



Department of Justice

STATEMENT FOR THE RECORD OF

**LAURIE O. ROBINSON
ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS**

BEFORE THE

**COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE**

ENTITLED

“THE SECOND CHANCE ACT”

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U.S. DEPARTMENT OF JUSTICE**

Mr. Chairman, Ranking Member Sessions and Members of the Committee: I am pleased to have the opportunity to discuss the efforts of the Department of Justice (DOJ) in implementing the Second Chance Act. Our Administration is committed to reducing the nationwide recidivism rate, decreasing the billions of dollars spent annually on incarceration, and ensuring returning offenders have the tools they need to become contributing members of their communities. I am pleased that the Department's Office of Justice Programs (OJP) is working toward these goals. We appreciate the Committee's interest in this important issue.

My name is Laurie Robinson and I am the Assistant Attorney General for OJP. The mission of OJP is to provide leadership, research, and information, as well as essential funding in support of state, local, and tribal criminal and juvenile justice strategies to achieve safer communities.

According to OJP's Bureau of Justice Statistics (BJS), there are currently more than 1.5 million individuals serving time in federal and state prisons and an additional 786,000 people incarcerated in local jails. About 725,000 individuals are released from prison and millions of people cycle through local jails every year. Ninety-five percent of all people incarcerated today will eventually be released and will return to their communities. However, studies show us that half of them will return to prison or jail within three years after their release.

Another BJS study reported that drug offenders represent the largest source of jail population growth—an increase of 37 percent from 1996 to 2002. About two-thirds of the growth in inmates held in local jails for drug violations was due to an increased number of persons charged with drug trafficking. Two-thirds of the 2002 jail inmates said they were regular drug users. More than half of those inmates who had been convicted reported having used drugs in the month before their current offense. Almost a third said they were using drugs at the time of their offense.

High recidivism rates are wreaking havoc on state and municipal budgets. According to the Council of State Governments (CSG) Justice Center, in the past 20 years state spending on corrections has grown at a faster rate than nearly any other state budget item. In Michigan, for example, corrections spending recently accounted for almost a quarter of state general fund expenditures, and one in three state employees worked for the state's Department of Corrections. In Kansas, the prison population was expected to increase 22 percent by 2016, requiring approximately \$500 million in additional construction and operating costs. Other states are facing the same challenge.

OJP is responding to this challenge in a number of ways. First, as a general matter, we believe we have a responsibility to be not only tough on crime, but also smart on crime. This

means supporting programs that are backed by evidence of effectiveness, not ideology. Second, we are committed to ensuring that people returning from prisons and jails have the tools they need to become contributing members of their communities, which begins during incarceration and continues through their release, just as we need to provide tools to communities so they are prepared to assist individuals in their reentry.

To meet these goals, and with the assistance of this Committee's work on the Second Chance Act, OJP is providing grants, training and technical assistance, and policy guidance through its Second Chance Offender Reentry Initiative. In Fiscal Year (FY) 2009, OJP's Bureau of Justice Assistance (BJA) and Office of Juvenile Justice and Delinquency Prevention (OJJDP) solicited applications under five grant programs:

- Second Chance Act Mentoring Grants to Nonprofit Organizations;
- Second Chance Act Prisoner Reentry Initiative Demonstration Grants;
- Second Chance Act National Adult and Juvenile Offender Reentry Resource Center;
- Second Chance Act Youth Offender Reentry Initiative; and
- Second Chance Juvenile Mentoring Initiative.

We received more than 750 applications. In October 2009, we announced more than \$28 million in grant funding to 68 state and local governments and non-profit organizations through these five initiatives. The awards were based on a program's evidence-based process and the delivery of evidence-based services during and after confinement.

This initiative is a comprehensive set of programs designed to support state, local, and tribal governments in their efforts to assist individuals' transitions from prison back into the community and break the cycle of recidivism. Services are provided in a variety of ways for adult and juveniles, including substance abuse treatment, mentoring, literacy classes, job training, education programs, housing and employment assistance, and mental health programs. Our role is to facilitate partnerships among community groups many of whom receive funds from other federal agencies such as the Substance Abuse and Mental Services Administration, corrections agencies, and other justice system agencies to make sure these services are available at the beginning of an incarceration and continuing after release. In addition, we advance the reentry field through training, disseminating knowledge, and promoting evidence-based best practices.

Last year OJP announced the creation of the National Reentry Resource Center in partnership with the Council of State Governments (CSG) Justice Center. Through the National Reentry Resource Center, OJP, the CSG Justice Center, federal agency partners, and many other national organizations, we are providing valuable training and technical assistance to states, localities, and tribes to develop evidenced-based reentry programs. The goal is for the Center to be a one-stop, interactive source of current, user-friendly reentry information; to identify, document, and to promote evidence-based practices; and deliver individualized, targeted technical assistance to the Second Chance Act grantees. At the end of May 2010, the Center hosted its first national conference for grantees, *Making Second Chances Work: A Conference for Grantees Committed to Successful Reentry*, in Washington, DC. The knowledge gained

through conferences like this and future initiatives of the Center will help state, local, and tribal governments reduce the recidivism rate and protect the communities they serve.

In FY 2010, Congress appropriated \$100 million to continue the Second Chance Act Offender Reentry Initiative in OJP. This funding level represents an increase of \$75 million over the FY 2009 appropriation of \$25 million. This \$100 million also includes \$10 million for research, furthering our goals to support evidence-based initiatives. In FY 2011, the President's Budget request includes \$100 million to continue the Second Chance Act Offender Reentry Initiative.

Last week, Attorney General Holder called for a new approach to dealing with criminals and announced the creation of an interagency working group to focus exclusively on reentry issues. The group will focus on everything from mental health and drug treatment, housing, and job training needs as well as policy recommendations and efforts to enhance interagency coordination at the federal level.

To further these efforts throughout the federal government, the President launched a new Transitional Jobs initiative with the Department of Labor for ex-offenders and low-income, noncustodial fathers who face serious barriers to finding work and keeping work. The majority of returning prisoners are parents and strengthening family ties upon release can help returning prisoners successfully reintegrate into society. Through this program, fathers will be helped to develop the skills and experience they need to move into full-time, long-term employment so they can meet their child support obligations and help provide for their families.

Recidivism is a complicated problem and there is more to learn in this area, but some states are showing results. Analysis by experts from CSG's Justice Center showed that violations of parole and probation were a significant factor in individuals returning to prison in Kansas. In response, the state enacted new policies and redirected \$7.9 million to strengthen probation and parole operations and expand treatment programs. As a result, the state prison population decreased by 4 percent and recidivism rates declined by more than 20 percent.

At OJP, we are committed to investing in research to make sure we spend our public dollars wisely. One study, funded by OJP's National Institute of Justice, recently published preliminary results (<http://www.ncjrs.gov/pdffiles1/nij/226872.pdf>) that found if first-time arrestees remained "arrest-free" for three to eight years, they were no more likely to be arrested than the general population. We believe that our preliminary findings and ongoing research offer an opportunity to determine when an individual might be "reformed." The implications could fundamentally change the way we view people formerly incarcerated and their potential for reintegration into society. More importantly, think of what it could mean in our efforts to reduce crime and protect communities.

We thank the Committee for its leadership on this issue and for the opportunity to submit a statement for the record on this very timely and important topic. We look forward to working with Congress on both reentry initiatives and other innovative, evidence-based approaches to reducing crime. In addition, we look forward to continuing this dialogue at the Committee's next hearing regarding the Second Chance Act—and sharing with you successes we are confident will follow from this important initiative.