

REMARKS

OF

THE HONORABLE KAROL V. MASON
ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS

AT THE

SECOND CHANCE ACT CONFERENCE

ON

WEDNESDAY, MAY 14, 2014
WASHINGTON, DC

Thank you, Denise, for those incredibly kind words. And let me just say that we're all fortunate to have a leader who cares as much about these issues as Denise O'Donnell. She mentioned my passion for these issues, and she's right, but there are few people as knowledgeable and passionate about reentry as she is.

And that goes for her wonderful staff, as well. You would be hard-pressed to find a more talented, committed group than the employees of the Bureau of Justice Assistance. I know I speak for Denise when I say we are very lucky to have their expertise at our disposal.

Let me also single out my senior policy advisor, Amy Solomon. A little later, you'll hear from Amy and her colleagues on the Federal Interagency Reentry Council staff group, all of whom have done so much to advance federal reentry policies. Amy leads that group, and she has done an absolutely amazing job! I'm so grateful for all her guidance.

Finally, I want to thank Mike Thompson and the terrific staff at the Council of State Governments Justice Center – especially Leah Kane, who has literally worked around the clock to make this conference possible. Mike, Leah, and their team have been outstanding partners in our Second Chance efforts and have been integral in moving the ball forward on reentry. I'm thankful for all they do, as well.

I'm proud to work with so many people who care so deeply about these issues and about the safety of our communities. And I'm proud to work for an Attorney General who fully understands the value of reentry programs like the ones so many of you administer – and who sees the potential they have, not only to change individual behavior and create opportunities for those returning from jails and prisons, but to improve public safety and the health of our communities.

Reentry is one of the pillars of his “Smart on Crime” initiative, which he launched last August. Hopefully, you've heard something about this. The Attorney General is directing the Department to focus its efforts on reducing recidivism and improving fairness by re-thinking our approach to crime – concentrating our energy not only on enforcement, prosecution, and incarceration, but on prevention, intervention, and reentry, as well.

He's already modified the Department's charging policies to help ensure that people convicted of certain low-level, non-violent federal drug crimes will face appropriate sentences, and he's encouraged reform of sentencing practices at the federal level. By taking these steps, we hope to lower federal prison costs and expand investments in local evidence-based strategies, diversion alternatives, and reentry programming aimed at preventing and reducing crime and keeping returning prisoners crime-free.

The message this sends about the importance of reentry is powerful. Think about it: The nation's chief law enforcement officer is telling us that the work you're doing is

central to the safety and prosperity of America's communities. That's quite an endorsement – and it's quite a responsibility. What the Attorney General is saying is, “we're counting on you.”

The stakes are high – there's no question. That point was brought home two weeks ago by a landmark study released by the National Research Council. This report was jointly funded by our National Institute of Justice and the MacArthur Foundation to examine incarceration rates over the last four decades.

And it gives scientific affirmation to what many of us know through our own experience: That rates of incarceration in the United States are disproportionately high compared to the rest of the world, that the costs of locking away so many people for so long far outweigh the benefits, and that incarceration has a disparate racial impact and an especially destructive effect on already-disadvantaged communities.

The central recommendation of the report is that the U.S. should take steps to reduce incarceration. But it also underscores the critical need for effective reentry programs. It documents the low wages and high unemployment rates of those leaving prison, and it shows the connection to family instability and adverse developmental outcomes for millions of children who are touched by this issue.

It highlights something else most of us know, as well: That large shares of prisoners come from – and return to – a relatively small number of distressed communities. In these communities, incarceration is not an unusual occurrence, but a commonplace experience, especially for young men of color.

The jury is in: the costs of incarceration, both economic and societal, are substantial.

But why, exactly, is reentry so critical to addressing this problem?

Well, for one thing, we know that recidivism rates among returning prisoners are high. Our Bureau of Justice Statistics confirmed this in a report released just last month. Nationally, two out of every three released prisoners are arrested for a new offense within three years, and about half will be reincarcerated.

Now, it's important to note two things. One, these statistics cover the period 2005 to 2010, so any gains achieved through our Second Chance Act investments aren't yet reflected here. In fact, you could call these a baseline, or starting point, against which to measure progress under the Second Chance Act.

Secondly, there are, in fact, states and communities that have already experienced reductions in recidivism. In 2012, the National Reentry Resource Center released a policy brief highlighting seven states that reported significant declines in their three-year recidivism rates.

And a number of local programs specifically supported under the Second Chance Act are making a measurable difference – like the Harlem Parole Reentry Court, which has realized reductions in both unemployment and reincarceration; and Project Reconnect in Tulsa, Oklahoma, where only 4 of the 181 participants who had been in the community for at least 12 months have recidivated.

So even though we're still awaiting comprehensive data on Second Chance Act achievements, we're already seeing signs of progress.

And it's important that we continue measuring the impact of reentry because, as federal, state, and local resources continue to be strained, we'll need to be able to demonstrate both qualitative and quantitative successes. Otherwise, we risk losing the critical momentum that we've gained. We simply can't take for granted that all policymakers understand the value and potential of reentry the way we do.

That's why it's so critical that you continue to gather data about what's happening in your jurisdictions, and that we become sophisticated about using risk level to measure recidivism. We need this information so that we can understand if our programs are having their intended impact.

It's also important that we in OJP support you through our own data collection efforts and by helping you apply the latest evidence. So, in addition to supporting adult and juvenile reentry programs across the country, we're doubling down on our reentry research.

Our National Institute of Justice is supporting several evaluations of Second Chance Act programs to measure both their impact and their cost-effectiveness. You'll hear about some of the interim results on Friday, but I want to point out that one of the most important findings thus far is that Second Chance Act programs – your programs – are helping to change attitudes in your agencies about the importance of reentry. That's something to be proud of.

Our Bureau of Justice Statistics is also working to capture recidivism outcomes in future studies. And BJA, through the National Reentry Resource Center, continues to help states devise evidence-based strategies to reduce recidivism and assess their progress.

We're also tackling specific issues related to reentry in an effort to understand what works to build skills and connect returning individuals to jobs, treatment, housing, and other services.

One of our areas of greatest focus is employment. You'll hear more about this from Amy and her colleagues a little later, but we know that finding a stable job is one of the best ways to keep a returning prisoner crime-free. Yet prisoners continue to encounter frequent roadblocks to employment. In fact, about half of the collateral consequences of incarceration are related to employment barriers.

The Reentry Council is doing a great deal of work in this area – making sure we’re doing our part on the federal level to change policies that prevent people with criminal records from getting jobs and becoming productive, law-abiding citizens.

And NIJ is supporting a national inventory of collateral consequences to shine a light on these “hidden penalties” of incarceration, from employment prohibitions to the curtailment of voting rights. The American Bar Association is finishing a database of the thousands of sanctions and restrictions in place across the country. Our hope is that judges, prosecutors, and defense counsel will be able to use this information to make decisions that take into account the full extent of these penalties.

We also hope legislators and policymakers will use the database to reassess the laws and regulations already in place. The Attorney General has encouraged state attorneys general to reexamine laws in their jurisdictions. And as part of his “Smart on Crime” initiative, the Attorney General directed all Department of Justice components to take collateral consequences into account when proposing any new regulations or guidance.

And we’re continuing research in other areas. NIJ’s landmark redemption study has provided critical evidence showing that individuals who remain crime-free for a certain period of time are no more likely to commit offenses than others. Needless to say, this is important information for employers who are considering hiring individuals with an arrest or criminal record – and for employers who may seek to exclude them from hiring consideration.

BJA has also supported a RAND study of the value of correctional education that found that education programs for incarcerated adults and juveniles have been shown to reduce post-release recidivism and to be cost-effective. These findings support the notion that reentry planning is essential to public safety and that it must begin early – in fact, as soon as an individual comes into the system.

Evidence like this will be critical as we continue building our case for effective reentry. NIJ has devoted some \$14 million to reentry-related research and evaluation. BJA and our Office of Juvenile Justice and Delinquency Prevention have both made substantial investments in improving our understanding of reentry practices. And our Bureau of Justice Statistics is providing the data we need to determine the impact of our criminal and juvenile justice policies on crime and recidivism.

We’re fortunate to have leadership at the Department of Justice who are committed to building our base of knowledge about reentry and to putting that knowledge into practice. Our Attorney General, Deputy Attorney General, and Associate Attorney General all believe strongly in the importance of reentry research, policy, and programming.

The head of the Bureau of Prisons, Charles Samuels, is an avid proponent who believes that reentry must begin at the moment of incarceration. And we have leaders

like Ron Davis, the head of the COPS Office, who understand that reentry is key to a safer America.

I know I speak on behalf of all of them when I saw how grateful we are for everything you do. You are doing noble work to change minds and hearts, and you are helping to ensure a better world, not just for those returning from jail and prison, but for the neighborhoods and families they return to.

Thank you.

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