximately 400,000 people to just over 700,000.² Unfortunately, there has not been a corresponding increase in success rates for people released from prison. In a study of 15 states, more than two-thirds of state prisoners released in 1994 were re-arrested and more than half returned to prison within three years of their release.³

Current state of the field

In the last decade, innumerable government officials and community leaders have emerged seeking to reduce the number of crimes committed by the record numbers of people released from prisons, jails, and juvenile facilities. What was once the goal of a relatively small number of corrections managers, jail administrators, and scattered service providers has recently become a national priority, resulting in the exponential growth of people, organizations, and government agencies interested in helping people who have been incarcerated become law-abiding and contributing members of families and communities. The Second Chance Act has played a significant role in this growth in reentry programs and priorities nationwide.

Government officials and community leaders recognize that people released into the community have significant and diverse needs. Halting the cycle of criminal behavior in youth, which is often the antecedent to adult criminal behavior, for example, requires strategies and programs distinct from those designed for adults. At the same time, the level of sophistication in the reentry field varies considerably. Some organizations understand effective practice and have retooled staff development and training efforts, modified policies, and invested in community-based interventions; however, most are still in the early stages of understanding and implementing effective reentry strategies. Some specialize in narrow focus areas, such as literacy or services for HIV, while others try to provide a comprehensive range of services. Some have received local, state, and/or federal funding; others operate solely on a shoestring budget of contributions and volunteer resources.

Yet these policymakers and practitioners share a common struggle: they must meet the needs of people returning from prisons, jails, and juvenile detention facilities often without immediate access to data-driven strategies, evidence-based practices, models for oversight and accountability, and other methods for efficiently and effectively carrying out their efforts.

The Second Chance Act has provided useful guidance about the key elements of a comprehensive, effective reentry effort and much-needed resources to support implementation. It has also elevated the issue of reentry nationwide and helped to greatly increase the number of jurisdictions that are working on reentry, which when done right, will increase public safety and prevent future victimization.

Introduction to the National Reentry Resource Center

The National Reentry Resource Center (NRRC) provides education, training, and technical assistance to states, tribes, territories, local governments, service providers, nonprofit organizations, and corrections institutions working on prisoner reentry. The NRRC is operated

² Paige M. Harrison and Allen J. Beck, *Prison and Jail Inmates at Midyear 2009*, NCJ208801, (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 2009).

³ Patrick A. Langan and David J. Levin, *Recidivism of Prisoners Released in 1994*, NCJ193427, (Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 2002).

by the Council of State Governments (CSG) Justice Center, with support from the Bureau of Justice Assistance, U.S. Department of Justice, the Annie E. Casey Foundation, the Public Welfare Foundation, and the Open Society Institute. It was established by Congress through the Second Chance Act.

Background

Signed into law on April 9, 2008, the Second Chance Act (Public Law 110-199) was designed to improve outcomes for people returning to communities from prisons and jails. This first-of-its-kind legislation authorizes federal grants to government agencies and nonprofit organizations to provide employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce recidivism.

By establishing a national reentry resource center, Congress and the Bureau of Justice Assistance (BJA) have made certain that the needs of anyone working in the area of reentry are met. They are effectively buttressing the government agencies and community-based organizations receiving federal funds to ensure the most effective use of those investments. They are also ensuring that the rest of the reentry field is progressing and maturing.

Before the enactment of the Second Chance Act and the subsequent launch of the NRRC in October 2009, government officials and community leaders, under pressure to launch and administer a reentry program, sought help wherever they could find it. Surfing the Web, they downloaded stacks of tools and guides, but were unsure which ones were credible or most relevant.⁴ Research was similarly mystifying. Nothing succinctly reviewed what the evidence said are the essential elements of any reentry initiative, and it was similarly unclear who was setting a research agenda to address gaps in the knowledge base. The field was missing one place to go where reliable information was compiled, developed, and easily accessible as well as a single place to connect with an expert to navigate this sea of information and be linked to a peer who could share valuable experiences.

NRRC Goals

The NRRC was created to be a one-stop resource for the field. Since opening its doors in October 2009, the NRRC has helped many individuals, agencies, and organizations, who have typically struggled to implement effective practices with scarce funding in order to better address community safety.

Reentry efforts must start with a strong program design that clearly describes who will be targeted for intervention and outlines the services and supervision appropriate for the target population. In order to create an effective program design, first, those involved in reentry must knit together a joint venture among state, county, and city justice and human services agencies that often have distinct missions—with varying levels of commitment to serving people involved in the justice system. Second, they must agree on how the reentry effort will target resources precisely and scientifically by collecting and analyzing data to identify a subset of people released from prison or jail most likely to reoffend. Third, they must determine the specific service packages and supervision strategies that are tailored to this target population and

⁴ Even the *Report of the Reentry Policy Council*—a seminal publication with hundreds of recommendations from more than 75 national experts—can be overwhelming, especially to someone just starting a program.

most likely to change those behaviors that can lead to reincarceration. Fourth, to sustain the initiative, reentry program administrators must demonstrate how many people they served, what those program participants received, and what difference it made.

Guided by these challenges, the NRRC has brought together the most experienced reentry practitioners and researchers to inform the tools and assistance provided by the NRRC.

NRRC Structure

A Steering Committee includes several national organizations who have partnered together to inform the technical assistance approach provided by the NRRC. In addition to the CSG Justice Center, the Steering Committee includes the Urban Institute, Association of State Correctional Administrators, American Probation and Parole Association, and Shay Bilchik, Center for Juvenile Justice Reform at Georgetown University.

The NRRC is also a great example of a public/private partnership. In addition to the support provided by the Bureau of Justice Assistance, the CSG Justice Center has worked to bring private foundations into the partnership. Foundations like the Public Welfare Foundation, the Annie E. Casey Foundation, and the Open Society Institute have been tremendous allies in the collaboration to further advance the goals outlined in the Second Chance Act.

The NRRC is grounded in a strong commitment to collaboration. In the years prior to the existence of the NRRC, the CSG Justice Center pulled together hundreds of stakeholders to weave together the best thinkers and the most promising practitioners to inform each other's work. This history of partnership and collaboration continued after the Justice Center was awarded the grant to manage the NRRC. People released from prison or jail often need services and supports, such as housing, employment, mental health, best delivered by organizations that operate outside the criminal justice system. To convene these key stakeholders, tap their expertise, and demonstrate the type of collaboration essential to a successful reentry initiative, the NRRC established ten committees, and contracted with nationally recognized leaders to chair each of them.

Advisory Committee	Description	Chair(s)
Communities & Families	<i>Focuses on the challenges faced by individuals who have been incarcerated when they return to their families and communities, as well as the challenges faced by families and communities affected by incarceration</i>	Vera Institute of Justice
Employment & Education	<i>Focuses on improving educational and employment outcomes for individuals returning from prison and jail</i>	Safer Foundation Center for Employment Opportunities (CEO) Prisoner Reentry Institute at John Jay College
Behavioral Health	<i>Focuses on the health, mental health, and substance use treatment needs of individuals returning from prison and</i>	Brown University Medical School University of South Florida, de la

	<i>jail</i>	Parte Florida Mental Health Institute
Housing	<i>Focuses on the housing challenges faced by individuals who have been incarcerated and their families</i>	Carol Wilkins, former Director of Corporation for Supportive Housing
Juvenile Justice	<i>Focuses on the particular challenges youth face as they return from correctional facilities and out-of-home placement</i>	Georgetown University, Center for Juvenile Justice Reform
Tribal Affairs	<i>Focuses on the particular challenges of reentry in tribal communities</i>	American Indian Development Associates
Local Government	<i>Focuses on government agencies working to improve reentry at the city and county level</i>	National Association of Counties (NACo)
Victims	<i>Focuses on integrating victims services and victim advocacy in the reentry process</i>	California Coalition Against Sexual Assault (CALCASA)
Pre/Post Release Supervision	<i>Focuses on improving pre-release planning and post-release supervision to improve reentry outcomes</i>	American Probation and Parole Association (APPA)

Each committee is developing a series of practitioner-friendly tools including a compendium of dozens of reentry-related Frequently Asked Questions, policy and practice briefs, best practice at-a-glance guides, and webinars. These resources are described in more detail in the “Tools for the Field” section below.

SCA Grantee Overview

The Second Chance Act grant programs have been incredibly popular. In fiscal year 2009, the first year that funding was available, 955 applicants applied for SCA funding. The reentry field enthusiastically responded to the opportunity to apply for federal funding to support state, local, and community-based reentry initiatives. Of the 955 applications, 67 grantees were funded in 2009, spanning 31 states. This demand establishes the Second Chance Act as one of the most competitive justice programs, with only a seven (7%) percent funding rate in the first year. Based on the volume of phone calls field by the NRRC, demand for continued and expanded funding in FY2010 is likely to grow.

Two program types were funded in fiscal year 2010: demonstration projects and mentor programs.

- Section 101 of the Second Chance Act authorizes demonstration projects grants to state, local, and tribal governments interested in advancing reentry initiatives. Eleven percent (11%) of the applications received for demonstration grants were awarded funding.
- Section 211 of the Second Chance Act authorizes mentor programs grants to nonprofit organizations to advance their prosocial support or case management efforts.

Approximately 769 applications were received in 2009 and 47 adult and juvenile mentor projects - or about six percent (6%) of the applications received - were awarded funding.

FY2009 SCA Grant Program Application Results			
FY09 Grant Program	Total applications received	Total grants awarded	Total amount awarded
Adult Demonstration (101)	119	15	\$7,732,726
Adult Mentoring (211)	507	36	\$10,000,000
Juvenile Demonstration (101)	61	5	\$3,660,172
Juvenile Mentoring (211)	262	11	\$4,707,524 ³
Reentry Resource Center	6	1	\$2,200,000
Total	955	68	\$28,300,422

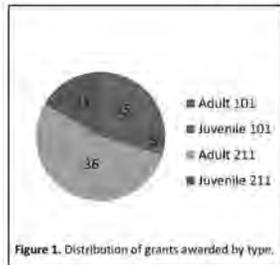


Figure 1. Distribution of grants awarded by type.

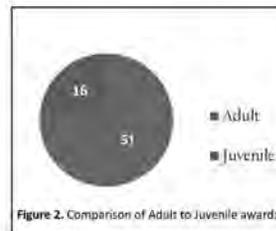


Figure 2. Comparison of Adult to Juvenile awards.

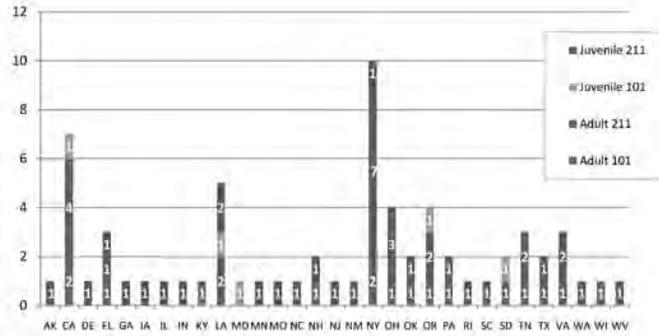
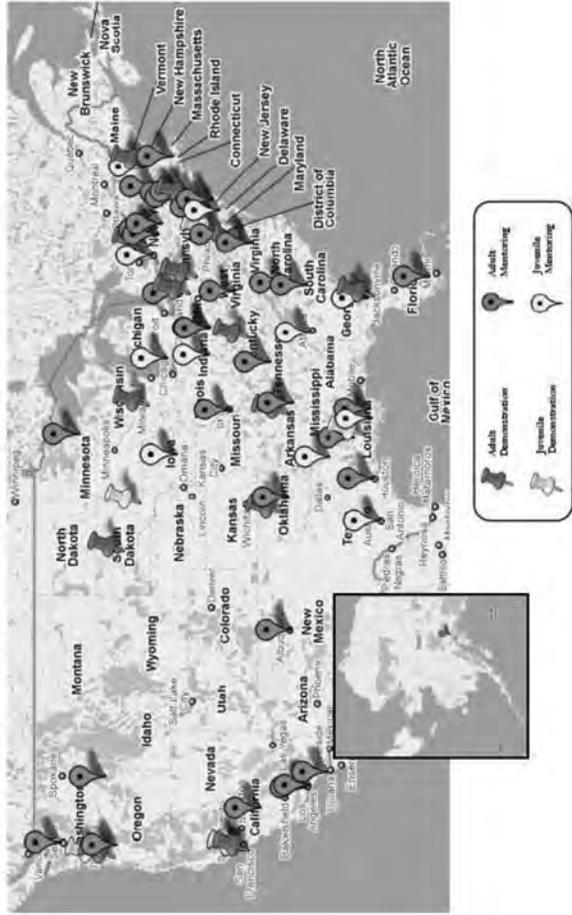


Figure 3. Distribution of grants across state, by program type.

³ Congress appropriated \$25 million for the Second Chance Act grant programs in fiscal year 2009, but the Office of Juvenile Justice and Delinquency Prevention supplemented the available funds to provide grants for 11 juvenile mentoring programs.

2009 Second Chance Act Grantees



2009 Demonstration Grantees

Demonstration grants were awarded to both adult and juvenile-focused projects. The adult projects focus on either jail reentry or prison reentry and most grantees are delivering key services based on an individual assessment of risk and need. Nine grantees are units of local governments and six grantees are state departments of corrections. In the first nine months of their grant award, adult demonstration grantees have focused on strengthening their collaborative partnerships with other agencies engaged in their reentry projects, hiring grant-funded staff, defining the scope of work for contractors, and re-engineering facility operations to ensure the target population is in-place and ready to participate in their projects.

Most often, adult demonstration grantees have requested assistance on designing case management operations, improving their reentry strategic plan, and responding to the performance measures required by BJA. In addition to the Advisory Committees, the NRRC has partnered with jail and prison reentry experts from the Criminal Justice Institute and Northpointe Institute for Public Management to deliver targeted assistance, customized to address individual grantee needs.

The criminal histories of many adults involved in the criminal justice system traces back to their youth. The primary objective of the juvenile justice grantees is to improve youth-specific interventions during these early years by employing an approach that requires the use of an ecological model, which focuses on peers, schools, and families. In the first cohort of SCA demonstration grants, five focus on youth involved in the juvenile justice system. Two grantees target high-risk youth. Another two grantees are using a “wrap-around” model with a variety of services and supports available to youth participating in their programs, and one focuses exclusively on youth with substance abuse disorders.

Most commonly, the demonstration grantees focused on youth are requesting assistance to help better integrate youth intervention across many complex government agencies. They also seek guidance on how to implement evidence-based practices. Building on the strong history of research supporting youth-specific interventions and working closely with the Office of Juvenile Justice Delinquency and Prevention, the NRRC has partnered with Shay Bilchik, Director of the Center for Juvenile Justice Reform at Georgetown University and David Altschuler, Professor at Johns Hopkins University, to inform the technical assistance strategy for addressing the unique needs of grantees working with youth.

The chart below describes the type of adult and juvenile projects funded and the target population for their reentry programs.

Grantee	Target Population	Program Focus
Allegheny County, PA	350 male and 40 female adults whose jail sentence is greater than 6 months.	The program primarily focuses on delivering appropriate behavioral health services, and transitional and support services.
City of Baltimore	60 youth identified as high risk for being a victim or perpetrator of violence, and are returning to Baltimore City from the Maryland Department of Juvenile Services.	The program primarily focuses on delivering appropriate enhanced case management to youth from incarceration to supervised-release, increased monitoring, service referrals, and support for the youth and their families will be provided as well.
City of Memphis	150 participants, 18 years or older, with one felony conviction or past history of failure, after release, and at least 90 days remaining in sentence with plans to return to one of five identified zip codes, will be selected. Approximately 90% of participants will be male, and the other 10% female.	The funding will support enhanced case management and enhanced community supervision, as well as family reunification services and pre-release preparation services.
City of Richmond, VA	From the jail population, 50 participants aged 30 or older who have expressed an interest in reuniting or enhancing their role in family life, and have a substance abuse disorder, will be given the opportunity to participate.	Funding will support a wrap-around model that includes substance abuse treatment, education, employment readiness, life skill, victim services, health care, family counseling, and housing services.
Florida Department of Corrections	Approximately 400 men and 100 women, listed as Medium to Highest risk (based on LSI-R scores), age 18 and older, returning to Jacksonville/Duval County will be given the opportunity to participate.	Funding supports employment, housing, substance abuse/mental health treatment and case management services.
Kentucky Department of Corrections	500 individuals in prison or jail, returning to the Louisville-Jefferson County area, who are at highest risk of recidivism, will be selected. Approximately 250 will receive continuing services upon release.	Funding will support medical services, mental health and substance abuse services, educational/vocational training, and case management.
Louisiana Juvenile Justice	200 youth returning to the New Orleans and Acadiana areas from residential placement will be selected.	The program primarily focuses on delivering appropriate case management, mentoring and service referrals.
Marion County, OR	Approximately 200 (~95% male) medium to high risk of adults will be selected. They must exhibit motivation to change and participate in the program, and must be returning to the Salem metropolitan area.	The program primarily focuses on identifying transitional housing, and supplying employment services and treatment/cognitive programming.
Monroe County, NY	50 individuals, moderate-to-high-risk individuals returning to northeast Rochester from federal, state, or local facility, whose family members are also willing to participate, will be given the opportunity to participate.	The program primarily focuses on community and family development.
New Hampshire Dept. of Justice	High risk adults in Concord, NH, as identified with validated assessment tools—specifically: parolees and those in transitional housing.	Funding will be used to ensure validated assessments of reentry risks and needs will inform parole planning, substance abuse treatment, mental health treatment, and other reintegration and recovery support services.

NYC Mayor's Office: Harlem Reentry Court	200 high-risk parolees, both men and women, 18 years of age and older returning to East and Central Harlem will be selected.	Funding will support: Pre-Discharge Planning, Judicial Monitoring, Case Management, Assessment, and Coordinated and Aftercare Services.
Oklahoma Department of Corrections	200 high-risk men returning to Oklahoma County (Oklahoma City), who are otherwise excluded from other programs, will be given the opportunity to live in a transitional facility where they can get services.	Substance abuse treatment, education services and employment readiness, as well as cognitive-based treatment are the primary focus of this program.
Oregon Youth Authority	150 paroled youth returning to the 21 targeted counties with ongoing alcohol or drug, or co-occurring needs will be selected.	Funding will support alcohol and drug treatment, mental and physical health services, education/vocational training, employment services, housing needs, living skills training, and other reentry services.
San Francisco Department of Public Health	High risk women sentenced in San Francisco to a state facility, and plan to return to San Francisco following release, will be selected.	Funding will support enhanced case management.
San Fran. Juv. Probation	100 high risk San Francisco youth committed to out-of-home placement will be selected.	The primary focus is to deliver coordinated and comprehensive reentry case planning and aftercare services.
San Mateo County, CA	High-risk individuals sentenced to a minimum of 60 days or more in the San Mateo County Jail, who be released to the County of San Mateo will be selected to participate. Participants must show interest and dedication to be considered.	Funding will support intensive, individual case management; substance abuse treatment; housing support; employment services; family reunification services and health care; and support system-wide program restructuring, and improve information sharing.
South Dakota Department of Corrections	Juvenile Program: 130 Youth released from a juvenile residential facility to the Rapid City area, and youth transitioning to the community through West Farm (near Sioux Falls), will be selected. Adult Program: 350 high-risk and high-need adults on parole returning to the Sioux Falls and Rapid City areas.	Juvenile Program: Funding will help create transitional centers to address deficiencies in academic skills, workforce skills, independent living skills, pro-social skills, and moral reasoning skills. Adult Program: Funding will support improved institutional services, address gaps in services provided by community based organizations, improve interagency case management, and incorporate assessed needs into release plans.
Stark County Court of Common Pleas	60 adults with felony convictions and returning from prison to Stark County on judicial release will be given the opportunity to participate.	Funding will support employment services among other transitional and support services.
Wisconsin Department of Corrections	40 people returning to the Green Bay Area and 160 people returning to Milwaukee will be enrolled in "Windows To Work" (WTW). The program serves high risk participants with a 3-yr community supervision sentence upon release; and participants must be able to work and express strong interest in the program.	Funding will be used to help roll-out the WTW program across Wisconsin, where WTW focuses on: employment services; case and comprehensive pre- and post-release case planning activities; post-release community supervision; and community based housing, health, mental health, and family & victim services.

Mentor Grantees

The current cohort of mentor grantees is very diverse. Eleven of the 47 grantees focus on serving youth while the remaining 36 target adults. Some are small organizations with a specific mission to deliver mentoring to people involved in the justice system; others are large non-for-profit service agencies that have added mentor programs to their services for clients. For a good number of grantees, their Second Chance Act grant represents their first federal grant award. The most common service delivered in conjunction with mentor support is case management. Using formal and informal strategies, nonprofit grantees are focused on building the prosocial support network of returning citizens and linking them to the appropriate community-based services.

By far, the greatest demand for funding has come from the nonprofit sector. At the grantee conference held in May 2010, the mentor grantees were enthusiastic and highly motivated. They demonstrated resourcefulness in weaving together their programs and services with other organizations in their communities. The most common requests made to the NRRC come from mentor grantees seeking information on evidence-based practices, managing federal grants, and interfacing with justice systems. Each mentoring grantee included in its application a signed memorandum of understanding from the collaborating corrections agency or jail. Despite this demonstration of collaboration, the nitty-gritty of aligning nonprofit, community-based programs with prison, jail, and juvenile detention center operations is an enormous challenge.

The NRRC is partnering with several highly successful nonprofit organizations, such as the Center for Employment Opportunities and the Safer Foundation, that have extensive experience in building effective programs and collaborating with justice systems to develop strategies to respond to the emerging needs of mentor grantees.

FY2010 Programs

Thanks to the increased appropriation for the Second Chance Act grant programs in fiscal year 2010, BJA issued solicitations for five new SCA grant programs this year, which will provide funding for technology career training programs, family-based substance abuse programs, reentry courts, treatment for people with co-occurring disorders, and evaluating and improving correctional education programs. The NRRC supported potential applicants in responding to these funding opportunities as through webinars and other information for the field. BJA expects to announce the 2010 grant recipients in September and over 180 new grantees are anticipated.

Tools for the Field

The NRRC and its partners have designed three core strategies to respond to grantee needs as well as the field at-large: create web-based tools for distance learning, facilitate peer-to-peer learning and provide individualized assistance to grantees. The following sections describe the assistance the NRRC has provided to date.

Develop web-based tools for distance learning

A top priority for the NRRC is to make knowledge accessible to the field and to help policymakers and practitioners help themselves.

The Justice Center launched the website for the [National Reentry Resource Center](http://www.nationalreentryresourcecenter.org) (www.nationalreentryresourcecenter.org) on October 1, 2009. The purpose of this site is to create a destination, user-friendly hotspot that synthesizes and disseminates knowledge about what works to reduce risk to reduce risk and improve outcomes with adults and youth leaving prisons, jails, and juvenile facilities.

The website is a portal for distance-based technical assistance, making available products such as webcasts, webinars, enhanced podcasts, audio podcasts, and a "what works" research library. Since its launch, over 47,000 discrete individuals have visited the website resulting in over 324,274 page views.

The NRRC has commissioned from each committee the development of a suite of web-based tools, including at-a-glance practice guides, policy and practice briefs, and a comprehensive reentry-focused compendium of frequently asked questions. Each Advisory Committee is currently working on the development of these tools which are scheduled to be released later this year.

Create a "What Works" Library

The National Reentry Resource Center is working with the Urban Institute and the John Jay College of Criminal Justice to develop a "what works" library, which provides a user-friendly, one-stop shop for practitioners who want to know what the research says about the design and implementation of evidence-based reentry practices, programs, and policies. By offering an organized, searchable and routinely updated compilation of the most recent peer-reviewed studies, this library will also assist the growing community of scholars developing a

Tools for the Field

47,000 discrete website viewers

324,274 webpage views

7600 newsletter subscribers

35 spotlight announcements

6 monthly newsletters issued

15 webcasts disseminated

9 webinars conducted

1 enhanced podcast disseminated

37 expert Interviews filmed

9 committee-developed webisodes scheduled

9 At-A-Glance Guides under development

9 Policy in Practice Briefs under development

Reentry FAQ Compendium under development

What Works in Reentry On-line Library under development

www.nationalreentryresourcecenter.org

reentry research agenda. The online library will be easily searchable, updated regularly, and expanded over time.

To date, the project directors at the Urban Institute and the John Jay College of Criminal Justice have conducted a systematic review of the universe of “what works” literature to determine how past “what works” efforts have classified and categorized evaluative research and interventions into levels of effectiveness/strength. They examined 34 meta-analyses and other reports from the criminal justice, education, substance abuse, physical and mental health, and youth/families fields, and reviewed “what works” online databases and websites.

On April 12 and 13, 2010, the Urban Institute convened the What Works in Reentry Roundtable in Washington, DC, to glean “lessons learned” from both the implementation and evaluation of federal reentry initiatives, and to solicit input on the development of the “what works” library. Roundtable participants included federal representatives, practitioners, and academics who have been involved with both the implementation and the evaluation of large-scale national reentry initiatives.

Following the Roundtable, the Urban Institute and John Jay College developed classification criteria and categories of evidential strength, incorporating findings from the systematic review of “what works” literature and input from the roundtable. They also identified over 500 evaluations of reentry interventions for classification and developed procedures for rating and classifying evaluations. In the next year, they will begin to code and tag the evaluations and develop practitioner-friendly one-page overviews of each evaluation. They will also begin to develop an electronic prototype for the “what works” library and hold focus groups to test the utility and user-friendliness of the library. The goal of the project is to launch the online library by fall 2012.

Promote peer-to-peer learning

People doing the hard work of designing and implementing reentry initiatives must be brought together -- both virtually and in-person -- to share their experiences, learn from one another, motivate each other, and bring cohesion to the fragmented reentry field. The NRRC facilitates these connections, using national and regional training and technical assistance events, webinars, conference calls, and other approaches.

The first national conference for Second Chance Act grantees, “Making Second Chances Work: A Conference for Grantees Committed to Successful Reentry,” took place in Washington, DC on May 25 and 26, 2010. Over 200 individuals representing FY09 Second Chance Act grantees participated. Front-line professionals learned from experts and peers about approaches in housing, employment, mental health and substance abuse treatment, community supervision, and other areas that help support a person’s transition from a correctional facility to the community. Participants accomplished the following:

- 1) learned more about the types of technical assistance available through the National Reentry Resource Center;
- 2) met with other grantees from across the nation, sharing challenges and successes; and
- 3) received training from subject matter experts in relevant issue areas.

As part of its commitment to support not only the grantees but the reentry field generally, the NRRC ensured that key sessions were filmed and made available on the web. These "webisodes" can be downloaded for free on-line at <http://www.nationalreentryresourcecenter.org/making-second-chances-work>.

In addition to the face-to-face opportunity during the conference, the NRRC has also hosted over 65 conference calls with grantees on selected topics in an effort to provide useful information and connect grantees to each other. These calls have provided grantees with a chance to learn more about topics like complying with their grant award, responding to federal reporting requirements, collecting data to report on SCA performance measures, and developing system maps to improve grant-funded program designs. During these calls, grantees learn about the creative solutions being employed around the country and questions addressing the specific issues most important to them.

• 65 Conference Calls on Hot Topics for grantees since October 2009

Provide individualized assistance to grantees.

The NRRC has assigned a coach to each grantee to provide targeted assistance to each site. Since October 2009, NRRC coaches have fielded hundreds of calls addressing the needs of grantees and other reentry practitioners.

Over 500 coaching calls have been conducted to date, along with nine site visits and another 24 scheduled technical assistance site visits. The following provides a sample of some of the most common inquiries.

Employment. *How do I design an effective employment program in this economy?*

Data Collection. *How do I collect the data BIA requires for grantee performance measures?*

Federal Reporting. *I need help to meet the federal grant reporting requirements.*

Funding. *Where do I find funding to supplement or sustain my program?*

Strategic Planning. *How do I develop and implement a strategic plan for my reentry effort?*

Contracting. *How do I structure and manage my subcontractors?*

Case Management. *Can you help me design a system-wide case management process?*

Collaboration. *I need help bringing partner organizations to the table.*

SCA Applications. *I want to apply for a SCA grant, how can you help?*

To respond to these questions, the NRRC coaches pull together research and synthesize available information on best practices. If additional assistance is needed, the coach will coordinate expert assistance for follow-up conference calls and on-site visits. Since October 2009, the NRRC team has conducted 9 on-site visits and has 24 visits scheduled in the coming months.

• Conducted over 500 coaching calls.
• Completed 9 site visits.
• Scheduled 24 site visits.

Emerging Common Challenges and Recommendations for Implementation

As the NRRC team has become familiar with the first cohort of SCA grantees and has connected with the reentry field at-large, several challenges have emerged.

Assistance with Program Design. Grantees and the reentry field generally are becoming increasingly familiar with the emerging body of evidence about strategies that reduce recidivism, but they continue to struggle with translating these concepts into policy and practice.

Although a rich body of evidence is emerging, grantees and the reentry field generally continue to struggle with translating what they have learned about data-driven, effective strategies into policy and practice. In recent years, the message that corrections should shift to implementing evidence-based practices has been heard by many policy makers and practitioners; however, decades of standard practice in corrections, coupled with the political realities of managing these populations, make transformation of these systems complicated. What evidence demonstrates as effective practice often runs counter to the way the justice system has functioned over past decades. For example, individuals who are at a high risk of reoffending are often hard to serve, but yield the greatest results in reductions in recidivism and criminal activity. Supervision, reentry planning and other services must focus on the right populations if we really want to see significant reductions in recidivism.

The Second Chance Act is a strong first step to providing the reentry field with smart guidance about how to build effective criminal justice interventions, but it will take decades to turn the battleship of corrections in a data-driven direction.

Currently, demonstration grantees (Sec. 101) can apply for one large demonstration project grant for up to \$750,000. Our work with grantees and non-grantees has revealed that each jurisdiction is at a different point in planning or implementing their reentry strategy. As such, many sites interested in Second Chance demonstration grants are at the very beginning of their planning process and would be better served by smaller grants with greater technical assistance, such as a planning grant, to help design their interventions.

These planning grants would allow for early intervention during the critical planning period and only grants with strong program designs and a good likelihood of reducing recidivism would be awarded implementation grants to demonstrate their effectiveness. Allowing pre-implementation planning to happen with grant funds would enable agencies and collaborative reentry teams to take the time necessary to work through the tough decisions on implementing data-driven strategies and system integration issues cited above. Technical assistance would be provided by the NRRC during this period to help strengthen program design. Currently, grants are awarded after the strategic planning process has been completed by applicants, and it is difficult to redirect these efforts once implementation funding has begun.

We recommend that a program structure similar to Drug Court Program or the Mentally Ill Offender Treatment and Crime Reduction program be implemented with a tiered grant structure, including both planning and implementation grants. This would ensure that newer sites that require more planning and early stage work aren't overwhelmed with the expectations and dollars associated with a more advanced grant. Planning grantees can then apply for an implementation grant once the planning phase is complete.

Measuring Performance. Like the rest of the reentry field, grantees struggle with understanding what to measure and how to obtain and routinely track quality information. Most justice agencies have little experience linking program operations to performance measures. Congress, through the Second Chance Act has been very clear: strong performance is expected of SCA grantees. However, corrections agencies must have the staff capacity and ability to

modify and integrate management information systems to reduce inefficient, redundant data entry and make the best use of limited staff time.

Given these challenges, the Bureau of Justice Assistance has taken strong steps to improve grantees' ability to respond to the required performance measures. BJA has developed a grantee performance measurement tool that helps clarify what information should be tracked, implemented a standardized definition of recidivism, required baseline recidivism data be collected, and they have asked the NRRC to conduct additional site visits and work with grantees to improve their data collection operations.

Lack of data collection capacity, limited information management infrastructure, and nascent knowledge on how to effectively measure performance also limits the type of evaluative research that can be conducted within the reentry field. The SCA provision requiring the National Institute of Justice and the Bureau of Justice Statistics to conduct research on reentry issues was enthusiastically embraced by practitioners, policymakers, and researchers alike; however, we recommend restructuring the research section during reauthorization to provide more capacity and performance measurement assistance to grantees as well as adding new research areas.

While there is no dispute that more credible research on the effectiveness of reentry initiatives must be conducted, these research efforts must account for capacity within the field. Until this investment is made, current grantees will continue to need a tremendous amount of technical assistance and support to understand how to change their operations to streamline data collection; there is no quick solution to the need to increase performance measurement capacity.

Reducing recidivism. The Second Chance Act sets appropriately high expectations for sites that receive federal funding to reduce recidivism. Grantees are keenly aware that they are under significant scrutiny to demonstrate positive results quickly. Currently, grantees are in the process of gathering data to submit for their first required performance measurement report. It is anticipated that they will be serving additional numbers of clients for the remainder of their grant period.

Because SCA programs are new programs, the first cohort of grantees has demonstrated many lessons that can be applied to future cohorts of grantees. Namely, while significant reductions of recidivism remain the goal of every SCA grantee, large reductions are not likely in the first year of implementation. As described above, flawed program designs, insufficient systems to collect and analyze program data, deep budget cuts, and imminent changes in state and local leadership across the US make dramatic reductions in recidivism in a very short period of time challenging. As grantees learn through their first year of implementation, make improvements to their program design, enhance the efficacy of their implementation efforts, and act on the trends revealed from the data they collect, increasing numbers of program participants will receive the targeted interventions needed to support prosocial behavior change and ultimately result in fewer crimes. But until grantees have an opportunity to try new policies, programs, and practices, and learn from these early efforts, reductions in recidivism are likely to be modest.

Nevertheless, the leadership Congress has shown by authorizing the Second Chance Act and providing funding for its implementation will permanently alter the trajectory the field and

over time make a tremendous difference in the likelihood government agencies and communities will be able to implement more effective practices and protect their citizens. Before the Second Chance Act, the justice field did not share a common definition of recidivism. By building a common measure for recidivism, comparing outcomes of different approaches to reentry will be easier to measure and will increase the likelihood that truly effective programs are replicated in the future.

We also recommend that Congress consider adding flexibility to the award length. By expanding the length of the demonstration awards beyond 12 months, grantees will have more time to demonstrate their effectiveness and have additional opportunities to receive technical assistance and support in implementing their initiatives. New grantees need between two to four months to finalize the grant details and have their budgets cleared, which makes the current 12 month grant period unrealistic to achieve the project goals. Flexibility will improve the ability for grantees to achieve desired results.

Conclusion

The enactment of the Second Chance Act was a monumental step in changing how state, local government and community-based organizations address prisoner reentry. While still very early in the process, the program is thriving -- both in the immense demand for grants, the establishment of a resource center for the field, and early accomplishments by the first class of grantees.

I would like to thank the Chairman and the Members of the Committee for allowing me this opportunity to provide an update on the status of Second Chance grantees and the work of the National Reentry Resource Center.

Mr. SCOTT. Ms. Banks.

TESTIMONY OF MICHELE BANKS, RICHMOND SECOND CHANCE REENTRY PROGRAM MANAGER, RICHMOND CITY SHERIFF'S OFFICE, RICHMOND, VA

Ms. BANKS. Chairman Scott, Ranking Member Gohmert, and Members of the Subcommittee, I thank you for the opportunity to testify before you today on the matter of reauthorizing the Second Chance Act.

The Richmond City Sheriff's Office in the City of Richmond, Virginia, was one of 15 localities to receive the 2009 Second Chance

Adult Demonstration Grant. Under the leadership of Sheriff C.T. Woody, Jr., we have had the privilege of providing our returning citizens with evidence-based, comprehensive, and individualized case management because of the Second Chance Act.

The Richmond city jail's total inmate population averages 1,400 or more, but the facility was built to hold less than 900. The Second Chance Act has allowed our team to effectively address the root causes of a high recidivism rate and overcrowding among the disproportionate number of offenders that are returning to the Richmond community.

We have been able to provide a sustainable and relevant reentry program with our pilot focusing on 30-year-old female and male inmates. While addressing the high criminality across generations, often correlated with poverty and separated families, our program has focused on treatment of the whole person. The approach has made a much wider impact, not only reducing recidivism and improving quality of life among the inmates but also among their family members and, consequently, the larger community.

The City of Richmond, Virginia, has been able to effectively partner with local government agencies, community based service providers to assist ex-offenders with issues surrounding substance abuse, homelessness, mental and physical health, unemployment, educational challenges, and family instability. Our three-pronged approach of Getting Ready, Going Home, and Staying Home consists of integrated pre- and post-release services that include substance abuse treatment, transitional housing options, connections to mental and physical health services, GED and vocational education, responsible financial management and job-readiness skills training as well as mentoring and family reunification services.

It is quite a sight to see an inmate who arrived at the jail coming down off a binge of drugs and alcohol, homeless, jobless and not supporting his family in any way to leave a recovering addict, equipped with a GED, and equipped with a vocational training certificate. He is prepared to work hard, manage money, pay restitution, and become a leader in his home.

As I am sure some cynics will believe this is unrealistic, one of our faith-based programs has graduated 21 participants with only one returning to jail or prison. It was our community partnership and the Second Chance Act that has allowed the program to continue in our jail.

Through the Second Chance Act, the Richmond jail and our close community partners have been able to collaboratively design and implement a comprehensive reentry model that uses risk and need assessments to link our returning citizens to much-needed services at each of the various stages of reentry. We now have the capacity to provide a continuum of service as well as maintain close contact with both the program participants and service providers to ensure successful service delivery and performance measurement tracking.

The success of our program is evidenced by our recent work with a 45-year-old woman who, at age 8, was drugged by her father and used for child prostitution. Coming to us with only a third grade education, she can now stand before a room of her peers and program staff to confidently articulate her well-thought-out transition

plan that consists of supportive services provided by our Second Chance Program.

We are confident that the reauthorization of the Second Chance Act will enable the production of increased positive outcomes among this disadvantaged and high-risk population. With reauthorization lies the ability to replicate this model into other areas of Virginia with similar demographic and risk profiles. The idea is to continually maximize efficiencies among collaborative partners as the model expands, developing increased options for this developing population to become hardworking, personally responsible, tax-paying and law-abiding citizens. This will virtually assure stronger families and safer communities.

Mr. Chairman and Members of the Subcommittee, thank you for including me in this valuable discussion.

[The prepared statement of Ms. Banks follows:]

PREPARED STATEMENT OF MICHELE BANKS

Statement by

Michele Banks
Richmond Second Chance Reentry Program Manager
Richmond City Sheriff's Office

Hearing on

Reauthorization of the Second Chance

July 21, 2010

Subcommittee on Crime, Terrorism, and Homeland Security
Judiciary Committee
U.S. House of Representatives

Chairman Scott, Ranking Member Gohmert and Members of the Subcommittee, I thank you for the opportunity to testify before you today on a matter of Reauthorizing the Second Chance Act. The Richmond City Sheriff's Office in the City of Richmond, Virginia was one of fifteen (15) localities to receive the 2009 Second Chance Adult Demonstrations Grant. Under the leadership of Sheriff C.T. Woody Jr., we have had the privilege of providing our returning citizens with evidenced based, comprehensive and individualized case management because of the Second Chance Act.

The Richmond City Jail's total daily inmate population averages fourteen hundred or more (1400+), but the facility was built to hold less than nine hundred (900). The Second Chance Act has allowed our team to effectively address the root causes of a high recidivism rate and overcrowding among the disproportionate number of offenders that are returning to the Richmond community. We have been able to provide a sustainable and relevant reentry program, with our pilot focusing on thirty (30) year old male and female inmates. While addressing the high criminality across generations, often correlated with poverty and separated families, our program has focused on treatment of the whole person. The approach has made a much wider impact, not only reducing recidivism and improving quality of life among the inmates but also among their family members, and, consequently, the larger community.

The City of Richmond has been able to effectively partner with local government agencies, community-based service providers to assist ex-offenders with issues surrounding substance abuse, homelessness, mental and physical health, unemployment, educational challenges and family instability. Our three pronged approach of Getting Ready, Going Home and Staying Home consist of integrated pre and post release services that include substance abuse treatment, transitional housing options, connections to mental and physical health services, GED and vocational education, responsible financial management and job readiness skills training as well as mentoring and family reunification services.

It is quite a sight to see an inmate who arrived at the jail coming down off a binge of drugs and alcohol, homeless, jobless and not supporting his family in any way to leave a recovering addict, equipped with a GED, and a vocational training certificate. They are prepared to work hard, manage money, pay restitution, and become a leader in his home. As I am sure some cynics would believe this is unrealistic, the leadership development program has graduated twenty one (21) participants with only one (1) returning to jail or prison. It was our community partnership and the Second Chance Act that has allowed these partnerships and programs to continue in our jail.

Through the Second Chance Act, the Richmond Jail and our close community partners have been able to collaboratively design and implement a comprehensive reentry model that uses risk and need assessments to link our returning citizens to much needed services at each of the various stages of reentry. We now have the capacity to provide a continuum of services as well as maintain close contact with both the program participants and service providers to ensure successful service delivery and performance measurement tracking.

The success of our program is evidenced by our recent work with a forty-five year old woman who, at age eight (8), was drugged by her father and used for child prostitution. Coming to us with only a third grade education, she can now stand before a room of her peers and program staff to confidently articulate her well thought out transition plan that consists of supportive services provided by our Second Chance Act program.

We are confident the reauthorization of the Second Chance Act will enable the production of increased positive outcomes among this disadvantaged and high risk population. With reauthorization lies the ability to replicate this model into other areas of Virginia with similar demographics and risk profile. The idea is to continually maximize efficiencies among collaborative partners as the model expands, developing increased options for this population to become hard working, personally responsible, tax-paying and law-abiding citizens. This will virtually ensure stronger families and safer communities.

Mr. Chairman, Members of the Subcommittee, thank you for including me in this valuable discussion.

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Mr. SCOTT. Thank you.
Ms. La Vigne.

**TESTIMONY OF NANCY G. LA VIGNE, DIRECTOR, JUSTICE
POLICY CENTER, THE URBAN INSTITUTE, WASHINGTON, DC**

Ms. LA VIGNE. Thank you, Chairman Scott, Ranking Member Gohmert, Mr. Conyers. It is a pleasure to be here today.

I believe all of us in this room are here for the same reason. It is because we care about public safety. And I think that perhaps the biggest way to achieving increased public safety is by focusing on the men and women who are leaving prison and returning to their communities. They have many needs. They have many issues. So the goal here is to give them the support and the services they need so that they can successfully reintegrate. If they don't, they end up committing new crimes, creating new victimizations, and costing us more money because they ultimately end up back behind bars. We know that that is a very expensive alternative.

We all know that that is the purpose of the Second Chance Act. It is to reduce recidivism and increase public safety. But the question remains how best do we use the Second Chance Act dollars. This is particularly important in light of the conversation about reauthorization. How do we get the best impact out of those dollars and how do we know if we are really making a difference in public safety?

I am happy to note that we have already made great strides in this regard through existing Second Chance Act investments. The Bureau of Justice Assistance has implemented a performance measurement system that warms this evaluator's heart because it requires grantees to input data on who they are serving, the characteristics of those individuals, what their needs are, what kinds of services they received, and what were their outcomes.

This is very important. It is important for accountability of grantees, it is important for us to be able to measure the impact of their programs ultimately on recidivism and other important re-entry outcomes like employment housing and substance abuse.

I also think it is really important that the Second Chance Act through the National Reentry Resource Center is delivering much-needed technical assistance to the sites. At the Urban Institute, we have been working with the States and counties for the last decade helping advise them on how to develop empirically based programs and also evaluating those programs; and the single biggest challenge that we have observed with these sites is their lack of data, their lack of information on who the returning prisoner population is, what are their needs.

There is a limited ability to understand their needs and their risks; and, without that data, they are unable to target resources to those who most need them. And so, in that sense, if they can't make those important decisions in spending these scarce resources—because even with Second Chance Act funding these resources are still limited—if they can't do that, they are essentially investing money in programs that may not work even theoretically because they might not be treating the right people.

Another area of the Second Chance Act is one that Ms. Duran already referenced, that is the what works resource. It is something we are working on at the Urban Institute in response to the call from the field to say what do you all mean by evidence-based practice? We keep hearing that we are supposed to be implementing evidence-based practice and we have a sense of what that means is what rigorous research has determined works. But there is no one place where we can go to get that information.

There is a lot of research and scholarly journals, and I think it is quite unrealistic to expect practitioners in the field to read those journals. There are different studies that often conflict, and there is no one place that they can go for those resources.

So we at the Urban Institute are compiling all of that information. We have identified a thousand individual studies that we are now coding and assessing both for their findings and the quality of the research, and we are going to be distilling that information and creating a Web site that is searchable and accessible to the field so they can use that information to inform the development of their programs.

So those are all of the good things that are happening right now. But, in consideration of reauthorization, I just want to touch upon a recommendation and that is to consider funding future grantees in phases.

Phase one would fund the grantees for some preliminary granting work and also have a research partner at the table also funded at the same time who can help him with these data challenges that I already referenced. The researcher can help them identify the population to serve and the very data that they need to do that will also support a rigorous evaluation.

Having the evaluator in at the beginning can also enable us to assess whether the program that is being designed is worthy of evaluation. Can it meet evaluation at its highest rigor? Is it amenable to what we often refer to as the gold standard, which is a randomized controlled trial? We talk a lot about that as the goal in evaluation, and yet that is often hard to implement in the field. So having a researcher there at the outset can determine that but can also determine an alternative and yet rigorous design that could be employed.

I also think it is important to note that if for whatever reason there is no opportunity to work with the sites in a way that you can get the data that you need and that they are willing to explore their data and participate in an evaluation, the phased funding enables grant makers makes a decision or perhaps not funding them further past phase one.

In summary, I think this phase funding combined with the technical assistance and the research support that is already in place holds great promise to achieving the goal that I think we all share, and that is public safety.

Thank you.

[The prepared statement of Ms. La Vigne follows:]

PREPARED STATEMENT OF NANCY G. LA VIGNE

Statement of
Nancy G. La Vigne
Director, Justice Policy Center, The Urban Institute

Before the
Judiciary Subcommittee on
Crime, Terrorism, and Homeland Security,
U.S. House of Representatives

"Reauthorization of the Second Chance Act"

September 29, 2010

Mr. Chairman and members of the Subcommittee,

Thank you for the opportunity to speak today on the reauthorization of the Second Chance Act (SCA).¹ This is an issue of great importance, as states and localities need all the federal support they can get to prepare prisoners for successful reintegration into their communities. Jurisdictions are strapped for funds, and in this current economic climate, vocational, education, and treatment programs behind bars are often the first items on the chopping block. The irony is that these are the investments that hold the greatest promise for increased public safety. Cutting reentry programs will do nothing to stem the tide of offenders returning to prison; on the contrary, it will simply increase the odds that released prisoners will reoffend and that prisons will remain filled to capacity. Federal assistance through the Second Chance Act can therefore ensure that programs are maintained and even expanded, a strategy that can increase public safety and save jurisdictions money through reduced reoffending.

But how can Second Chance dollars be used most effectively, and how can we measure the impact of those investments on public safety? The answer is three-fold: (1) fund grantees in phases; (2) ensure that the first phase includes a funded research partner to help collect and analyze data; and (3)

make grantees accountable through the measurement of program inputs, outcomes, and impacts. These three steps are derived from the Urban Institute's experiences working with dozens of states and counties engaged in reentry programs over the past decade, and are also embodied in the Office of the Inspector General's (OIG) (2010) report, "The Office of Justice Programs' Management of Its Offender Reentry Initiatives."

Our experiences over the last ten years providing research and evaluation support to state and county reentry initiatives have yielded both positive developments and critical challenges. The good news is that jurisdictions are increasingly embracing a collaborative model involving a wide array of criminal justice agencies, service providers, and community stakeholders based on the understanding that the most effective reentry programs are holistic in nature, begin behind bars, and continue in the community. The bad news is that many jurisdictions are woefully ill-equipped to understand basic facts about the risks and needs of their reentry population and therefore lack the information to target services to needs and identify specific subpopulations on which to focus resources.

The underlying problem rests with antiquated and disparate data systems and limited funds with which to hire trained analysts. The result is the inefficient allocation of scarce treatment and programming resources, which ultimately fails to increase public safety. The Second Chance Act has made strides in addressing these data challenges, providing technical assistance and online resources, implementing a performance measurement system to keep grantees on task and accountable, and creating a repository of evidence-based practices that can guide the development and implementation of successful reentry initiatives.

Indeed, many jurisdictions are challenged in crafting programs without good data because they are told they must implement "evidence-based practice." What that means is that they should only be engaged in programs, services, and practices that rigorous research has definitively determined are effective. The call for evidence-based practice comes from policymakers, national criminal justice professional associations, and the academic community. Unfortunately, there is no one place that

¹ The Urban Institute is a nonprofit, nonpartisan policy research and educational organization that examines the social, economic, and governance problems facing the nation. The views expressed are those of the author and should not be attributed to the Urban Institute, its trustees, or its funders.

practitioners can go to find that evidence, leaving them to wade through the large body of research on their own.

In response to this challenge, the Urban Institute has partnered with the Council of State Governments' National Reentry Resource Center to develop a *What Works in Reentry Online Library*. We have identified over 1,000 studies evaluating a wide array of reentry programs, which we are in the process of coding according to both rigor and findings. Findings by type of intervention will be integrated into an easily searchable online database housed within the National Reentry Resource Center's web site. Without funding through the Second Chance Act, this effort to distill and make evidence readily accessible to the field would not be possible.

While the compilation of evidence on effective reentry strategies is sure to be a popular resource for the field, the same data problems that hinder jurisdictions' efforts to craft effective programs plague researchers' abilities to contribute new evidence to the repository. As evaluators, we are often challenged with obtaining the criminal and substance abuse history, program, and treatment participation data necessary to conduct rigorous evaluations. Without these data we are unable to control for intervening factors that may predict reentry success or failure regardless of program participation.

Even when such data are available, evaluations are often held up against what is known as the "gold standard"—randomized controlled experiments whereby study participants are assigned to treatment or control groups. While under perfect conditions, such experiments are inarguably the most rigorous form of evaluation, federal funders often impose experimental design requirements on grantees without first investing resources to assess the feasibility of employing a particular design. For example, it could be that too few program participants exist to justify an experimental design, or that service providers are unwilling to assign those in need to a control group in which they would receive fewer services. Even when there is such agreement, challenges exist in ensuring that random assignment is implemented with fidelity.

All this leads to the recommendation that future Second Chance investments embed evaluators in the field *at the very beginning of reentry program development* and that DOJ fund grantees in two phases. Coordinating the delivery of research and evaluation technical assistance during phase I of a program would enable skilled researchers to help sites extract and analyze the data necessary to make

informed decisions about which clients to target based on risks and needs, while supporting an assessment of the feasibility of an experimental design or the development of a rigorous alternative. Phase I research partners could also ensure that the baseline data needed for a post-implementation evaluation are available and collected over time. Grantees unable or unwilling to produce the data critical to strong program design, delivery, and evaluation should be scrutinized carefully to determine whether phase II funding is merited.

For grantees that move on to phase II, performance should be assessed based on more than just recidivism rates. The OIG report calls for a consistent measure of recidivism; I would add that Second Chance programs should be measured on multiple types of impacts, looking beyond simplistic measures of the share of participants who are behind bars to include time to rearrest and intermediate outcomes, such as employment and substance use. Moreover, when measuring the impact of a Second Chance grantee's program on recidivism, the program's many inputs and outputs must be considered. Otherwise, any lack of programmatic evidence of reduced recidivism rates may be misinterpreted as a failure of the reentry program rather than the failure of program implementers to deliver the services with fidelity.

Each year, hundreds of thousands of people return from prisons and jails to communities throughout this country. Recidivism rates speak for themselves: with two-thirds of exiting prisoners back behind bars within three years (Langan and Levin 2002), the threat that exiting prisoners pose to public safety is real. Continued funding of states and localities is therefore critical. Such investments should be made with full consideration of our experiences from current Second Chance funding and similar federally funded reentry initiatives. There is much we have learned about how to make the investment of federal reentry dollars more effective. I respectfully encourage members of this subcommittee to consider those lessons as they move forward in their deliberations regarding Second Chance Act reauthorization.

Thank you for your time. I welcome any questions you may have.

Mr. SCOTT. Thank you.
Mr. Muhlhausen.

**TESTIMONY OF DAVID B. MUHLHAUSEN, Ph.D.,
THE HERITAGE FOUNDATION, WASHINGTON, DC**

Mr. MUHLHAUSEN. My name is David Muhlhausen. I am a research fellow in the Center for Data Analysis at the Heritage Foundation. I thank Chairman Scott, Ranking Member Gohmert, and Mr. Conyers for the opportunity to testify today on the Second Chance Act. The views I express in this testimony are my own and should not be construed as representing any official position of the Heritage Foundation.

Congress's desire to weigh in on the recidivism rate of former prisoners is easy to understand. In 2008 alone, over 735,000 prisoners were released back into society. Federal, State, and local governments need to operate effective reentry programs. Preventing former prisoners from returning to prison is a worthy goal.

When Congress first passed the Second Chance Act in 2008, little was known about the effectiveness of these prisoner reentry programs. The same holds true today. We simply do not have enough knowledge about what works and what doesn't work. Given the lack of knowledge about the effectiveness of the Second Chance Act programs and the severe burden of the Federal Government's debt, Congress should be wary of substantially increasing spending for these programs.

However, a major goal of reauthorizing the Second Chance Act should be to greatly enhance our knowledge about the effectiveness about these programs. For this reason, I will outline five keys to successful promotion of scientifically rigorous evaluations of these programs.

First and foremost, Congress needs to expressly mandate in the reauthorization of the Second Chance Act the experimental evaluation of prisoner reentry programs. By experimental evaluation I mean evaluations that use random assignment to allocate individuals to treatment and control groups. This method is considered the gold standard because random assignment is most likely to yield valid estimates of program impact. Less rigorous designs often yield less reliable results.

Second, the mandated experimental evaluations need to be large-scale, multi-site studies. When Congress creates programs, especially State and local grant programs, the activities funded are not implemented in a single city or town. Federal grants fund numerous programs across the Nation. Congress should require that these programs be evaluated using national, multi-site experimental evaluations.

Third, Congress needs to provide instructions on the types of outcome measures that will be used to assess effectiveness. When assessing the impact of reentry programs, the most important outcome measure is recidivism. While intermediate measures such as finding employment and housing are important, these outcomes are not the ultimate goal of reentry programs. If former prisoners continue to commit crimes after going through a reentry program, then the successful effects for intermediate outcomes will still matter little to judging whether these programs are effective.

Fourth, Congress needs to institute procedures that will encourage government agencies, often possessing entrenched biases against experimental evaluations, to carry out these studies. One

recommended method is that not later than 1 year after the reauthorization of the Second Chance Act, and annually thereafter, the Departments of Justice and Labor be required to individually submit a report on the progress that the Departments are making in evaluating the programs authorized under the Act through the Appropriations Committees and Judiciary Committees of both Chambers of Congress. Thirty days after the report is submitted to Congress, it should be made available on the Web site of the Departments of Justice and Labor.

Last, congressionally mandated evaluations upon completion must be submitted to the Appropriations and Judiciary Committees of both Chambers of Congress in a timely manner. Thirty days after any evaluation is submitted to Congress, the evaluations should be made available on the respective Web sites of Departments of Justice and Labor.

Prisoner reentry programs need to be rigorously evaluated to determine their effectiveness and reduce their recidivism. I believe the need for more evaluations transcends political party lines. Both Democrats and Republicans should agree on this issue. Policymakers should not implement prisoner reentry programs because advocates of Federal funding believe these programs are effective. There has to be a solid base, a scientific knowledge demonstrating that these programs are effective. Thus, Congress needs to do more to ensure that the reentry programs it funds are rigorously evaluated.

[The prepared statement of Mr. Muhlhausen follows:]

PREPARED STATEMENT OF DAVID B. MUHLHAUSEN



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CONGRESSIONAL TESTIMONY

Statement of
David B. Muhlhausen, Ph.D.
Research Fellow in Empirical Policy Analysis
Center for Data Analysis
The Heritage Foundation

Before the Committee on the Judiciary, Subcommittee on Crime, Terrorism, and
Homeland Security of the United States House of Representatives

Delivered September 29, 2010

**“The Second Chance Act: Budget Restraint and More Evaluations of Effectiveness
Needed”**

Introduction

My name is David Muhlhausen. I am Research Fellow in Empirical Policy Analysis in the Center for Data Analysis at The Heritage Foundation. I thank Chairman Bobby Scott, Ranking Member Louie Gohmert, and the rest of the committee for the opportunity to testify today on the reauthorization of the Second Chance Act. The views I express in this testimony are my own and should not be construed as representing any official position of The Heritage Foundation.

My testimony focuses on the following points:

- More prisoners returning to society means more crime;
- Successful offender reentry is a multifaceted process;
- Recommendations for improving the Second Chance Act; and
- Scientifically rigorous evidence of the effectiveness of prison reentry programs is lacking.

More Ex-Prisoners on the Street, More Crime

Congress’s desire to weigh in on the recidivism rates of former prisoners is easy to understand. In 2008 alone, over 735,454 state and federal prisoners were released back into society.¹ However, only 52,348 (7.1 percent) of these former prisoners were released

from federal prisons, while the other 683,106 (92.9 percent) were released from state prisons.²

While prisoners should be released from prisons when their sentences are completed, the releasing of these former inmates back into society often increases crime. Former prisoners have high arrest rates after returning to society. A Justice Department Bureau of Justice Statistics study of 272,111 state prisoners released in 1994 found that two-thirds of prisoners are rearrested within three years.³ After release, these offenders generate:

- Over 744,000 total arrests,
- 2,871 arrests for murder,
- 2,362 arrests for kidnapping,
- 2,444 arrests for rape,
- 3,151 arrests for other sexual assaults,
- 21,245 arrests for robbery, and
- 54,604 arrests for assault.⁴

The highest rearrest rates were for robbers (70.2 percent), burglars (74.0 percent), larcenists (74.6 percent), and motor vehicle thieves (78.8 percent).⁵ Prior to their re-imprisonment, these prisoners accounted for 4.1 million arrests, including 550,004 violent crime arrests.⁶

Any reauthorization of the Second Chance Act should fund another Bureau of Justice Statistics study of national prisoner recidivism rates. The results of the last study are 16 years old, so the results may not reflect current recidivism trends.

The high cost that released prisoners impose on society has been empirically demonstrated by Professor Steven Raphael of the University of California, Berkeley and Professor Michael A. Stoll of the University of California, Los Angeles.⁷ Professors Raphael and Stoll analyzed the relationship between prisoner releases and state crime rates from 1977 to 1999. Increased prisoner releases were associated with increased violent and property crime rates. A one-person increase in the number of released inmates per 100,000 residents in a state is associated with:

- 0.01 additional murders;
- 0.02 additional rapes;
- 0.18 additional robberies;
- 1.0 additional burglaries; and
- 1.0 additional larceny thefts.⁸

Due to the amount of crime committed by former prisoners, federal, state, and local governments need to operate effective reentry programs. Preventing former prisoners from returning to prison is a worthy goal.

Offender Reentry

Policymakers on the national, state, and local levels need to understand the complicated nature of the reentry process. The reentry process begins in correctional facilities as inmates prepare for release and continues with their release back to society.

In addition to reentry public policies, other factors that influence successful transition of offenders from prison to community are individual characteristics, family and peer relationships, and community circumstances.⁹ Establishing a law-abiding lifestyle after prison involves locating living quarters, obtaining official identification, reconnecting with family, and finding legitimate employment.¹⁰

The individual characteristics that influence recidivism include demographic characteristics, prison experience, employment history, education level, criminal record, and substance abuse dependence.¹¹ For example, one long-term longitudinal study of offenders found that attachment to work is associated with reduced recidivism.¹² Unemployed former prisoners and those without high school diplomas are more likely to drop out of reentry programs than those who are employed and have high school diplomas.¹³ Also, recidivists tend to have begun their criminal careers at an earlier age and had more serious criminal histories than those who do not recidivate.¹⁴

Family and peer support is also important to the reentry process. The same long-term longitudinal study also found that marriage was associated with reduced recidivism.¹⁵ Also, former prisoners living with their families are less likely to drop out of reentry programs compared to their counterparts who do not live with their families.¹⁶ However, family conflict can also harm the reentry process, especially in the case of juvenile offenders returning to poor family environments.¹⁷ Just like the family, the influence of peers can influence the reentry process. Association with criminal peers can disrupt positive influences of the family.¹⁸

Like the family and peer relationships of released offenders, the communities where they settle can provide positive and negative reinforcement. Many prisoners return to neighborhoods characterized by high degrees of social disorganization and crime.¹⁹ Socially disorganized, economically depressed neighborhoods tend to be associated with higher crime rates.²⁰ Socially disorganized communities regularly lack socialization processes needed to encourage positive behaviors and dissuade negative behaviors.

The Second Chance Act

The Second Chance Act of 2007 expanded the federal government's role in the provision of reentry services by creating grants for states to implement prisoner reentry programs. The Act authorized up to \$330 million for prisoner reentry programs during fiscal years 2009 and 2010. The overwhelming majority of the spending authorization is for the operation of state and local programs.

Federalism Concerns. To address the issue of offender recidivism, the national government should limit itself to handling tasks that fall under its constitutional powers and that state and local governments cannot perform by themselves. First, the federal

government should operate “evidence-based” reentry programs for offenders formally incarcerated in the federal correctional system. By “evidence-based” programs, I mean programs that have undergone rigorous scientific evaluations and found to be effective.²¹ However, programs based on models previously found to be effective still need to undergo rigorous scientific evaluations. Merely replicating an “evidence-based” program does not necessarily mean the new program will yield the same results. Second, the federal government should not assume responsibility for funding the routine operations of state and local reentry programs.

The tendency to search for a solution at the national level is misguided and problematic. Offender recidivism is a problem common to all states, but the crimes committed by offenders in the state corrections systems are almost entirely and inherently local in nature and regulated by state criminal law, law enforcement, and courts.

Increasing the national government’s involvement in combating the recidivism of state and local prisoners is detrimental to quintessential federal responsibilities. Using federal agencies and grant programs to provide basic reentry services for state and local prisoners that the states themselves could provide is a misuse of federal resources and a distraction from concerns that are truly the province of the federal government.

A problem that is common to all the states, like offender recidivism, creates an avenue for federal action through the sharing of information and research, including the rigorous analysis of information coming from state and local agencies. Whether it is sharing successful policies and effective innovations or analyzing data, the federal government is well situated to perform this function. The promotion of rigorous research assessing the effectiveness of crime prevention programs is a worthy cause.

Spending Concerns. While the goal of helping former prisoners successfully reintegrate into society is admirable, Congress’s penchant for subsidizing the routine activities of state and local criminal justice programs continues the federal government’s march toward fiscal insolvency. The Congressional Budget Office (CBO) recently warned Congress, again, that the trajectory of the federal budget is on an unsustainable course.²² Recently, the U.S. General Accountability Office (GAO) confirmed this diagnosis.²³ For fiscal year 2009, the federal government reached the largest deficit—annual budget shortfalls—as a share of gross domestic product (GDP) since the close of World War II.²⁴ For fiscal year 2010, the deficit is expected to be the second largest since World War II.²⁵ The national debt—the sum of all previous deficits—is set to reach 62 percent of GDP by the end of fiscal year 2010.²⁶ Last year, the CBO warned that these “Large budget deficits would reduce national savings, leading to more borrowing from abroad and less domestic investment, which in turn would depress economic growth in the United States. Over time, the accumulation of debt would seriously harm the economy.”²⁷

While the deficit and debt is driven largely by entitlement spending—Medicare, Medicaid, and Social Security—Congress’s fondness for subsidizing the routine responsibilities of state and local criminal justice programs—a traditional responsibility of state and local governments—and all other programs advocated in Congress only

move the nation closer to fiscal insolvency. As will be detailed later in my testimony, there is very little scientifically rigorous evidence to date that prisoner reentry programs are effective at reducing recidivism. Given this lack of knowledge about the effectiveness of Second Chance Act programs and the severe burden of the federal government's debt, Congress should be wary of substantially increasing the budget authorizations for programs funded under the Second Chance Act.

Supplement, Not Supplant. Under the Second Chance Act, the state and local grants for Adult and Juvenile Offender State and Local Reentry Demonstration Projects, New and Innovative Programs to Improve Offender Reentry Services, and Prosecution Drug Treatment Alternative to Prison are intended to supplement, not supplant, state and local funding. Supplanting occurs when federal funds are used to replace local funds, such as when federal funds intended for the expansion of reentry programs are instead used to pay for the operation of current programs or service levels. Supplanting has been a widespread problem in other Department of Justice grant programs.²⁸ To ascertain the degree to which supplanting occurs with Second Chance Act grants, Congress should instruct the Office of Inspector General and/or the U.S. Government Accountability Office to conduct audits of grantees.

Performance Monitoring. Performance monitoring through the systematic and recurrent documentation of important features of program performance is crucial to assessing whether programs are operating as intended.²⁹ When appropriately applied, performance monitoring can provide timely information on program performance to local program administrators and grant-making bureaus.

A Department of Justice Office of Inspector General (OIG) audit of prisoner reentry grants administered by the Office of Justice Programs (OJP) found that the grant-making bureau failed to adequately monitor grants.³⁰ The OIG audited grants awarded under the Serious and Violent Offender Reentry Initiative (SVORI) and the Prisoner Reentry Initiative (PRI). Grants awarded under the Second Chance Act were still too young in the implementation phase for the OIG to perform an adequate audit.

The OIG found "little to no documentation of grant monitoring activities" for the SVORI grants.³¹ For the first two years of the SVORI program, the OJP did not develop any performance measures and could not explain to the OIG why performance measures were not developed during this period.³²

In particular, OJP did not properly instruct SVORI and PRI grantees on how to define and report recidivism rates.³³ Further, OJP did not request that grantees, including Second Chance Act grantees, report baseline recidivism data. Baseline recidivism data is necessary for performance monitoring to adequately function. Without it, OJP is not able to judge the progress made by the grantees in reducing recidivism.

With performance monitoring, two potential problems for how local administrators respond to performance standards can arise. First, performance monitoring affects who

receives provided services because of the incentive for “cream skimming.” Second, local administrators can respond to performance monitoring by “gaming the system.”

Performance management systems can cause local program administrators to select participants based on their perceived likelihood of success on performance measures.³⁴ This process is called cream skimming. For example, local administrators of Department of Labor job-training grant programs have had robust incentives to select individuals most likely to have positive labor market results, regardless of whether those results were due to job-training participation.³⁵ Even with the requirement that before-and-after performance measures be collected, performance standards added to the reauthorization of the Second Chance Act may provide local administrators with the incentive to carefully select participants based on anticipated positive outcomes. Local administrators of grant-funded reentry programs can potentially engage in cream skimming by overly selecting individuals believed to have the greatest chance of not reoffending, while discouraging those believed to pose the greatest risk of recidivating. This selection process will allow them to report to OJP a lower recidivism rate than they would have otherwise.

In addition to cream skimming, local administrators can engage in strategic behavior by manipulating whether or not reentry participants are formally enrolled, and thus recorded in the performance monitoring system. “Gaming the system” has occurred with Department of Labor job-training grant programs. Under the Department of Labor performance system, only individuals officially enrolled in job-training were counted towards performance standards.³⁶ For instance, some local job-training administrators increased reported performance by providing job search assistance without officially registering those engaged in job search assistance.³⁷ If an unregistered participant gained employment, then the individual would be officially enrolled and counted as a success.³⁸ Individuals that failed to find work were not officially reported in the performance monitoring system.

Gaming the system can also occur with prisoner reentry grants. Local reentry program administrators may only include reentry participants in official reports to OJP after the former prisoners have managed not to recidivate after a period of time. Thus, the recidivism rate reported to OJP will be understated.

As the OIG noted, the Second Chance Act did not stipulate specific grant monitoring requirements.³⁹ The reauthorization of the Second Chance Act provides Congress with an opportunity to instruct OJP to improve its monitoring of reentry grants. One corrective step is for Congress to define how recidivism should be measured and instruct OJP to collect baseline and ongoing recidivism data from grantees. Recidivism, reported annually over a three-year period, should be defined as rearrest, reconviction, and reimprisonment for new crimes and revocations. Recidivism rates should also be reported by type of crime (e.g., violent, drug, property, and other crimes).

If a performance monitoring system is created by the reauthorization of the Second Chance Act, then a strategy to prevent local administrators from cream skimming and

gaming the system is needed. Requiring the U.S. Government Accountability Office (GAO) or the OIG to audit the validity of performance monitoring systems implemented by OJP may help reduce these problems.

While performance monitoring is important to learning how grantees are implementing their programs, performance monitoring does not provide a rigorous methodology for finding cause-and-effect relationships. Without control groups serving as a counterfactual, performance monitoring is unlikely to provide valid estimates of program impact. Second Chance Act grantees may be tempted to game the performance monitoring system or engage in cream skimming to report improved recidivism statistics. Thus, requiring Second Chance Act grantees to report recidivism rates is not a suitable substitute for experimental evaluations of effectiveness.

Not Enough Evaluation. A major focus of the reauthorization of the Second Chance Act should be gaining objective knowledge about the effectiveness of reentry programs funded by the Act. Reducing recidivism is important, so we need to find out what works.

The Second Chance Act funds a diverse set of programs across the nation. For this reason, the reauthorized version of the Second Chance Act should fund national, multi-site experimental evaluations of the programs that serve former federal and state prisoners. While evaluating small programs operating in a particular state or city is important, these evaluations do not shed light on the overall effectiveness of typical programs funded under the Second Chance Act. Just because a single program is found to be effective in a particular jurisdiction, or for a certain population, does not necessarily mean that the program is effective in other jurisdictions or among different populations.⁴⁰

Several sections of the Second Chance Act could be improved by the inclusion of congressionally mandated experimental evaluations. Grants funded and administered under each of the following sections from the original legislation should undergo multi-site experimental evaluations:

- Adult and Juvenile Offender State and Local Reentry Demonstration Projects (Title I, Section 101);
- Residential Substance Abuse Treatment for State Offenders Program (Title I, Section 102);
- New and Innovative Programs to Improve Offender Reentry Services (Title I, Section 111);
- Prosecution Drug Treatment Alternative to Prison (Title I, Section 112);
- Family-Based Substance Abuse Treatment Grants (Title I, Section 113);
- Technology Careers Training Demonstration Grants (Title I, Section 115);
- Offender Reentry Substance Abuse and Criminal Justice Collaboration Program (Title II, Section 201);
- Mentoring Grants to Nonprofit Organizations (Title II, Section 211); and
- Responsible Reintegration of Offenders (Title II, Section 212).

In addition to state and local grant programs, the Second Chance Act created the Federal Prisoner Reentry Program (Title II, Section 231) for federal prisoners reentering society should be evaluated for effectiveness using a multi-site experimental evaluation design.

Keys to Successful Evaluation. There are several actions that Congress can take to ensure that the programs it funds are rigorously evaluated for effectiveness. First and foremost, Congress needs to specifically mandate in the laws it passes the experimental evaluation of the programs it authorizes.

The principal reason for the existence of reentry programs, obviously, is to prevent recidivism. Scientifically rigorous impact evaluations are necessary to determine whether these programs actually produce their intended effects. Clearly, there is little merit in the continuation of programs that fail to ameliorate their targeted social problems.

Estimating the impact of programs cannot be made with 100 percent certainty, but with varying degrees of confidence. Thus, all such impact evaluations face formidable control problems that make successful impact estimates difficult. As a general rule, the more rigorous the research methodology, the more confident we can be of the validity of the evaluation's findings.

Determining the impact of social programs requires comparing the conditions of those who had received assistance with the conditions of an equivalent group that did not experience the intervention. However, evaluations differ by the quality of their methodology to separate the net impact of programs from other factors that may provide the real explanation for differences in outcomes for comparison and intervention groups.

Broadly speaking, there are three types of research designs: experimental designs, quasi-experimental designs, and non-experimental designs.⁴¹ Experimental evaluations that use the random assignment of individuals to the intervention and control groups represent the "gold standard" of evaluation designs. Random assignment helps ensure that the control group is equivalent to the intervention group. Equivalence means that the intervention and control groups have the same composition, predispositions, and experiences.⁴² Experimental evaluations are considered to be superior to quasi-experimental and non-experimental evaluations.

Randomized evaluations ensure that pre-program differences between the intervention and control groups do not confound or obscure the true impact of the programs being evaluated. Random assignment allows the evaluator to test for differences between the experimental and control groups that are due to the intervention and not to pre-intervention discrepancies between the groups. By drawing members of the intervention and comparison groups from the same source of eligible participants, these experimental evaluations are superior to other evaluations using weaker designs.⁴³

Under quasi-experimental designs, the intervention and comparison groups are formed by a procedure other than random assignment. Quasi-experiments frequently employ methodological and statistical techniques to minimize the differences between

intervention and comparison groups that influence the outcomes being measured. This design frequently matches intervention and comparison group members together based on factors thought to influence program impacts.

Similar to quasi-experiments, non-experimental designs use statistical methods to isolate the effects of the intervention by attempting to make the intervention and comparison groups as equivalent as possible. Non-experimental designs often employ multiple regression analysis to isolate the effect of the intervention.

In both quasi-experimental and non-experimental designs, failure to remove the influence of differences that affect program outcomes may mean that the net impact of the intervention may not be actually due to the program, but caused by the underlying differences between the groups. While quasi-experimental and non-experimental designs use sophisticated techniques, experimental evaluations are still considered able to produce more reliable estimates of program effects. There is evidence that in the realm of criminal justice policy that quasi-experimental and non-experimental evaluations are more likely to find favorable intervention effects and less likely to find harmful intervention effects.⁴⁴ Given that experimental evaluations produce the most reliable results, Congress should promote the use of experimental evaluations to assess the effectiveness of federal programs.

Second, these experimental evaluations should be large-scale, multi-site experimental evaluations. When Congress creates programs, especially state and local grant programs, the activities funded are not implemented in a single city or town. Federal grants are intended to be spread out across the nation. For this reason, Congress should require that these programs be evaluated using national, multi-site experimental evaluations. While individual programs funded by federal grants may undergo experimental evaluations, these small-scale, single-site evaluations do not inform policymakers of the general effectiveness of national grant programs. Just because a single program is found to be effective in a particular jurisdiction, or for a certain population, does not necessarily mean that the results are generalizable to the programs operating in other jurisdictions or among different populations.⁴⁵

Third, Congress needs to provide instructions on the types of outcome measures that will be used to assess effectiveness. When assessing the impact of reentry programs, the most important outcome measure is recidivism. Some have questioned the emphasis on recidivism as a measure of effectiveness compared to other measures that assess adjustment or reintegration of former prisoners back into society.⁴⁶ While intermediate measures, such as finding employment and housing, are important, these outcomes are not the ultimate goal of reentry programs. If former prisoners continue to commit crimes after going through reentry programs, then the successful effects for intermediate outcomes will still matter little to judging whether the programs are effective. Impact evaluations relying solely on intermediate outcomes tell us little about the effectiveness of reentry programs in promoting public safety. While reentry programs should be assessed on intermediate outcomes, these measures should never serve as substitutes for recidivism outcomes.

Fourth, Congress needs to institute procedures that will encourage government agencies, often possessing entrenched biases against experimental evaluations, to carry out congressionally mandated evaluations. Of the nine prisoner reentry grants created by the Second Chance Act, the Department of Justice is responsible for eight and the Department of Labor is accountable for one (Responsible Reintegration of Offenders).

Simply mandating that an experimental evaluation occur does not necessarily result in the evaluation actually taking place. The Department of Labor has a poor track record for implementing and disseminating experimental evaluations mandated by Congress. For example, the Workforce Investment Act of 1998 mandated a large-scale, multi-site evaluation of the Department of Labor job-training programs. The results of the evaluation were to be finished by September 2005. Despite this mandate and deadline, the Department of Labor under the William J. Clinton and George W. Bush Administrations procrastinated over performing the evaluation.⁴⁷ In November 2007, nine years after the passage of the Workforce Investment Act, the Department of Labor finally submitted a request for proposals for the evaluation.⁴⁸ According to the U.S. Government Accountability Office, the evaluation will not be completed until June 2015—ten years after its original due date and 17 years after it was mandated by Congress.⁴⁹

While the National Institute of Justice within the Department of Justice has often demonstrated a stronger commitment in conducting evaluations, Congress still needs to take steps to ensure that evaluations are completed in a timely manner. One recommended method is that not later than one year after the reauthorization of the Second Chance Act, and annually thereafter, the Attorney General and Secretary of Labor be required to individually submit a report on the progress that their departments are making in evaluating the programs authorized under the Second Chance Act to the appropriations and judiciary committees of both chambers of Congress. Thirty days after the report is submitted to Congress, it should be made available on the web site of the Departments of Justice and Labor.

Fifth, congressionally mandated evaluations, upon completion, must be submitted to the appropriations and judiciary committees of both chambers of Congress in a timely manner. Thirty days after the any evaluation is submitted to Congress, the evaluation should be made available on the respective web sites of the Departments of Justice and Labor. Requiring that Congress and the public be informed of evaluation results is important because government agencies are quick to release positive results, but sometimes they are reluctant to release negative results. For example, a cost-benefit analysis of Job Corps that was finalized in 2003 found that the benefits of Job Corps do not outweigh the cost of the program,⁵⁰ but the Department of Labor withheld it from the general public until 2006.⁵¹ An evaluation of Head Start that reported underwhelming results has also experienced unusual delays in being released by Department of Health and Human Services.⁵² While the evaluations conducted by the National Institute of Justice do not have the same history of delays, Congress still needs to be vigilant in ensuring that evaluation results are disseminated in a timely manner.

Prisoner Reentry Evaluations

There is considerable debate over the effectiveness of corrections and reentry programs. Some have concluded that several types of programs are effective,⁵³ while others have cast doubt on the ability of these programs to reduce recidivism.⁵⁴ Prisoner reentry programs operated by secular and faith-based organizations offer a wide range of services. However, there are not enough scientifically rigorous evaluations of secular and faith-based prisoner reentry programs to make generalizations about the overall effectiveness of these programs. While I was unable to identify any experimental or rigorous quasi-experimental evaluations of faith-based programs, I did identify five evaluations of secular programs: two used experimental methods, two used quasi-experimental methods, and one used a combination of experimental and quasi-experimental methods.

*CEO Prisoner Reentry Program.*⁵⁵ The Center for Employment Opportunities (CEO) Prisoner Reentry Program is an employment-based program that places recently released prisoners immediately in transitional jobs, usually in nonprofit or government agencies. While working their transitional jobs, participants receive assistance in finding permanent, unsubsidized employment.

An experimental evaluation found that CEO Prisoner Reentry Program participants did not have statistically different arrest rates two years after release from prison.⁵⁶ After two years, the intervention group had an arrest rate of 37.7 percent, compared to the 41.8 percent arrest rate for the control group—a statistically indistinguishable difference of 4.1 percent.⁵⁷ A statistically indistinguishable difference means that the difference between the intervention and control groups cannot be attributed to the program. However, CEO had more success at lowering conviction rates. After two years, the intervention group had a conviction rate of 30.5 percent, compared to the 38.3 percent conviction rate for the control group—a statistically significant difference of 7.7 percent.⁵⁸ This difference in convictions is explained by the fact that the intervention group was less likely to be convicted of misdemeanors and not felonies.

After two years, the intervention group was less likely to be incarcerated in jail or prison. The intervention group had a reincarceration rate of 49.5 percent, compared to the 55.4 percent reincarceration rate for the control group—a statistically significant difference of 5.9 percent.⁵⁹

The program appears to be ineffective at moving participants into unsubsidized employment. During the course of the two-year evaluation, 59.6 percent of intervention participants found unsubsidized employment, compared to 62.8 percent for the control group—a statistically indistinguishable difference of 2.7 percent.⁶⁰

*Washington State Work Release.*⁶¹ During the early 1990s, 218 eligible prisoners were randomly assigned to serve out their sentences or enter work release facilities in Seattle, Washington. Participants were required to be involved in gainful employment or job training while participating in the program. Work release participants were obligated to

remain in their work release facilities unless they were engaged in approved work and other activities.

One year after random assignment, work release participants had a recidivism rate of 22 percent compared to the recidivism rate of 30 percent of the non-work release participants.⁶² However, this difference of 8 percent was statistically insignificant, meaning that the difference cannot be attributed to participating in the work release program.⁶³ Further, a cost-effectiveness analysis demonstrated “basically no differences in costs between work releases and inmates completing their full terms in prison.”⁶⁴

*Boston Reentry Initiative.*⁶⁵ The Boston Reentry Initiative is an interagency initiative designed to help move violent adult offenders released from jail back to their neighborhoods. Through multiple agencies, BRI uses mentoring, social service assistance, vocational training, and education to help offenders reintegrate into society. Rather than selecting participants most amenable to rehabilitation, BRI officials selected what they considered to be the “highest risk offenders” for treatment.⁶⁶

While the evaluation of BRI did not use an experimental design, the propensity score analysis used in this quasi-experimental evaluation makes this evaluation more scientifically rigorous than most other quasi-experimental designs.⁶⁷ Further, BRI’s focus on targeting high-risk offenders may bias the results of the evaluation to understate the program’s ability to reduce recidivism. Compared to the comparison group, BRI participants experienced statistically significant reductions of 30 percent in overall and violent arrest rates.⁶⁸

While the BRI evaluation found positive results, this program and others found to be effective need to be replicated and rigorously evaluated in other settings before policymakers and academics can conclude that these interventions are effective. In particular, BRI should undergo an experimental evaluation. The criminal justice programs that have been deemed “effective” and serve as “model” programs have often been those implemented under optimal conditions. These programs have been comprised of highly trained professionals operating under ideal conditions. In addition, the conditions under which these programs operate are carefully monitored to make certain that the participants receive the intended level of treatment. In the real world, program conditions are almost always less than optimal.⁶⁹

*Serious and Violent Offender Reentry Initiative.*⁷⁰ Created in 2003, the Serious and Violent Offender Reentry Initiative (SVORI) was an interagency reentry pilot program that coordinated the activities of the Departments of Education, Housing and Urban Development, Justice, and Labor. Before and after release, program participants were provided education and training, family services, health services, and other transition services.

Much like the BRI quasi-experimental evaluation, an evaluation of SVORI used a propensity score analysis to estimate the impact of the program on participants. The

evaluation assessed the impact of SVORI participation at 12 adult and 4 juvenile sites on official measures of recidivism.

For adult males, participation in a SVORA program did not lead to lower arrest rates three months to 24 months after release, compared to non-participants.⁷¹ Reincarceration rates of adult male participants were statistically indistinguishable from the reincarceration rates of non-participants three months to 24 months after release.⁷²

More success was found with adult female SVORI participants. While the rearrest rates of adult females were not different during the first six months after release, participants were less likely to be arrested nine months to 24 months after release.⁷³ A similar pattern held for reincarceration rates. Reincarceration rates of adult female participants were statistically indistinguishable from the reincarceration rates of non-participants three months to 9 months after release.⁷⁴ However, participants had statistically lower reincarceration rates 12 months to 24 months after release.⁷⁵

*Project Greenlight.*⁷⁶ Project Greenlight, a short-term, prison-based reentry program operating in New York City, applied cognitive-behavioral skills training to prisoners eight weeks before their release.⁷⁷ The program mainly endeavored to increase “post-release outcomes by (1) incorporating an intensive multimodal treatment regimen during incarceration and (2) providing links to families, community-based service providers, and parole officers after release (although there was no actual community follow-up).”⁷⁸ The cognitive-behavioral skills training approach used by Project Greenlight is labeled as a “What Works” or “evidence-based” model based on the results of previous research.⁷⁹

An evaluation found that Project Greenlight “did not reduce recidivism and may actually have increased it.”⁸⁰ The evaluation used a mixed-design that combined a quasi-experiment design for the first five months of assigning inmates to the program with random assignment design during the last six months.⁸¹ Project Greenlight participants were compared to a group of inmates that did not receive any pre-release transition services and to a group that received alternative transition services.

Compared to the inmate group that received the alternative transition services, Project Greenlight participants saw their chances of arrest after one year increase by 41 percent.⁸² Project Greenlight participants did not have statistically different arrests rates compared to inmates receiving no services.

Conclusion

Policymakers on the national, state, and local levels need to be concerned about prisoner reentry. To address the issue of offender recidivism, the federal government should operate reentry programs for offenders formally incarcerated in the federal correctional system. Further, the federal government should not assume responsibility for funding the routine operations of state and local reentry programs.

Prisoner reentry programs need to be rigorously evaluated to determine their effectiveness at reducing recidivism. I believe the need for more evaluations transcends political party lines. Both Democrats and Republicans should agree on this issue.

Given the lack of knowledge about the effectiveness of Second Chance Act programs and the severe burden of the federal government's debt, Congress should be wary of substantially increasing the budget authorizations for programs funded under the Second Chance Act. Policymakers should not implement prisoner reentry programs because advocates of federal funding believe these programs are effective. There has to be a solid base of scientific knowledge demonstrating that these programs are effective. Thus, Congress needs to do more to ensure that the reentry programs it funds are rigorously evaluated.

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⁴³Randomized evaluations ensure that pre-program differences between the intervention and control groups do not confound or obscure the true impact of the programs being evaluated. Random assignment allows the evaluator to test for differences between the experimental and control groups that are due to the intervention and not to pre-intervention discrepancies between the groups. By randomly assigning members of the intervention and control groups from the same source of eligible participants, experimental evaluations are superior to other evaluations using weaker designs.

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⁶³*Ibid.*

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⁶⁵Anthony A. Braga, Anne M. Piehl, and David Hureau, "Controlling Violent Offenders Released to the Community: An Evaluation of the Boston Reentry Initiative," *Journal of Research in Crime and Delinquency*, Vol. 46, No. 4 (2009), pp. 411–436.

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⁷³*Ibid.*, Exhibit 41, p. 92.

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⁷⁹Edward E. Rhine, Tina L. Mawhorr, and Evalyn C. Parks, "Implementation: The Bane of Effective Correctional Programs," *Criminology & Public Policy*, Vol. 5, No. 2 (2006), p. 347–357.

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Mr. SCOTT. Thank you.
Ms. Taylor.

**TESTIMONY OF GLADYSE TAYLOR, ACTING DIRECTOR,
ILLINOIS DEPARTMENT OF CORRECTIONS, CHICAGO, IL**

Ms. TAYLOR. Good afternoon, Chairman Scott and Ranking Member Gohmert. I am Gladyse Taylor from the Illinois Department of Corrections, and I am here today in support of reauthorization of the Second Chance Act.

I have listened to my colleagues provide testimony this afternoon about research-based support for reauthorization. I have listened to some of the programs that have been funded with Second Chance authorization. My written testimony speaks to some of the programs that Illinois has been engaged in with respect to Second Chance Act funding. I think those programs have been successful. If I have a choice of whether I spend \$120 a day on incarcerating an individual for minor crime versus spending \$20 a day on keeping that person on the street, I think my choice is very obvious. So that is the way I look at it.

And I think that in the State of Illinois we recognize that research is important. The State approved a Crime Reduction Act in 2009 that includes a risk assessment tool of our criminal population. It includes a sentencing policy advisory consult. It includes an adult redeploy mechanism so that we are not channeling all of our criminal populations into the Department of Corrections.

So I think a combination of the information that has been provided from the other members testifying before this Committee is appropriate and relevant. However, I wouldn't say that these programs are not supported by funding or shouldn't be supported by funding. I would say the contrary, that funding and reauthorization of the Second Chance Act is important. It will assist these people in becoming productive members of society.

Thank you.

[The prepared statement of Ms. Taylor follows:]

PREPARED STATEMENT OF GLADYSE TAYLOR

Written Testimony Submitted to the
Subcommittee on Crime, Terrorism, and Homeland Security
U.S. House of Representatives Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515-6216

REAUTHORIZATION OF THE SECOND CHANCE ACT

Gladyse Taylor, Acting Director
Illinois Department of Corrections
100 W. Randolph St. Suite 4-200
Chicago, IL 60601

Testimony

Mr. Chairmen and Committee Members:

Good Afternoon,

My name is Gladyse Taylor and I am the Acting Director of the Illinois Department of Corrections (IDOC). Thank you for the honor of appearing before you today.

Today I am here in support for the reauthorization of the Second Chance Act. The Second Chance Act provides crucial resources at a time when states are experiencing extreme fiscal crisis. In Illinois, one out of every \$20 dollars of the general revenue fund is spent on corrections. The Illinois Department of Corrections has an annual budget of approximately one billion dollars per year. However, the amount of funding spent on services for people to effectively reintegrate into their communities is only a small portion in comparison. Critical services (such as housing, mental health, substance abuse, and vocational programs) continue to lose funding and people are left with little to no options for receiving assistance to improve their lives. Funding from Second Chance allows governments and communities to coordinate reentry efforts, enhance existing housing and support services, engage in evidence-based practices and create innovative strategies that will serve the growing needs of this population, ultimately increasing public safety and reducing recidivism.

I am excited to share with you how the Illinois Department of Corrections will utilize its Second Chance Act funding and the benefits that Second Chance dollars will bring to Illinois to improve outcomes for offenders returning to communities. Illinois was awarded over \$3.6 million dollars to engage in various strategies that improve reentry programming at the institutional level and at the local level through the demonstration grants, mentoring grants, as well as several other solicitations under the Second Chance Act and the Bureau of Justice Administration.

- This funding will support reentry services for juveniles to receive evidence-based, family-focused aftercare as they transition from the Illinois Department of Juvenile Justice to their home communities.

- It will support services for offenders coming out of Cook County Jail by initiating new pre-release programs that improve pre-release planning, coordination, and access to community-based services and programs for roughly 300 participants in targeted high-impact Chicago communities.
- Cook County Juvenile Probation will engage in a joint effort with the City of Chicago Police Department and the Department of Family and Support Services to increase outcomes for youth with co-occurring substance abuse and mental health disorders. Funding will be used to address the complex issues associated with youth that need a variety of wrap-around services for drug dependency and mental health issues.
- IDOC was awarded a Second Chance grant under the Family-Based Prisoner Substance Abuse Treatment Program solicitation. The Department is using this award to expand our innovative *Moms & Babies Program* to include critical case management and family reunification services.

An estimated 80 percent of the Illinois' adult female prison population is single mothers. At the time of incarceration the majority of these women are the primary caretakers of their children. While the mother is incarcerated, many children are raised by family members or placed in foster care. The *Moms & Babies Program*, implemented at the Decatur Women's Correctional Facility in Illinois three years ago, provides the opportunity for mothers to care for their children, develop stronger family ties, have fewer disciplinary problems and increase the pro-social development for the babies. The program allows qualified mothers to keep their newborn babies with them in prison for up to 24 months.

IDOC's current *Moms & Babies Program* does not have a strong or even formalized community reentry or transition component. Case management and other reentry services have been provided in-kind by service providers. However, with the state's budget crisis, many of the service providers who supported mothers with their reentry needs are no longer in business or cannot afford to provide in-kind assistance.

During the three years that the IDOC *Moms & Babies Program* has operated, there had been a zero recidivism rate among the 25 participants who completed the program. In the past year, IDOC program administrators have seen an increase in the number of former program participants in the community contacting the Mom & Babies Program counselors to seek help and advice. Recently, one of the

participants was returned to IDOC custody on a suspected parole violation for THC and prescription drug use, which unfortunately, resulted in her son being taken away. While direct substance abuse counseling and education are currently available on-site, participants in this program have a high vulnerability for relapse upon completion of treatment because they lack the knowledge of or access to the resources needed for smooth and quick transitions into effective, supportive services.

IDOC's Second Chance award will be used to provide these women with the necessary reentry case management and family reunification services needed to produce positive outcomes for them and their families. Ensuring that the proper supports are in place to prevent recidivism and that mothers are parenting their children, receiving services, and improving their lives will increase their chances for future success.

Though these are just some of Illinois' Second Chance Act initiatives, the message remains the same for all:

- These awards ultimately improve service delivery outcomes for our offender populations, both juveniles and adults.
- Without Second Chance Act funding, our state's ability to increase services would be difficult.

I implore to you, Chairmen and Committee members, to please reauthorize the Second Chance Act. Continued investment in providing second chances for people with criminal backgrounds is an investment in safe and successful reintegration and will keep this country moving towards stronger families and communities.

I would like to thank Chairman Conyers and the rest of the Committee for allowing me to testify on this critical issue.

Mr. SCOTT. I want to thank all of our witnesses for their testimony.

I recognize myself for 5 minutes.

One of the things we look at as cost effectiveness is have any of you done studies to show that you save money in the long run or even short run by funding Second Chance programs.

Ms. LA VIGNE. We have not conducted a cost effectiveness of Second Chance Act programs, but we have done similar studies of other programs, and we found that even marginal decreases in recidivism can be cost effective.

Mr. SCOTT. Can you give us some numbers?

Ms. LA VIGNE. I can supply them later. I don't have them in my head.

Mr. SCOTT. Ms. Duran, you had given us the number of people who had applied for funds and how many of them got them, 7 percent of the people, 93 percent of the applications. Did you get to see any of the applications to see how strong those programs were?

Ms. DURAN. Certainly. We are very familiar with the current 2009 grantees that were funded this year and are very familiar with those applications. We have had a chance to do a preliminary review of some of the new 2010, the second cohort of Second Chance grantees that will be coming on line on Friday, October 1; and we are beginning to get to know this new class of grantees as well.

What we have found in the 2009 cohort, both with demonstration grantees and with mentor grantees, is practitioners are still struggling with translating evidence-based practices into their program designs. So a lot of our technical assistance and our partnership with the Urban Institute has focused on really trying to connect the research with this program design to make sure that they are targeting the right people with the right interventions that are likely to reduce risk and have an impact on those recidivism rates. That's a big priority for technical assistance for us.

Mr. SCOTT. Are most of the programs new or existing programs that apply?

Ms. DURAN. Most of the programs have a history of implementing reentry efforts in their jurisdiction. Some of the mentor programs, it is their first time to operate a mentor model with returning offenders although some of them have had experience working with other—doing mentor programs with other populations or youth and are now translating that knowledge to adults.

Mr. SCOTT. Is the evaluation requirement in the Second Chance Act effective so we know which ones are working and which ones are not working?

Ms. DURAN. As I understand it, the National Institute of Justice will be conducting an evaluability assessment of the current 2009 adult demonstration grantees and will use that information to determine which of those 2009 grantees are selected for the NIJ evaluation of Second Chance Act programs.

So certainly after that evaluability assessment we will know more about how these grantees are progressing in terms of their ability to be able to be part of an evaluation.

Mr. SCOTT. Mr. Gohmert.

Mr. GOHMERT. Thank you. We do appreciate your observations, your testimony here.

Ms. Banks, what was the faith-based group that you had mentioned had 21 successes and only one recidivist?

Ms. BANKS. It is a leadership development program. They come into the jail several times a week to teach our inmates leadership skills.

Mr. GOHMERT. You had mentioned it was a faith-based group, and I was curious what group it was.

Ms. BANKS. It is called Freedom Inside and Out. They are a grassroots organization and very local.

Mr. GOHMERT. Are they sponsored by some faith?

Ms. BANKS. Absolutely not. Just a group of volunteers that our Sheriff had allowed to come into the jail, and they have been quite successful, and because of Second Chance we have been allowed to have them come in more often.

Mr. GOHMERT. What makes them a faith-based group?

Ms. BANKS. Their affiliation with their church.

Mr. GOHMERT. That is what I was trying to get at.

Well, did Richmond look to other jurisdictions for their best practices to create their reentry programs?

Ms. BANKS. Absolutely. Our reentry program was actually in existence before the Second Chance Act. The Second Chance Act actually allowed us to take it from pre-release into transitional and post-release. So we did look at some other models that were on our CSG Web site, and they were also instrumental in helping us find some best practices at other localities.

Mr. GOHMERT. Ms. Duran, I appreciate your testimony and your observations and your recitation of the money that is saved, clearly, by avoiding recidivism. But since a program that works does save a State so much money, why do the States not put more money into such programs in order to save money?

Ms. DURAN. I think we are in the middle of observing a trend in State corrections agencies particularly where they are investing more in strategies that have evidence behind them of reducing risk and reducing recidivism. We are seeing increasing investments in reentry related services designed to target those reduction factors.

Coming from Michigan, I can tell you, it is not easy. These are complicated systems working with folks that have complicated needs. And to get the systems to respond to those individual characteristics case by case by case every time to see the systemwide impacts is not an easy challenge, particularly inside corrections agencies that haven't had a tradition of using evidence-based strategies to inform their policies and practice.

So we are working hard. The field is working hard. You are beginning to see increasing understanding of those practices of how to put them in place, the systems level. And then we see that investment.

Mr. GOHMERT. I understand that. But if it saves money, then it would seem that since it is saving the State money that the State ought to be willing to invest the money to save the State money. And if I am understanding you correctly, it sounds like perhaps the States are not satisfied yet that there is enough evidence to show that it is saving them money or they would be investing more.

Ms. DURAN. I think we see States investing more and more of their State general fund dollars in reentry related programs. That is a trend we have observed in many States around the country. Sometimes for the first time ever they have put their dollars into those policies and practices.

So I think we are seeing that happen more and more, and the Second Chance Act has sort of led that example.

Mr. GOHMERT. Some States feel like the way we save money is if we can talk the Federal Government into funding our programs then it saves us money. And what we really need to get to is a point where States say this is a good program, recidivism saves money, it saves, it protects the public, and so, therefore, this ought

to be where we invest our money, instead of continuing to have States come to the Federal Government to ask for the money.

I can see my time is running out.

Dr. Muhlhausen, you know, we do hear so much about evidence-based reentry programs, and I know you were discussing this. If there was one thing you would recommend above all other things that we do to ensure maximum efficiency, what would that be?

Mr. MUHLHAUSEN. I would say that would be mandating experimental evaluations. We need to have not just one evaluation or two evaluations done, but a lot of programs across the country need to be evaluated because you may have one you find to be successful here or there. You may find others that are not successful here and there. But we need to get a good picture.

Because what happens often is you find one failed program, you can say that all these programs don't work. Or you can find one successful program, and you can say all of these programs work. When the fact is, all you know is you have one failed program and one successful program.

So we need to really look at these programs across jurisdiction, across service areas and really get down and use the most scientifically rigorous methods available. And in most cases I would recommend doing a randomized experiment.

Mr. GOHMERT. Thank you.

Mr. SCOTT. Before I recognize the gentleman from Michigan, I wanted to note the presence of the chief sponsor of the Second Chance Act, the gentleman from Illinois, Danny Davis, has joined us on the podium.

The gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, could I ask unanimous consent that we allow Danny Davis to make some comments here as an author of the bill?

Mr. SCOTT. I was going to confer with the Ranking Member while you were speaking.

Mr. CONYERS. That is what I want to do.

Mr. GOHMERT. I don't think there will be any canings if we don't consent.

Mr. SCOTT. Without objection, so ordered.

Mr. DAVIS. Thank you very much, Chairman Scott, Ranking Member Gohmert. I want to thank both of you for your kindness and consideration. I want to thank Mr. Conyers and this entire Judiciary Committee for the effectiveness of its approach to dealing with the whole question of criminal justice from my vantage point and especially the question of reentry.

I have got a couple of questions that I would just like to ask.

Dr. Muhlhausen, I am a real fan of evaluation. I think it is very important that we get as much mileage out of everything that we do, especially when we are spending public dollars. And we certainly want to make sure that things work. Are there any approaches to reentry that you think are maybe more effective than others or any programs that you have taken a good look at or approaches that you think work better than perhaps some others do.

Mr. MUHLHAUSEN. Well, I think one thing to consider is I think prisoners when they come out of prison they need to develop attachments or reattachments. It could be to family. It could be to

work. And I think that establishing somehow to get people as fast as possible into a working environment, where they are attached to it, where the perception or the belief comes I have something here that is worthwhile. I can build a life. Therefore, I don't want to do anything risking that life. I think work and family as well can do that.

So I think there is not a lot of research—there is a program called—it is Center for Equal Opportunities in New York. It was a prisoner reentry program, and it found it had no affect on arrests. Whether or not you are in the control group or the treatment group, people were still being arrested. It did find people who got into the program faster and quicker and got a job were less likely to recidivate. So I think that rapid attachment is something to look at.

So I think that is important, but I don't think we know—right now, we don't have, at least from the literature that I have read, enough information about whether or not that can be successful. I think it could be promising, and I think it needs to be investigated further.

Mr. DAVIS. I certainly agree that if one can find a job that becomes the very core I think of one's existence, so I certainly wouldn't quibble in any way with that.

Ms. Taylor, we were on the plane together this morning—early this morning, as a matter of fact—so I know you have had a long day. But let me, first of all, congratulate you on your recent appointment as the director of corrections for the State of Illinois, which is obviously one of the great big correction agencies in the country. And the number of individuals that we have coming out of the Illinois prisons each year are somewhat staggering, which means that the numbers going in are also somewhat staggering.

I have been very pleased with the direction of the Illinois Department of Corrections over the last half a dozen years or so, and I think tremendous progress has been made. Which program activities do you think have been working best? I mean, I know the Department does a number of different things. Which of those do you think actually work best, from your vantage point.

Ms. TAYLOR. Well, two immediately come to mind. I think our substance abuse treatment center models for Sheraton and House Western have very favorable recidivism rates. Our State's average recidivism is approximately 51 percent, but participants through those two substance abuse treatment programs, the outcomes, the performance outcomes are like in the 25 to 28 percent recidivism rate. So I know they are successful. That is one.

And the second one is that we do have transitional jobs programs that have been in existence for maybe the past 4 years, and we are starting to get the performance outcomes for those. But I would say to the doctor's comments, yes, jobs are important.

So we are starting with a preplanning program within the institutions, carrying it through the agents of release and we are hoping that the employers in the State of Illinois recognize that it is critical to public safety that they continue working with these offenders. So I think that program is very successful.

Mr. DAVIS. Mr. Chairman, let me thank you, the Ranking Member, and Chairman Conyers for the opportunity to participate.

Again, I think that you have just been incredible as a Committee in advancing the concepts of reentry so that we can take advantage of the great opportunities that exist in our country.

Mr. SCOTT. Thank you, and thank you for your strong work.

Just looking at the numbers that Ms. Taylor gave us, when you have a hundred people and an average recidivism rate of about 50 and you drop it below 30, that is about 20 people that didn't return to prison. What is your annual per prisoner cost?

Ms. TAYLOR. Well, my budget is \$1.2 billion on an annual basis. The population count today is 48,000, and I have roughly about 24,000.

Mr. SCOTT. Do you know what your marginal cost is? Because a lot of the cost is embedded, construction, things like that.

Ms. TAYLOR. About \$5,000 per inmate.

Mr. SCOTT. \$5,000 per inmate is marginal cost for an inmate?

Ms. TAYLOR. Yes.

Mr. SCOTT. And the embedded cost?

Ms. TAYLOR. About \$23,000.

Mr. SCOTT. Do you know what the program costs are.

Ms. TAYLOR. Of my—

Mr. SCOTT. No, the Second Chance Act program, the—

Ms. TAYLOR. We have in this current authorization—I haven't looked at all of the awards. Particularly, I know there is one for the Moms and Babies program. And the other programs are actually for our juvenile division, so it is a separate entity.

Mr. SCOTT. The ones that were successful, that reduced recidivism about 50 percent, do you know the cost of those programs?

Ms. TAYLOR. The Sheridan program is approximately about \$18 million in programming costs. And the population at that facility that are receiving those services are roughly about 1,400 inmates.

Mr. SCOTT. Okay.

Mr. Muhlhausen, do you have any estimate, if we are going to do comprehensive evaluations, what an evaluation should cost?

Mr. MUHLHAUSEN. Well, experimental evaluations are costly. Large-scale evaluations can cost \$10 million if you are dealing with, you know, tens of thousands of people participating in the evaluation, as far as your control group or your intervention group. So I think that—maybe set aside 10 percent of overall funding for programs that actually receive funding in the fiscal year. That may be a way to do it.

But the exact dollar figure I am not sure to give you. It depends on—it takes a lot of planning. You know, I think that NIJ's efforts are good, but I think it could be doubled or tripled and we would find out much more valuable information than we would otherwise.

Mr. SCOTT. And, Ms. La Vigne, can you say something about how we should be going about evaluation, how much money we should spend on it, how much a good evaluation costs?

Ms. LA VIGNE. I don't disagree with Dr. Muhlhausen; it does cost a lot of money to do a good evaluation. Whether or not it is an experimental design—and, certainly, I think everyone agrees that that is truly the highest standard of evaluation—there are other methods out there. And I would like to encourage us all to consider other methods that are nonetheless considered quite rigorous.

There is propensity score matching; there are other methods out there.

But the real cost, in my opinion, is in the interviews with the clients. Because if you are trying to really understand the impact on offending behavior, let's face it, people re-offend, they cause new victimization, and they don't necessarily get caught, they don't necessarily get arrested, and they don't necessarily return to prison or jail.

So there is a great value in interviewing program participants. And you want to interview them over time so you can see whether the outcomes change over time. They are also the single greatest source of information for what types of programs they participated in and for how long. And they can also give researchers other information on intervening factors that might be contributing to their reentry success or failure, factors that can both help inform improvements in the program that is being delivered as well as help inform the impact evaluation.

Mr. SCOTT. Thank you.

Mr. Conyers, do you have any further questions?

Mr. CONYERS. Well, I haven't had any questions yet, Mr. Chairman.

Mr. SCOTT. The gentlemen is recognized.

Mr. CONYERS. Well, thank you very much.

Dr. Muhlhausen, I am wondering, as you have heard the other four panelists with you that have all talked about the benefits and the positive influence of this prisoner reentry concept, were you impressed with any of the benefits that they talked about that resulted from the programs?

Mr. MUHLHAUSEN. I was impressed in the sense that I think there are good ideas being implemented, but we need to know if they are effective ideas.

Mr. CONYERS. Uh-huh.

Mr. MUHLHAUSEN. And I wear my hat—when I come here to testify, I wear my hat as a social scientist whose concentration is on the evaluation of programs. And, for me, the ultimate judge of whether or not programs work is a rigorous scientific study. And so, while we may have anecdotal examples of where programs can be a success, often those anecdotal stories are biased or sometimes mistaken, or sometimes they are—I am not saying any individual here is doing it, but they are people seeking additional funding, and so they are not going to say, “You know what? My program really stinks.” They are not going to say that.

But I think that we need to have objective data. I think if you do an experimental evaluation and you find that it was a quality evaluation and you find a program works—you know, I look at it and I am going to say, you know what, I am going to chalk it up as one program that works. If it doesn't work, I am going to chalk it up as a program that doesn't work. That is how I look at it.

So I think that we can have detailed and some really good stories about what works and what doesn't work from practitioners, but we need to back that up with scientific evidence.

Mr. CONYERS. Well, that is great. I want to be as scientific as is appropriate, but that doesn't discount all of the statements that have been made here today, does it?

Mr. MUHLHAUSEN. Well, I would say that, if the statements made today had been backed up by scientific evaluations, they would be that much more stronger.

Mr. CONYERS. Of course.

Mr. MUHLHAUSEN. I think this takes me back to a case of a program that was implemented in Texas, where—it was a faith-based program. And what they did was they looked at people who participated in the program versus people who didn't participate. And what they did was they only counted people who successfully completed the program. And the people who participated in the program but washed out because they were getting in trouble they didn't count.

And so they had this enormously effective success rate of reducing recidivism, but it was really a bogus study. And so they went around, they told people, they told me, you know, "You have to look at this. It works." I looked at it, I am like, "No, it really doesn't. Go back to the drawing board."

So I think that—I think we need to, when it comes to the public tax dollars, we need to have spending backed up by rigorous research.

Mr. CONYERS. Ms. La Vigne, you know something about the Returning Home study?

Ms. LA VIGNE. Uh-huh.

Mr. CONYERS. Do you have a comment to add to this conversation?

Ms. LA VIGNE. Sure, yes. The Returning Home study is a longitudinal study that The Urban Institute implemented a few years ago. We interviewed people behind bars and tracked them over the course of a year in the community. We did those very expensive surveys that I was talking about. So we got a lot of rich information about what their challenges were and what their support systems were like.

And the study produced some very interesting findings. One finding that we had was that family support seems to make a great difference in reentry outcomes. It is something that, when we first had the information and shared it, people looked at perhaps questioningly. They said, "Oh, we believe all these people have burned their bridges and they don't have any support systems anymore." What we found is that virtually everyone that we interviewed reported that they had someone that they considered to be a family member in their lives that could provide support, both moral support, emotional support, and tangible support in the form of housing and so forth, and that the higher that level of support, the better the reentry outcomes.

We also found interesting findings when it comes to employment. We did find that people who had employment programs behind bars were more likely to be employed on the outside. And we also found that people who were employed were less likely to return to prison.

But what is really interesting about our findings is that wages matter. So people who were employed earning \$8 to \$10 an hour were twice as likely to end up back behind bars in a year's time than those employed \$10 to \$12 an hour.

So there were a lot of interesting findings that came out of this research that I think can help inform the current program's, the Second Chance Act, grantees.

Mr. CONYERS. Thank you.

Dr. Muhlhausen, I assume you may have not have had the opportunity to examine the Returning Home study.

Mr. MUHLHAUSEN. No, I haven't actually read the study.

Mr. CONYERS. But it might satisfy some of your desire for more scientific rigor in the reporting.

Mr. MUHLHAUSEN. Well, I think it helps to know why people fail when they are outside. And I think that if attachment to work is important, then maybe a transition program that helps people get into good jobs is helpful.

And, you know, I frequently get called by reporters who want to know somebody who is anti-rehabilitative services and corrections. And I am like, I am all for incarcerating really dangerous people, but if you put them behind bars, I am also not against trying to help them out while they are behind bars, providing services.

Now, a lot of these services may not work; some may work. And they are not going to be a magic bullet, probably, in solving these problems. But I am for helping people.

Mr. CONYERS. Uh-huh. So you are not anti-rehabilitation?

Mr. MUHLHAUSEN. No. What I am anti is substituting rehabilitation for the incarceration of serious and violent offenders. Putting the two together is okay, but letting violent criminals roam the street without being behind bars is something I am not a fan of.

Mr. CONYERS. Well, now, when we boil all this down, you are anti-rehabilitation or you are not anti-rehabilitation?

Mr. MUHLHAUSEN. I am for rehabilitation—

Mr. CONYERS. Okay.

Mr. MUHLHAUSEN [continuing]. Under appropriate circumstances.

Mr. CONYERS. All right.

Now, that brings up the question of why you didn't make any comments in your prepared statement about the fact of the prison experience sometimes making it more difficult for rehabilitation, especially since you have had a prison correction experience yourself.

Mr. MUHLHAUSEN. Well, you know, one of the things that—when I worked in juvenile corrections, one of things that just really stuck out to me was that, when I was with some of these youth, some of them would just put a big smile on your face, interacting with them, but when they would be on the outside, they were absolute terrorists.

And I would sit down with one of them who always behaved well, staff trusted him to take care of chores, gave him extra benefits. You know, I asked him, you know, "You were here 6 weeks ago, and you came back. Why?" And a lot of times, they have—some people don't have the support networks back home. In this individual's case, he was just—you know, "I go back home, and I don't have—my parents aren't really around, and I am hanging out with my friends." And what are the friends doing? They are selling drugs. And so that is why he was always coming back.

So I think some way to help people transition back is important. And I think that there is a lot of talk about evidence-based programs, but one of the problems with the whole concept of evidence-based programs is they assume that, once a program has been found to be effective, anytime it has been replicated anywhere else, it is going to have the same result, and that is not true. So that we need to have continual research.

Mr. CONYERS. Well, what about The Urban Institute Justice Policy Center research findings on challenges of prisoner reentry? Have you ever run across this document?

Mr. MUHLHAUSEN. I actually haven't read all of the document. I am familiar with it a little bit. And I think that The Urban Institute does a lot of good research and provides a lot of useful information, because I have cited it in the past, as well.

Mr. CONYERS. Good. And do they research the scientific levels that you established for it to be valid and significant?

Mr. MUHLHAUSEN. Well, I think the difference is that what I am concentrating on is program evaluations of where you are taking people and you are assigning somebody to treatment and non-treatment and you are finding out what the results of treatment are.

In many cases, a lot of the research being done is, sort of, interviewing people afterwards. There isn't necessarily—there wasn't an experiment going on. You are trying to find out why people recidivate, why they didn't recidivate, and you are not necessarily doing an experimental evaluation. You are still doing research, and very good research.

But what I am concentrating on is a different type of research, where you are evaluating—trying to find the effectiveness of these programs.

Mr. CONYERS. But this still is pretty authentic research that is going on. It may be in a different category from what you would prefer, but—let me ask you like this: Do you think The Urban Institute Justice Policy Center's findings are meaningful and useful on prisoner reentry?

Mr. MUHLHAUSEN. I would say yes. But, without knowing the findings on top of my head, I would be cautious about endorsing any one of them. But I think that, you know, their institute has received a lot of funding to do this type of research, and I think it provides useful information.

Mr. CONYERS. Well, could we make this available to you and then see if you could submit afterward—and it may not be in time for this hearing to be reported, but it could help us. Because we have had, in this Subcommittee alone, five hearings on this subject. And I think that if you and I were to go over all of the witnesses, you would find additional scientific research on prisoner reentry that would satisfy you as to the quality of this research, and it might affect your opinion about prisoner reentry.

Mr. MUHLHAUSEN. I am open-minded, so I would definitely love to answer a follow-up question on this issue.

Mr. CONYERS. You would do what?

Mr. MUHLHAUSEN. I would definitely love to answer a follow-up question on this issue.

Mr. CONYERS. You would like to work with—

Mr. MUHLHAUSEN. Yeah.

Mr. CONYERS. Could I work with you on this—

Mr. MUHLHAUSEN. Definitely.

Mr. CONYERS [continuing]. And provide you with you the scientific information and see where you end up on this? Because I think you have the experience and the approach that would—that we could reach some kind of agreement.

We reached an agreement with President Bush. We reached agreement with a number of conservative leaders in government. As a matter of fact, we haven't found anybody that is critical of it. And you have made it clear that you are not critical of it; you are just saying that you haven't seen the scientific research that validates prisoner reentry.

Mr. MUHLHAUSEN. Well, there is not much research that I am aware of that—

Mr. CONYERS. I know. Wait, that is the problem, though.

Mr. MUHLHAUSEN [continuing]. Shows these programs are effective.

Mr. CONYERS. Of course there isn't. But you haven't—look, I am going to help you research it. So, of course you haven't found much, but I am going to help—

Mr. MUHLHAUSEN. I appreciate your help.

Mr. CONYERS [continuing]. You find a lot more.

Ms. LA VIGNE. If I may, thank you for holding up The Urban Institute's research. That is flattering.

But in addition to that, as I mentioned in my formal testimony, we are in the process of documenting assessing for level of rigor and combining and distilling all the individual research studies, evaluations out there that fall under the larger umbrella of prisoner reentry. So that is correctional education programs, employment programs, substance abuse treatment programs, housing, et cetera, et cetera.

We have identified a thousand studies that we think might—might—meet some level of rigor. Of those, I am certain that there is a much smaller percentage that meet the level of rigor that Dr. Muhlhausen is asking for.

But I would argue that the information is out there; it just has not been compiled and distilled and presented back to the field in the way that they can use that. And so that is what we are trying to do at The Urban Institute with Second Chance Act funding.

Mr. CONYERS. Well, will you join me and help me, as well?

Ms. LA VIGNE. I would be happy to.

Mr. CONYERS. So both of us will be helping Dr. Muhlhausen.

Now, there is also a fourth person I would like to involve, and that is attorney Demelza Baer, who is now a member of this Committee, who was one of the researchers on The Urban Institute study on prisoner reentry. She would make a great companion to work with us and Dr. Muhlhausen, don't you think?

Would you be willing to accept this assistance—

Mr. MUHLHAUSEN. Sure.

Mr. CONYERS. Dr. Muhlhausen?

Mr. MUHLHAUSEN. Definitely.

Mr. CONYERS. Well, thank you very much, Mr. Chairman.

Mr. SCOTT. Thank you.

I would like to thank our witnesses for their testimony today. And it is going to be extremely—the follow-up is going to be extremely helpful, because, as Mr. Davis said, there are some good programs and some bad programs and very relatively little money. So we want to make sure that all of the money goes to the programs that actually work and not waste it on programs that don't work. So we appreciate the witnesses' willingness to help us evaluate the programs so we fund the good ones and don't fund the bad ones.

We may have additional written questions which we will forward to you and ask that you answer as promptly as you can so that your answers can be made part of the record. The hearing record will remain open for 7 days for the submission of additional materials.

And, without objection, the Subcommittee stands adjourned.
[Whereupon, at 5:31 p.m., the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

RESPONSE TO POST-HEARING QUESTIONS FROM NANCY LA VIGNE, DIRECTOR,
JUSTICE POLICY CENTER, THE URBAN INSTITUTE, WASHINGTON, DC

MEMO

To: Hon. Bobby Scott, Chairman of the Subcommittee on Crime, Terrorism, and Homeland Security; Hon. John Conyers, Jr., Chairman of the U.S. House Committee on the Judiciary; and Hon. Louis Gohmert, Ranking Member of the Subcommittee on Crime, Terrorism, and Homeland Security

From: Dr. Nancy La Vigne, Director, Justice Policy Center, The Urban Institute

Re: Second Chance Act Information Request

Date: October 12, 2010

Thank you for the opportunity to testify before your committee last week on the topic of Second Chance Act reauthorization. In follow up to my written testimony, this memorandum summarizes the existing rigorous evidence on the impact of reentry interventions on recidivism and details the results of cost-benefit analyses of reentry interventions.

Background on Evaluation Methods

Before summarizing the results of rigorous evaluations of reentry programs, it is helpful to first provide background on various evaluation methods and which ones are widely considered by the academic community to be of sufficient rigor to yield definitive and persuasive findings. While randomized controlled trials are the gold standard of evaluation, “randomized designs may be impractical in some settings, such as criminal justice populations, where due process restricts randomization of otherwise equivalent populations to treated and untreated conditions.”¹ Due to this restriction, relatively few randomized controlled trials exist within the universe of evaluative reentry research.

Instead, researchers often implement quasi-experimental designs to evaluate reentry programs. While findings of causation from some quasi-experimental designs can be questionable, other quasi-experimental designs are highly-rigorous and provide reliable evidence that reentry interventions reduce recidivism.² For example, in 2006, Steve Aos of the Washington State Institute for Public Policy published a meta-analysis³ that synthesized evaluative reentry research and determined the statistical effect of specific reentry interventions on recidivism. Aos included studies that, “had a randomly-assigned or demonstrably well-matched comparison group; had intent-to-treat groups that included both completers and program dropouts, or sufficient information that the combined effects could be tallied; provided sufficient information to code effect sizes; and had to have at least a six-month follow-up period and include a measure of criminal recidivism as an outcome.” While not entirely dedicated to the randomized controlled trials that Dr. David Muhlhausen argued for at last week’s hearing, Aos’s criteria were very stringent, resulting in the inclusion of only randomized trials and highly rigorous quasi-experimental design studies.

Strong Evidence of Reentry Intervention Effectiveness

Aos found that a wide range of reentry interventions yielded statistically significant negative effects on recidivism, with effect sizes ranging from 6 to 19 percent lower recidivism for adult reentry program participants and 8 to 25 percent lower recidivism for juvenile interventions. In addition to Aos' work, Sherman et. al.⁴ conducted a systematic review of criminal justice evaluations that found some reentry interventions to reduce recidivism, while Lipsey et. al.⁵ conducted a meta-analysis of randomized field experiments and quasi-experimental studies and concluded that cognitive behavioral therapy reduces recidivism.

Further examples of highly-rigorous studies that found reentry programs reduced recidivism include the following:

- A randomized controlled trial of the Amity Prison Therapeutic Community,⁶ which found that the program reduced recidivism by 9 percent and increased average time to incarceration by 28 percent, compared to the control group.
- A randomized controlled trial of multi-systemic therapy with serious and violent offenders⁷ found that after 4 years, 22 percent of the treatment group recidivated compared to 71 percent of the control group; 14 percent of treatment group offenses were violent, compared to 30 percent of control group offenses; and the intervention reduced the average number of arrests and average number of days incarcerated.
- A Bureau of Prison's highly rigorous quasi-experimental design analysis⁸ of residential drug treatment programs found that the intervention resulted in statistically significant declines in both rearrest and drug relapse for male prisoners over a three-year post-release follow-up period.

Cost-Benefit Analyses

The Urban Institute and others have conducted analyses to determine the cost effectiveness of reentry programs. Welsh's⁹ review of cost-benefit analyses found that 12 of 14 evaluations of reentry programs resulted in positive benefit-cost ratios; he concluded that increasing treatment resources for offenders reduces recidivism and is cost-beneficial for society. In an Urban Institute evaluation of the Maryland Reentry Partnership Initiative, Roman et al¹⁰ found that the effort returned three dollars in benefits for every dollar in new costs. Roman and Chalfin¹¹ found that jail reentry programming is cost-beneficial if the programming results in at least a two percent reduction in crime. Aos' meta-analysis also included a cost-benefit component, which lists the cost-benefit ratios for a variety of adult and juvenile reentry interventions and finds that the majority of interventions are cost-beneficial. A cost-benefit analysis of the Serious Violent Offender Reentry Initiative¹² was also conducted, but results were inconclusive.

Looking Ahead

In partnership with the Council of State Government's Justice Center, The Urban Institute is currently engaged in efforts to create a web-based "What Works" Library that will assess reentry evaluations by level of rigor and classify interventions by level of efficacy. The library, which will be available by September, 2011, will synthesize the research highlighted above, along with hundreds of other studies, to make this type of information more accessible to Congress, practitioners, and the general public.

Endnotes

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- ³ Aos, Steve. (2006). *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia, WA: Washington State Institute for Public Policy.
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- ⁵ Lipsey, Mark, Nana Landenberger, Sandra Wilson. (2007). *Effects of Cognitive-Behavioral Programs for Criminal Offenders*. The Campbell Collaboration. www.campbellcollaboration.org/lib/download/143/
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- ⁷ Schaeffer, Cindy M. and Charles M. Borduin. 2005. "Long-Term Follow-Up to a Randomized Clinical Trial of Multisystemic Therapy with Serious and Violent Offenders." *Journal of Consulting and Clinical Psychology*. Vol. 73, No. 3, pp. 445-453.
- ⁸ Rhodes, William, Bernadette Pellisier, Geraldn Gacs, William Saylor, Scott Camp, Susan Wallace. (2000). "Alternative Solutions to Problem of Selection Bias in an Analysis of Federal Residential Drug Treatment Programs." Federal Bureau of Prisons.
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http://www.urban.org/UploadedPDF/311421_Maryland_Reentry.pdf
- ¹¹ Roman, John and Aaron Chalfin. (2006). "Does It Pay to Invest in Jail Reentry Programs?" The Urban Institute.
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- ¹² Cowell, Alexander, Pamela Lattimore, John Roman. (2009). *An Economic Evaluation of the Serious and Violent Offender Reentry Initiative*. http://www.svori-evaluation.org/%5Cdocuments%5Creports%5CSVORI_CostBenefitReport_FINAL.pdf