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PRISONER RELEASE IN THE DISTRICT OF COLUMBIA: THE ROLE OF HALFWAY HOUSES AND COMMUNITY SUPERVISION IN PRISONER REHABILITATION

HEARING

BEFORE THE

SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

OF THE

COMMITTEE ON
GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

JULY 20, 2001

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PRISONER RELEASE IN THE DISTRICT OF COLUMBIA: THE ROLE OF HALFWAY HOUSES AND COMMUNITY SUPERVISION IN PRISONER REHABILITATION

FRIDAY, JULY 20, 2001

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 10 a.m., in room 2154, Rayburn House Office Building, Hon. Constance A. Morella (chairwoman of the subcommittee) presiding.

Present: Representatives Morella and Norton.

Staff present: Russell Smith, staff director; Heea Vazirani-Fales, deputy staff director; Robert White, communications director; Matthew Batt, legislative assistant; Shalley Kim, staff assistant; Howard Dennis, professional staff member; Jon Bouker, minority counsel; and Jean Gosa, minority assistant clerk.

Mrs. MORELLA. I'm going to convene the Subcommittee on the District of Columbia for our hearing and welcome you all to the fifth hearing of this subcommittee.

Our issue at this hearing is "Prisoner Release in the District of Columbia: The role of Halfway Houses and Community Supervision in Prison Rehabilitation," and it's a vital issue. It not only affects our Nation's Capital, but it affects the communities that are facing the phenomena of prisoners returning in numbers from Federal and State prisons due to new sentencing guidelines.

I want to commend all our witnesses for the leadership that they have provided on this issue and for sharing with us their expertise and concerns. You'll be interested in their individual testimonies, and I hope that we can glean some solutions from the collective tests.

Special welcome to all our witnesses: The Honorable Kathy Patterson, chairperson of the Committee on the Judiciary of the District of Columbia City Council; Margaret Nedelkoff Kellems, Deputy Mayor for Public Safety and Justice; Laurie Ekstrand, Director of Justice Issues at the General Accounting Office; Jeremy Travis, senior fellow, Justice Policy Center, the Urban Institute. And these witnesses will comprise the first panel.

We'll have the second panel comprised of John Clark, corrections trustee of the D.C. Office of Corrections; Kathleen Hawk Sawyer, director of the Bureau of Prisons; Charles Ramsey, chief of police, District of Columbia; the Honorable Edward Reilly, chairman of the

U.S. Parole Commission; Jasper Ormond, interim director, Court Services and Offender Supervision Agency; and James Anthony, deputy director of the D.C. Department of Corrections. So, again, I welcome everyone again.

In an opening statement preliminary to hearing from the witnesses and the ranking member, I want to comment on the fact that more than 2,500 felony inmates will return from prison to the District of Columbia this year. That's a significantly higher figure than in past years, and it represents the beginning of a trend, not merely a statistical anomaly. city officials expect a similar number of inmates to leave prison each year in the near future. This presents real challenges for the District. How does the city reintegrate these inmates back into society? How does the city ensure they get proper drug treatment, medical services, other assistance? What can be done to prevent recidivism, to buck the odds that show as many as two-thirds of released prisoners are rearrested within 3 years? And, finally, how and where does the city and the Bureau of Prisons place additional halfway houses, which have proved to be an effective rehabilitation tool?

There is a shortage, we understand, of 250 halfway house beds in the District. An unwillingness among many neighborhoods to be home to such facilities exacerbates the problem. I think there has to be a public education effort here from both the city and the Bureau of Prisons to drive home the fact that these prisoners are coming back to the community regardless, and if they are not entering a halfway house, then they're likely heading right back to the streets and the life-style they practiced before being incarcerated.

And although this subcommittee deals narrowly with oversight of the District of Columbia government, it is clear that the District is not alone in facing an influx of returning prisoners. Nationwide, more than 600,000 inmates are scheduled to be released into their communities each year. That's roughly 1,600 a day. Some will go to halfway houses, some will get drug treatment. Most will be supervised by a parole officer. And yet studies tell us that most will return to a life of crime. Nearly half will end up back in jail or prison.

While D.C. is indicative of a national trend, it also faces some particular obstacles. To begin with, the city, as a completely urban jurisdiction, has a higher incarceration rate than any of the 50 States. Its prisoners are nearly twice as likely than the national average to have prior convictions, and they are more likely to have serious drug and/or medical problems.

This is not just a corrections issue. This is a community public safety problem, one that has failed to receive proper attention nationally, although I must commend the District for taking some meaningful first steps in recognizing this problem and that it affects the community at large.

While we know the numbers, we know too little about what works in the sense of keeping ex-prisoners out of jail. There is no hard substantive data to guide local policymakers on how to best cope with ex-inmates in terms of helping them become productive members of society, preventing additional crimes, and protecting the safety of the general public.

The unique structure of corrections in the District of Columbia, however, provides an opportunity. Felony inmates from the District are now sent to the Federal Bureau of Prisons, which does a significantly better job than most prison systems of assessing and rehabilitating criminals. And the new Court Services and Offender Supervision Agency has taken the lead in post-correctional supervision.

We have the mechanisms in place to do a better job of tracking inmates from the time they first enter prison to the time they are paroled, released, or sent to halfway houses, and as such we can begin to learn what types of programs, both inside and outside of prison, are most helpful in reducing recidivism and ensuring safe communities. The District can and should be used as a national model, a national model to examine these critical prisoner release and rehabilitation issues.

I will be considering legislation to use the District of Columbia corrections system to determine what are the best practices, the best methods for rehabilitating prisoners and reducing crime. This hearing is focused on a burgeoning problem facing the District that, as I mentioned, the city has in many ways been proactive in responding to the issue.

While the number of halfway house beds in the city is down considerably over recent years, the current situation is a far cry from 1997 before the Revitalization Act when the city stopped using its halfway houses and simply placed returning felons on a bus from Lorton and dropped them directly into the community.

Although the subcommittee deals narrowly with oversight of the District of Columbia, it's clear that we are not alone in facing this influx of returning prisoners, and we are going to be looking at that issue too. The new Court Services and Offenders Supervision Agency has also shown some early success with its commitment to getting more ex-prisoners into appropriate drug treatment programs and its collaboration with police and parole offices. More must be done. We're going to hear about that today.

I look forward to hearing from our witnesses and working with Congresswoman Norton, other members of this subcommittee, and the District's leadership in dealing directly with the problem that faces our Nation's Capital and other communities across the Nation.

[The prepared statement of Hon. Constance A. Morella follows:]

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HOUSE OVERSIGHT SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

"PRISONER RELEASES IN THE DISTRICT OF COLUMBIA: THE ROLE OF HALFWAY HOUSES AND COMMUNITY SUPERVISION IN PRISONER REHABILITATION"

JULY 20, 2001

More than 2,500 felony inmates will return from prison to the District of Columbia this year – that's a significantly higher figure than in years past, and it represents the beginning of a trend, not merely a statistical anomaly. City officials expect a similar number of inmates to leave prison each year for the near future.

This presents real challenges for the District: How does the city re-integrate these inmates back into society? How does the city ensure they get proper drug treatment, medical services and other assistance? What can be done to prevent recidivism, to buck the odds that show as many as two-thirds of released prisoners are re-arrested within three years?

And finally, how and where do the city and the Bureau of Prisons place additional halfway houses, which have proved to be an effective rehabilitation tool? There is a shortage of 250 halfway house beds in the District, and unwillingness among many neighborhoods to be home to such facilities. I think there has to be a public education effort here, from both the city and the Bureau of Prisons, to drive home the fact that these prisoners are coming back to the community regardless, and if they're not entering a halfway house, then they are likely heading right back to the streets and the lifestyle they practiced before being incarcerated.

Although this subcommittee deals narrowly with oversight of the District of Columbia government, it is clear that the District is not alone in facing an influx of returning prisoners. Nationwide, more than 600,000 inmates are scheduled to be released into their communities each year – that's roughly 1,600 a day. Some will go to halfway houses, some will get drug treatment, most will be supervised by a parole officer. And, yet, studies tell us that most will return to a life of crime. Nearly half will end up back in jail or prison.

While D.C. is indicative of a national trend, it also faces some particular obstacles. To begin with, the city, as a completely urban jurisdiction, has a higher incarceration than any of the 50 states. Its prisoners are nearly twice as likely than the national average to have prior convictions, and they are more likely to have serious drug and/or medical problems.

This is not just a corrections issue. This is a community public safety problem, one that has failed to receive proper attention nationally – although, I must commend the District for taking some meaningful first steps in recognizing this problem affects the entire community at large.

While we know the numbers, we know too little about what works in the sense of keeping ex-prisoners out of jail. There is no hard, substantial data to guide local policy makers on how to best cope with ex-inmates, in terms of helping them become productive members of society, preventing additional crimes and protecting the safety of the general public.

The unique structure of corrections in the District of Columbia, however, provides an opportunity. Felony inmates from the District are now sent to the federal Bureau of Prisons – which does a significantly better job than most prison systems of assessing and rehabilitating criminals -- and the new Court Services & Offender Supervision Agency has taken the lead in post-correctional supervision. We have the mechanisms in place to do a better job of tracking inmates from the time when they first enter prison to the time they are paroled, or released, or sent to halfway houses – and, as such, we can begin to learn what types of programs, both inside and outside of prison, are most helpful in reducing recidivism and ensuring safe communities.

The District can and should be used as a national model to examine these critical prisoner release and rehabilitation issues. I will be considering legislation to use the D.C. corrections system to determine what are the best practices, the best methods, for rehabilitating prisoners and reducing crime.

This hearing is focused on a burgeoning problem facing the District, but as I mentioned a moment ago, the city has, in many ways, been pro-active in responding to the issue. While the number of halfway house beds in the city is down considerably over recent years, the current situation is a far cry from 1997, before the Revitalization Act, when the city stopped using its halfway houses and simply placed returning felons on a bus from Lorton and dropped them directly into the community.

The new Court Services and Offender Supervision Agency has also shown some early success with its commitment to getting more ex-prisoners into appropriate drug treatment programs and its collaboration with police and parole officers.

But more must be done, as we will hear today. I look forward to hearing from our witnesses and working with Congresswoman Norton, the other members of this Subcommittee, and the District's leadership in dealing directly with a problem that faces our nation's capital and other communities across the country.

Mrs. MORELLA. So it's now my privilege and pleasure to recognize the ranking member of the District of Columbia Subcommittee, Congresswoman Eleanor Holmes Norton, for her opening statement.

Ms. NORTON. Thank you, Madam Chair. This hearing is especially welcome and is surely one of the most important hearings we have had since the new Chair assumed her role, and I thank our Chair, Connie Morella, for calling the subcommittee to hear today's witnesses.

Halfway houses for pretrial defendants and for parolees and offenders on supervised release have raised community anxiety, although ironically under their current Federal Government management, these halfway houses have significantly reduced criminal activity. However, without a forum such as today's hearing to lay out the particulars and hear problems, neighborhoods have resisted such facilities.

The reasons for community angst arise not from the new system under Federal supervision, but from the old District-run haphazard halfway houses. Under the city's supervision, halfway houses became so well known for escapes, faulty supervision, and recidivism that the city itself discontinued using halfway houses altogether. The result, however, was the proverbial "from the frying pan into the fire" offenders return to our neighborhoods with little or no supervision and without the transitional support that is necessary to give offenders a chance to find employment and resist substance abuse and criminal activity.

Enter the Revitalization Act of 1997 which transferred responsibility for offenders to the Federal Government as the city requested. Inevitable issues arise in a transition to any system, but it is already clear that the new system under new management is superior to what it replaced. Instead of Lorton Prison, with its long documented history of abysmal conditions and reputation as a factory for crime, offenders now are supervised by the U.S. Bureau of Prisons, perhaps the best and most progressive prison system in the country.

Instead of pretrial or post-release—a post-trial release into the community with no monitoring, or with oversight by overworked parole officers, ill equipped to provide job and other transitional support, a new, professionally staffed, well-funded agency, the Court Services and Offenders Supervision Agency [CSOSA], was established in 1997. CSOSA provides an impressive array of services to ex-offenders for 5 years, on the average. CSOSA—none of which were available in the old system, including frequent drug testing, substance abuse treatment, life skills training, and job referral.

In the past, by leaving ex-offenders to fend for themselves without a closely monitored and structured way back to normalcy and to a job, the District was virtually inviting people released from prison to return to the line of work they may have known best: criminal activity.

There is no way to keep people who were offenders from coming back to their home communities, and given what many offenders were born into, how they were raised, and the opportunities denied them, no community is free of responsibility for the conditions that lead to crime.

Now that we have the Bureau of Prisons and CSOSA as a way to hold offenders responsible for leading productive lives, and the District now has a way that takes its responsibility for reentry of these Washingtonians, it must be acknowledged that the city has a considerable advantage because this occurs at no cost to the city, because state-of-the-art services to control and improve offender behavior are now paid for by the Federal Government.

The city asked for this change in responsibilities and costs, and the Federal Government agreed. Both must take this—these shared responsibilities seriously.

Perhaps the most important outstanding issue is the development of a relationship, a real partnership between the Federal sponsors of these important services and the communities in which they must necessarily be placed.

This is an enormous and unprecedented challenge. Never before has the Federal Government assumed the cost and responsibility for pretrial offender and ex-offenders of an independent jurisdiction. It will require skillful leadership from the city and its community leaders on the one hand, and sensitive action and response to often delicate neighborhood concerns by the BOP and CSOSA on the other.

Many of these concerns have been brought to me and my office by city and community leaders during this period of transition. That is not where these issues should be resolved. Both the city and the Federal agencies have shown that they have the attitudes, approaches, and capacity to make their unique relationship work. What is not clear is that a smoothly running system is in place.

This has already been shown—this much has already been shown. District residents are considerably freer from offender criminal activity now that release is to highly structured halfway houses rather than to the community, largely unmonitored, as before. The evidence was immediately clear as soon as CSOSA assumed responsibility.

From May 1998 to January 2001, arrests of offenders was lowered by an astounding 75 percent monthly, and a surely unintended experiment, control experiment, the rate of new arrests has increased as CSOSA has found difficulty finding halfway house space. The District is cutting off its nose to spite its face. Still the rate of new arrests even now is 50 percent lower than it was before CSOSA took over.

I just hope, if I may say, that we don't have to wait until the crime rate is all the way back up and then everybody runs in to say how come these folks are reoffending. They're reoffending because we are offending by not doing our job as a city to find places for these Washingtonians.

We'd better face it. You can't put them in Maryland or Virginia. These are our children, our young people, and much that has happened to them in the system is our fault. And if many of us were born into the conditions many of them were born into, we would have had an awfully hard time not becoming offenders ourselves. So the NIMBY approach to these young people entering the city when the costs of state-of-the-art services are being provided by the Federal Government is simply unacceptable.

The clear documentation of the superiority of the new system must be better used to inform the community and to get the necessary space to provide these crime-reducing services. The dual jurisdiction responsibilities of the District and the Federal Government must be rescued from ad hoc neighborhood-by-neighborhood controversy to a new system, beginning with wholesale reeducation of residents about the new system, city-wide allocation of facilities and services on a fair-share basis without overconcentration in specific neighborhoods, preparation and consultation with communities and sensitivity not only to offenders but to the concerns of the law-abiding citizens who must receive this population into their neighborhoods.

Because so little is even known, much less understood, about the responsibilities and the new services, today's hearing is especially important. I believe we should regard this hearing as a jump start to improving the efforts and the responsibilities that we will insist that the Federal Government and the city now undertake with new and focused energy to make the new system work with new understanding from residents and new behavior from offenders.

Thank you, Madam Chair.

[The prepared statement of Hon. Eleanor Holmes Norton follows:]

ELEANOR HOLMES NORTON
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Washington, D.C. 20515

Opening Statement of Congresswoman Eleanor Holmes Norton
D.C. Subcommittee Hearing on "Prisoner Release in D.C. -- The Role of Halfway Houses and Community Supervision in Prisoner Rehabilitation"

July 20, 2001

This hearing is especially welcome, and I thank our chair, Connie Morella, for calling the Subcommittee to hear today's witnesses. Halfway houses for pre-trial defendants and for parolees and offenders on supervised release have raised community anxiety, although ironically under their current federal government management, these halfway houses have significantly reduced criminal activity. However, without a forum such as today's hearing to lay out the particulars and to hear problems, neighborhoods have resisted such facilities.

The reasons for community angst arise not from the new system under federal supervision, but from the old, District-run, haphazard halfway houses. Under the city's supervision, halfway houses became so well known for escapes, faulty supervision and recidivism that the city discontinued using halfway houses altogether. The result, however, was the proverbial "from the frying pan into the fire." Offenders returned to our neighborhoods with little or no supervision and without the transitional support that is necessary to give offenders a chance to find employment and resist substance abuse and criminal activity.

Enter the Revitalization Act of 1997, which transferred responsibility for offenders to the federal government, as the city requested. Inevitable issues arise in a transition to any system, but it is already clear that the new system under new management is superior to what it replaced. Instead of Lorton prison, with its long, documented history of abysmal conditions and reputation as a factory for crime, offenders now are supervised by the U.S. Bureau of Prisons, perhaps the best and most progressive prison system in the country. Instead of pre-trial or post-release release into the community with no monitoring or with oversight by overworked parole officers ill-equipped to provide job and other transitional support, a new professionally staffed, well-funded agency, the Court Services and Offender Supervision Agency (CSOSA) was established in 1997. CSOSA provides an impressive array of services to ex-offenders for five years on the average, none of which were available in the old D.C. system, including frequent drug testing, substance abuse treatment, life skills training and job referral. In the past, by leaving ex-offenders to fend for themselves without a very closely monitored and structured way back to normalcy and to a job, the District was virtually inviting people released from prison to return to the line of work they may have known best, criminal activity.

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There is no way to keep people who were offenders from coming back to their home communities, and given what many offenders were born into, how they were raised and the opportunities denied them, no community is free of responsibility for the conditions that lead to crime. Now that we have the Bureau of Prisons and CSOSA, a way to hold offenders responsible for leading productive lives is finally in place, and the District now has a way to take its responsibility for re-entry of these Washingtonians, with the considerable advantage of no cost to the city because the state-of-the-art services to control and improve offender behavior are paid for by the federal government. The city asked for this change in responsibilities and costs and the federal government agreed. Both must take these shared responsibilities seriously.

Perhaps the most important outstanding issue is the development of a relationship between the federal sponsors of these important services and the communities in which they must necessarily be placed. This is an enormous and unprecedented challenge. Never before has the federal government assumed the cost and responsibility for the pre-trial offender and ex-offender population of an independent jurisdiction. It will require skillful leadership from the city and its community leaders on the one hand, and sensitive action in response to often delicate neighborhood concerns by the BOP and CSOSA on the other.

Many of these concerns have been brought to me and my office by city and community leaders during this period of transition. That is not where these issues should be resolved. Both the city and the federal agencies have shown that they have the attitudes, approaches and capacity to make their unique relationship work. What is not clear is that a smoothly running system is in place.

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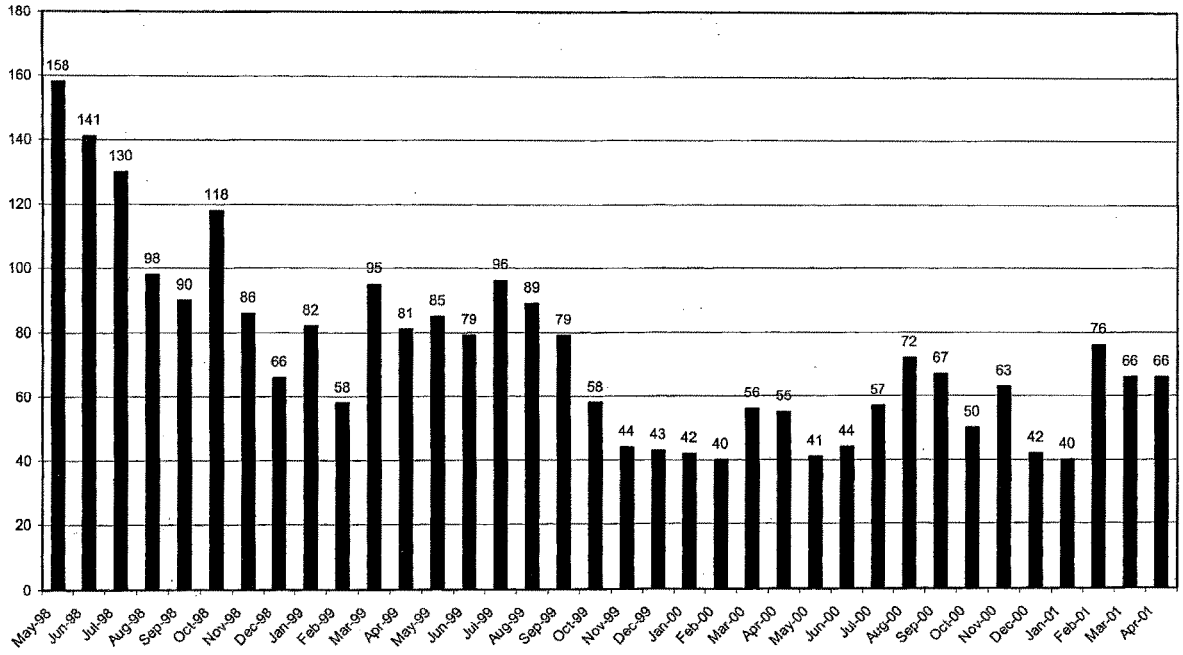
The clear documentation of the superiority of the new system must be better used to inform the community and to get the necessary space to provide these crime-reducing services. The dual jurisdictional responsibilities of the District and the federal government must be rescued from *ad hoc* neighborhood-by-neighborhood controversy to a new system, beginning with wholesale education of residents about the new system, citywide allocation of facilities and services on a fair-share basis without overconcentration in specific neighborhoods, preparation and consultation with communities, and sensitivity not only to offenders but to the concerns of the law-abiding citizens who must receive this population into their neighborhoods. Because so little is even known, much less understood, about the responsibilities and the new services, today's hearing is especially important. I believe we should regard this hearing as a jump start to the efforts and responsibilities that we will insist that the federal government and the city now undertake with new and focused energy to make the new system work with new understanding from residents and new behavior from offenders.

D.C Parolees Arrested On New Charges
May 1998-April 2001



Mrs. MORELLA. Thank you, Congresswoman Norton. I'm now going to commence with our first panel, and if I might ask you, in accordance with the policy of the committee and the subcommittee, if you'll stand and raise your right hands.

[Witnesses sworn.]

Mrs. MORELLA. The record will demonstrate an affirmative response. We'll start off with you, Councilwoman Patterson, and we would like to allocate you about 5 minutes for your testimony so there's time for questioning on the second panel, and your entire testimony will be included in the record. Thank you.

STATEMENTS OF KATHY PATTERSON, CHAIRPERSON, COMMITTEE ON THE JUDICIARY, D.C. CITY COUNCIL; MARGRET NEDELKOFF KELLEMS, DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE; LAURIE E. EKSTRAND, DIRECTOR, JUSTICE ISSUES, GENERAL ACCOUNTING OFFICE; AND JEREMY TRAVIS, SENIOR FELLOW, JUSTICE POLICY CENTER, THE URBAN INSTITUTE

Ms. PATTERSON. Thank you, Madam Chair. Thank you, Congresswoman Norton, for the opportunity to testify today. I am Kathy Patterson, the chairman of the Council's Committee on the Judiciary and the representative of ward 3. I regret that much of what I have to share with the subcommittee could be characterized as further statements of the problem rather than a clear and convincing description of solutions.

You will hear today from Corrections Trustee John Clark and others that we have insufficient bed space in the District of Columbia to accommodate halfway houses as transitional options for District felons returning home from prison. We have insufficient bed space for pretrial detainees for whom such placements are deemed appropriate, and insufficient bed space for sentenced misdemeanants.

We may have insufficient bed space in the D.C. jail, but few officials, apparently, wish to say that one out loud. All relevant numbers seem to be going up. I have been convinced by information shared by the corrections experts that you will hear from today and from research I have seen that halfway houses are a good public policy for prisoners returning home from prison. I've been persuaded that pretrial detention is an appropriate option for some portion of the pretrial population in the District, and commend my colleagues on the Criminal Justice Coordinating Council for their efforts in this area.

Preliminary statistics prepared by the Court Supervision and Offender Services Agency indicate a decline in the rearrest rate for those released from prison. At the same time, both the recent General Accounting Office report, "Prisoner Releases," and the Urban Institute's "From Prison to Home" underscore the need for comprehensive research on what works best in terms of prisoner reentry.

What I can bring to the discussion today that I hope will be of value is the perspective of the District of Columbia Council on some of the underlying issues. As you may be aware, earlier this year the Council rejected a proposal by Mayor Williams to renovate building 25 on the D.C. general campus for a 200-person halfway

house as well as administrative offices for the Department of Corrections.

The Judiciary Committee also rejected an alternative that would have provided, instead, for up to 100 female misdemeanants in the renovated building. The Judiciary Committee action was based on widespread and vocal community opposition to the Mayor's proposal.

What the Council did request of the Mayor was a comprehensive plan to address the need for community correctional facilities. In Budget Request Act language, the Council precluded the expenditure of capital funds to renovate facilities in the D.C. general campus area, "until such time as the Mayor shall present to the Council for its approval a plan for the development of census tract 68.04 south of East Capitol Street, Southeast, and the housing of any misdemeanants, felons, ex-offenders, or persons awaiting trial within the District of Columbia."

The specific prohibition is attached to a particular location on Capitol Hill, but the plan requirement is much broader. The Council, I believe, adopted this requirement as a way of pressing the administration to come forward with a plan for locating community correctional facilities, a plan that would presumably encompass the true need for community facilities and also reflect the competing interests that come to bear, economic development interests, neighborhood revitalization interests, and so forth.

I do agree with a sentence that I lift from Mr. Clark's testimony you will hear later this morning, when he states that the lack of halfway house beds should be viewed as a basic threat to public safety.

We have a great deal of work to do as public officials in building a case for community correctional facilities within District neighborhoods. There are already many of these facilities, and some of the older, smaller, well-managed halfway houses have become an integrated and accepted part of their communities.

This is a message we have heard too little in recent months. At the same time, there's a recognition that community concerns about who will be living in their midst have to be addressed accurately and frankly.

At the same time this spring that Council members raised concerns about the particular proposal by the administration regarding a new halfway house space, my colleagues introduced legislation to create a halfway house site selection panel. That bill, authored by Council Members Phil Mendelson and Sharon Ambrose, would establish a correctional facility site selection advisory panel with the purpose of, "preparing comprehensive recommendations to the Council that identify tracts of land suitable for correctional facilities within appropriately zoned sections of the District that safeguard the health, safety, and welfare of residents and businesses."

The bill includes a public hearing requirement and notes the need to work in consultation with the Department of Corrections, the Court Supervision and Offender Service Agency, and the Departments of Consumer and Regulatory Affairs, Public Works and Health.

Other jurisdictions have similar site selection advisory panels, and their chief attraction is the possibility of bringing some meas-

ure of objectivity into the discussion and, frankly, removing some of the politics from the discussion. The legislation is before the Judiciary Committee and we expect to take it up this fall.

At the same time, I would note that there is nothing that prevents the District government from moving forward with the same approach, putting such an advisory panel into place through Executive order, for example, so that the task of crafting site selection criteria can begin much sooner.

As Mrs. Norton noted in a hearing before the panel in May, the Council Judiciary Committee hosted a briefing on halfway house issues for Council members, including presentations from the Department of Corrections and the Bureau of Prisons. It was a very useful discussion, but useful in the main in signaling the large amount of work ahead.

Tasks that remain undone are difficult ones: educating the public on the value of community correctional facilities and finding the political will to advocate in support of such facilities.

District of Columbia residents returning home from prison are our constituents. They are coming home, not arriving on a new planet. Their families are here. Their futures, we hope, are here, and should include gainful employment and contributions to the community. We do ourselves and the District residents a disservice by failing to recognize the value of transitional facilities to sound criminal justice public policy.

Thank you, and I would be happy to answer questions.

Mrs. MORELLA. Thank you very much, Chairwoman Patterson.

[The prepared statement of Ms. Patterson follows:]

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001

KATHY PATTERSON
COUNCILMEMBER, WARD 3

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COMMITTEE ON THE JUDICIARY

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Testimony of

Councilmember Kathy Patterson
Chair, Council Committee on the Judiciary

Before the

House of Representatives
Committee on Government Reform
Subcommittee on the District of Columbia

Hearing on

"Prisioner Releases in the District of Columbia: The Role of Halfway Houses and Community Supervision in Prisoner Rehabilitation"

July 20, 2001

Thank you for the opportunity to testify today. I am Kathy Patterson, chairman of the Council's Committee on the Judiciary, and representative of Ward 3.

I regret that much of what I have to share with the subcommittee can be characterized as further statements of the problem rather than a clear and convincing description of solutions. You will hear today from Corrections Trustee John Clark and others that we have insufficient bed space in the District of Columbia to accomodate halfway houses as transitional options for District felons returning home from prison. We have insufficient bed space for pre-trial detainees for whom such placements are deemed appropriate; and insufficient bed space for sentenced misdemeanants. We may have insufficient bed space in the D.C. Jail but few officials, apparently, wish to say that out loud.

All relevant numbers seem to be going up.

I have been convinced by information shared by the corrections experts you will hear from today, and from research I have seen, that halfway houses are a good public policy option for prisoners returning home from prison. I have been persuaded at least for the moment that pre-trial detention is an appropriate option for some portion of the pretrial population in the District, and commend my colleagues on the Criminal Justice Coordinating Council for their efforts in this area.

Preliminary statistics in this area, prepared by the Court Supervision and Offender Services Agency, indicate a decline in the re-arrest rate for those released from prison. At the same time, both the recent General Accounting Office report, *Prisoner Releases; Trends and Information on Reintegration Programs*, and the Urban Institute's *From Prison to Home,* underscore the need for comprehensive research on what works best in

terms of prisoner "re-entry" to the community.

What I can bring to the discussion today, that I hope will be of value, is the perspective of the District of Columbia Council on some of the underlying issues. As you may be aware, earlier this year the Council rejected a proposal by Mayor Williams to renovate Building 25 on the D.C. General Campus for a 200-person halfway house, as well as administrative offices for the Department of Corrections. The Judiciary Committee also rejected an alternative that would have provided, instead, for up to 100 female misdemeanants in the renovated building. The Judiciary Committee action was based on widespread and vocal community opposition to the Mayor's proposal.

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I believe the Council adopted this requirement as a way of pressing the Williams Administration to come forward with a plan for locating community correctional facilities -- a plan that would, presumably, encompass the true need for community facilities and also reflect the competing interests that come to bear: economic development interests, neighborhood revitalization interests, and so forth.

I do agree with a sentence that I lift from Mr. Clark's testimony you will hear later this morning. He states, "the lack of halfway house beds should be viewed as a basic threat to public safety." We have a great deal of work to do as public officials in building a case for community correctional facilities within District neighborhoods. There are already many of these facilities, and some of the older, smaller, well-managed halfway houses have become an integrated, and accepted part of their communities. This is a message we

have heard too little in recent months. At the same time there is a recognition that community concerns about who will be living in their midst have to be addressed -- accurately and frankly.

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District of Columbia residents returning home from prison are our constituents. They are coming home -- not arriving on a new planet. Their families are here. Their futures -- we hope -- are here, and should include gainful employment and contributions to the community. We do ourselves and District residents a disservice by failing to recognize the value of transitional facilities to sound criminal justice public policy.

Thank you and I would be happy to answer questions.

Mrs. MORELLA. We'll now hear from Margret Nedelkoff Kellems, the Deputy Mayor for Public Safety and Justice. Thank you.

Ms. KELLEMS. Good morning, Chairwoman Morella and Congresswoman Norton. I'm Margret Kellems, the Deputy Mayor for Public Safety and Justice. I appreciate the opportunity to testify before you today and thank you for your focus on this important issue of prisoner releases in the District and the role of halfway houses and community supervision in prisoner rehabilitation.

Managing offenders as they reenter communities and prepare for productive lives is not a new challenge; however, it is one which is growing in scale as the numbers of offenders returning to our community grows as the result of high incarceration rates of the past decades.

As other panelists here today have and will testify, we expect about 2,500 offenders to return to our communities before the end of this calendar year. Recognizing this, the District has prioritized the development of an enhanced system of reentry services for offenders during fiscal years 2002 and 2003.

As I offer my written testimony into the record, I would like to take an opportunity to highlight some of the common and key elements that are found in the statements of many of today's panelists.

I will also briefly outline our next steps. The first and most prevalent theme, as you mentioned at the outset, Chairwoman, and you will hear from most of the panelists, is that the District has an insufficient amount of halfway house bed space to accommodate the large number of reintegrating offenders returning to our communities. The importance of structured transitional housing for reintegrating offenders is not in dispute in this or in any city. However, as other panelists will also point out, it is essential that the District achieve the political will and the community support to site these facilities.

Mayor Williams is fully committed to working in partnership with our Council, with our criminal justice stakeholders, and with the community to find appropriate and acceptable locations for halfway houses and other community-based residential facilities such as group homes and substance abuse treatment facilities. We are already beginning this process, but we certainly have a long way to go.

Second, many of the panelists today will point out that transitional housing is only one aspect of an effective reentry strategy for reintegrating offenders as well as for pretrial defendants. The other critical aspects of an effective community supervision model include drug testing and treatment, mental health services, job training and employment opportunities, and intensive community-based supervision by police and by supervisory officers.

Of course, halfway houses are a vital component of the offenders' transitional period, providing a structured environment for offenders who are used to the highly regimented institutional life to reacquaint themselves with the challenges of community life. Additionally, as offenders flow through halfway houses, it provides public managers an opportunity to assess their needs and bring resources to centralized locations. But the other elements of the strategy are equally important.

The absence of these reentry support services only increases the probability of recidivism which has both social costs for the communities and direct costs to the criminal justice agencies.

For these reasons, it is important for the government agencies to make investments in these services for offenders, reducing the overall cost of their return. As the Revitalization Act shifts our justice responsibilities, we are extremely supportive of the Court Services and the Offender Supervision efforts to provide these much needed resources, particularly in the area of substance abuse testing and treatment.

We have seen the positive impact of these programs on public safety and on the crime statistics in the District. But even with all of the support structures, we must not lose sight, however, of the fact that offenders are individuals who have already demonstrated a capacity to violate the laws.

Decades of experience have taught us that incarceration does not deter all future criminal activity. So consequently, we must closely supervise and provide a system of incentives and disincentives to offenders under community supervision to lead law abiding lives. This entails, among other things, periodic drug testing, multi-agency supervision within the community, restricted freedoms such as home detention or regular reporting to a supervising agency, and swift enforcement for violations of parole conditions or other conditions of release.

Currently in the District we face a situation unlike that of any other jurisdiction in the country. The separations of functions and jurisdictions within the District resulting from the Revitalization Act has made development of a comprehensive system of management a challenge.

Our success to date, though, gives rise to great optimism. In fact, the third common element in many of the testimonies today is the acknowledgment of our progress in working together as a team to effectively manage the offender populations in our city.

Most notably, CSOSA has demonstrated its willingness and ability to collaborate with District agencies to develop integrated support and supervision services. In November 1998, the Metropolitan Police Department and CSOSA began a pilot partnership in one geographic area in which they conducted joint supervision activities and home visits. In that area there was a 35 percent reduction in reported part I crimes within weeks of implementation. Because of the success of this program, it is being expanded citywide.

Another example of our success is found in the Interagency Detention Work Group chaired by the corrections trustee, and comprising principals from corrections, BOP, CSOSA, the Pretrial Services Agency, the U.S. Parole Commission, Superior Court, and the Mayor's office. This work group has made great progress in developing solutions to a short-term capacity problem within halfway houses in the District.

These examples demonstrate not only a willingness but also a capacity among criminal justice agencies in D.C. to work together to manage offenders that are coming back into our communities. It is this collaborative spirit that is giving us the foundation for moving forward, building on success, leveraging resources, and planning for an even more robust range of services. As we move forward in en-

hancing our reentry system, these programs and existing relationships will be assets to us.

Before I close I would like to very briefly outline how we are planning and seeking to develop a model reentry system in D.C. Next week, my office, in partnership with CSOSA and the Metropolitan Washington Council of Governments, is cosponsoring a symposium on the vision for integrated housing, employment, treatment services, and supervision of offenders in the District. It is our intention to not only involve the criminal justice agencies represented here, but also community organizations, employers, and service providers.

One of the important outcomes of this meeting will be the development and submission of an application for a Federal grant of approximately $3 million to enhance reentry system for young offenders.

We have also earmarked an additional $650,000 of current funds to support the development of a sustainable system. In these ways we are not only planning for the development of a coordinated and improved system, but we are also beginning to resource that system. Certainly all of the members of the justice community, our elected officials, and the community at large recognize the need for an infrastructure and an operating model that can support and manage the needs of ex-offenders, the pretrial and probation populations.

I'm optimistic about our likelihood of success in building this system. While there are difficult decisions to make and scarce resources to be marshaled, the payoffs in increased public safety and increased human capital in our city are great.

I appreciate the opportunity to speak before you and I would also be happy to answer your questions.

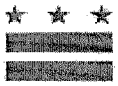
Mrs. MORELLA. Thank you, Ms. Kellems.

[The prepared statement of Ms. Kellems follows:]

Hearing on Prisoner Releases in the District of Columbia – The Role of the Halfway Houses and Community Supervision in Prisoner Rehabilitation

Before

Committee on Government Reform
Subcommittee on the District of Columbia



Testimony of Margret Nedelkoff Kellems
Deputy Mayor for Public Safety and Justice

10:00 a.m. on July 20, 2001
Rayburn House Office Building
Room 2154

Chairwoman Morella and Members of the Committee:

I am Margret Nedelkoff Kellems, Deputy Mayor for Public Safety and Justice in the District of Columbia. I appreciate the opportunity to testify before you today on prisoner releases in the District of Columbia and the role of halfway houses and community supervision in prisoner rehabilitation.

Increasingly, the public safety impact of offenders returning to local communities after a period of incarceration is capturing the attention of the public. According to one study, nationally more than 97% of those who enter prisons eventually return to a community. A recent study by the Federal Bureau of Justice Statistics indicated that that incarcerated individuals who return to the community from prison are at high risk for recidivism. Sixty-two percent of released state prisoners are rearrested within three years and 41 percent return to prison or jail. These numbers clearly indicate that in order to promote greater safety in our communities, we must learn to manage this group of high-risk individuals.

Managing offenders as they reenter communities and prepare for productive lives is not a new challenge; however, it is one which is growing in scale as the numbers of offenders returning to our communities grows, as a result of high incarceration rates of the past decades. As other panelists here today have testified, we expect well over 2,000 offenders to return to our communities before the end of this calendar year. Recognizing this, the

District has prioritized the development of enhanced system of reentry services for offenders during FY2002-FY2003.

I would like to talk briefly about what I believe to be the core elements of an effective reentry system and then I would like to cover the Executive Branch's role in developing that system within the context of the changes that took place under the Revitalization Act.

There seems to be a general agreement among both practitioners and criminologists about the essential elements of an effective support system for offenders. These elements include: (1) transitional housing in which offenders can return to community life under controlled supervision and slowly reestablish connections; (2) post-transitional, permanent housing; (3) employment services and/or job training to provide offenders with the means to support themselves; (4) substance abuse treatment and/or mental health services; and (5) continual supervision.

Often, public debate about reentry issues focuses exclusively on the first of these issues, transitional housing, also referred to as halfway houses. Halfway houses are a vital component of offenders' transitional period, providing a structured environment for offenders, who are used to highly regimented institutional life, to reacquaint themselves with the challenges of community life. Additionally, as offenders flow through halfway houses, it provides public managers an opportunity to assess their needs and bring

resources to centralized locations rather than having to try to serve a needy and scattered population.

It is important to bear in mind, however, that transitional housing is but one of many resources that offenders require. Equally important to a successful transition are the availability of adequate employment opportunities, as well as permanent housing options. Frequently, these two elements are interrelated with one another. For example, many offenders are not able to find employment for lack of a permanent address, or cannot secure housing independently because they lack adequate federal resources. The absence of these services only increases the probability of recidivism, which has both social costs for communities and direct costs to criminal justice agencies. For these reasons, it is important for government agencies to make investments in housing and employment opportunities for offenders, thereby reducing the overall cost of their return to communities.

The need for substance abuse and mental health services among offenders is well documented. There is a high level of correlation among criminal behavior, illicit substance abuse, and mental health problems. As offenders leave the confines of institutions, we must assess their needs and match the appropriate substance abuse and mental health resources to these individuals. The District is extremely supportive of the efforts of the Court Services and Offender Supervision Agency to provide these much needed

resources, particularly in the area of substance abuse testing and treatment. We have seen the positive impact of these programs on public safety and crime statistics in the District, and we are grateful for the efforts and partnership of CSOSA in our city.

Finally, we must not lose sight of the fact that offenders are individuals who already have demonstrated a capacity to violate laws. Decades of experience have taught us that incarceration per se does not deter all future criminal activity. Consequently, we must closely supervise and provide a system of incentives and disincentives to offenders under community supervision to lead law-abiding lives. This entails, among other things, periodic drug testing, multi-agency supervision within the community, restricted freedoms such as home detention, or regular reporting to a supervising agency.

Currently in the District, we face a situation unlike that of any other jurisdiction in the country. As you well know, the Revitalization Act placed many of the core responsibilities of managing offenders under federal jurisdiction. By December 2001, the Federal Bureau of Prisons (BOP) will manage all of the Districts incarcerated felons. Furthermore, the Court Services and Offender Supervision Agency (CSOSA) already manages the parole population in the District. This separation of functions and jurisdictions within the District makes developing comprehensive system a management challenge. Nevertheless, I am optimistic about the successes we have seen in

the management of the parole population in the District and with the level of cooperation and coordination that local and federal agencies have demonstrated to date. I would briefly like to turn to some of the successes that we have experienced to date in the District and then cover the direction in which we see ourselves moving in the future.

First, since its establishment in the District, CSOSA has demonstrated its commitment to managing offenders for results. As I am sure Jasper Ormond will discuss, since 1998, the number of parolees arrested on new charges has dropped by over 50 percent. This drop is attributable in large part to the management practices that CSOSA's Trustee, John A. (Jay) Carver established in the first years of the Agency's existence, and that have been maintained and expanded by the current Director, Jasper Ormond. The solid foundation that this agency has already laid, provides us with a sound starting point on which to continue to build our reentry system in the District.

Second, CSOSA has demonstrated its willingness and ability to collaborate with District agencies to develop integrated supervision services. In November 1998, the Metropolitan Police Department and CSOSA began a pilot partnership in one geographic area in the District in which they conducted joint supervision activities and home visits. In that area there was a 35-percent reduction in reported Part I crimes after implementation. Because of the

success of this program, it is being expanded and will be operational city-wide by the end of this year.

Finally, I would like to touch on an example of multi-agency coordination that has taken place to date in this area. As my colleagues have pointed out, in 2000, an Interagency Detention Work Group (IDWG), chaired by the Corrections Trustee and comprising principals from the D.C. Department of Corrections, the federal Bureau of Prisons, CSOSA, the Pretrial Services Agency, the U.S. Parole Commission, D.C. Superior Court, and the Mayor's Office made great progress in developing a solution to a short-term capacity problem within halfway houses in the District. The IDWG represents an example of the willingness that local and federal agencies have demonstrated in dealing with these problems.

I believe these examples demonstrate not only a willingness, but also a capacity among criminal justice agencies in the District to manage offenders that are coming back into our communities. As we move forward in enhancing our reentry system, these programs and existing relationships will be assets to us. Before I close, I would like to outline how we are planning and seeking to develop a model reentry system in the District.

One of the first issues that we must address is the increasing demand on our limited stock of transitional beds. As the number of inmates returning increases, we must either increase the number of beds in the system, decrease

the amount of time offenders stay in halfway houses, or send some subset of offenders to halfway houses rather than the entire returning population. In the short-term, it may be necessary to implement one or more of these options. In the long run, we will require more halfway house beds. As I am certain my colleagues from the BOP will testify, siting transitional housing in communities is a struggle.

City Council appropriately has taken an acute interest in this issue because of the potential impact it has on city residents. Furthermore, Councilmembers have acknowledged the value of halfway houses and have expressed an interest in being involved in any siting decision making process. While the process of identifying sites to place halfway houses is certain to pose challenges, it is encouraging that it is on our agenda.

The Administration is currently in the process of developing a facility inventory, which will help facilitate siting decisions. From the community's perspective, there is little difference in the impact of an adult transitional housing unit, a residential drug treatment facility, or a juvenile group home. As we move to complete this project in the coming months, we will be in a much better position to work with our federal partners, City Council, and the community to make wise siting decisions for halfway houses.

It is in the areas of increasing access to housing and securing employment opportunities that we have more work to do. To be sure, these

are not problems specific to the District. Unlike inmate supervision and transitional housing, the District government has a more active role to play in these areas, and we are preparing to launch a major strategic planning process this month.

Next week, my office, in partnership with Court Services and Offender Supervision Agency and the Metropolitan Washington Council of Governments is co-sponsoring a symposium to develop a vision of integrated housing, employment, service, and supervision for offenders in the District. We believe that this will be an important first step toward improving reentry systems in the District. It is our intention to not only involve the criminal justice agencies represented here, but also community organizations, employers, and service providers. In this way, we hope to begin to build a stronger safety net for offenders returning to the city and limit risks to public safety.

One of the important outcomes of this meeting will be the development and submission of an application for a federal grant of approximately $3 million to enhance reentry systems for young offenders. We also have earmarked $650,000 of current funds to support the development of a sustainable system. In this way, we are not only planning for the development of a coordinated and improved system, but we are also beginning to resource the system.

Certainly, all of the members of the justice community, our elected officials, and the community at large recognize the need for an infrastructure and an operating model that can support and manage the many needs of the ex-offender, the pre-trial, and probation populations. I am optimistic about our likelihood of success in building this system. While there are difficult decisions to make and scarce resources to be marshaled, the pay-offs in increased public safety and increased human capital in our city are great.

This concludes my remarks before you today. Again, I appreciate the opportunity to speak before you today and I would be happy to answer any questions you may have.

Mrs. MORELLA. Now I'm pleased to recognize Laurie Ekstrand, who is the Director of Justice Issues at the GAO, the General Accounting Office. Welcome.

Ms. EKSTRAND. Thank you, Chairwoman Morella and Congresswoman Norton. Thank you for inviting me to discuss the findings of our recent work on prisoner releases and reintegration programs. Our report emphasizes the significance of these issues for the Nation. My testimony also includes some information that relates to the importance of the issues for the District of Columbia.

Both criminal justice policies and other factors have resulted in high national incarceration rates in recent years, bringing our total prison population to 1.3 million inmates in 1999. The incarceration rate for the District of Columbia exceeds that of any State in the Nation. In fact, it is 2.8 times greater than the national average. Almost all inmates will be returned to communities at some point.

Nationwide, the number of inmates being released to communities surpassed the half million mark in 1998 and it is likely to stay high—at high levels for some time to come.

Unfortunately, many of those who are released will return to prison and in many cases have just a brief period of street time between incarcerations. Although current national data are limited, available indicators seem to show that recidivism rates tend to hover around 40 percent. While we don't have a recidivism figure for the District, some available data seem to indicate that rates may even be higher.

According to testimony before the Subcommittee on the District of Columbia, Committee on Appropriations, last year, 98 percent of all adult probationers had prior convictions, almost twice the national average of 50 percent. In relation to drug use, about 57 percent of Federal and 70 percent of State inmates reported having used drugs regularly before prison, and this is according to a 1997 prisoner survey.

In relation to D.C., a June 2000 National Institute of Justice report indicated that 69 percent of adult males arrested in the District tested positive for at least one type of drug in 1999. This figure was 5 percentage points higher than the median rate for comparable arrestees in the 34 urban sites covered by the report.

Although not all drug users may need treatment, our analysis of 1997 prisoner survey data indicated that for those scheduled to be released within 12 months, 33 percent of Federal and 36 percent of State inmates participated in residential inpatient treatment for drug or alcohol abuse. In terms of other in-prison programs that help prepare inmates for self-sufficiency after release, our analysis of 1997 data for soon-to-be-released inmates show that about a quarter of both Federal and State inmates participated in vocational training programs, 11 percent of Federal and 2 percent of State inmates worked in prison industry jobs, and 37 percent of Federal and 12 percent of State inmates participated in pre-release programs.

As has already been discussed and is well known, D.C. prisoners are almost all in Bureau of Prison facilities at this point, and all will be by the end of the year. BOP intends that its inmate preparation for release involves all three phases of the criminal correctional system: the in-prison phase, a transition to the community

and community-based halfway house setting, and a period of community supervision.

In response to the growth in prisoner releases, the Federal Government has designated about $90 million for two grant programs intended to provide support in communities for offenders' releases from State prisons, juvenile correction facilities, and local facilities housing State inmates.

A joint effort of the Departments of Justice, Labor and Health and Human Services, the first of these two grants, the Young Offender Initiative Reentry grant program is soliciting applications now. Although there are some technical and administrative factors that would need to be addressed in relation to the District's participation in this grant program, they do not seem to be insurmountable. Nevertheless, this is a competitive grant program and only those jurisdictions with the strongest grant applications are likely to be awarded funds.

This concludes my oral statement, and I will of course be happy to answer any questions you may have. Thank you.

Mrs. MORELLA. Thank you, Ms. Ekstrand.

[The prepared statement of Ms. Ekstrand follows:]

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PRISONER RELEASES

Reintegration of Offenders Into Communities

Statement of Laurie E. Ekstrand
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GAO-01-966T

Madam Chairwoman and Members of the Subcommittee:

I am pleased to be here today to discuss our June 2001 report on prisoner releases and reintegration programs[1] and to provide some perspectives on the particular challenges posed by District of Columbia offenders. Our recent report presented information on national trends in the number of inmates released from federal and state prisons, the extent of recidivism, the criminal and drug use histories of inmates, and programs for preparing and assisting offenders with reintegrating into communities. In my testimony today, I will summarize that information and, as applicable, provide supplementary data focusing on the D.C. community.

Background

U.S. criminal justice policies and other factors in recent years have resulted in record numbers of offenders being incarcerated in prisons. Although many inmates are serving longer sentences than they would have a decade ago, most inmates are not serving life sentences without the possibility of parole or release. After inmates complete their terms, they return to communities throughout the nation. Although many are successfully reintegrated into society, other ex-offenders are arrested for new crimes or violations of parole or supervision and are returned to prison. In order to reduce recidivism rates—and to enhance public safety, alleviate fiscal pressures associated with ex-offenders being returned to prison, and to provide opportunities for ex-offenders to straighten out their lives—policymakers, correctional system administrators, and other concerned parties are looking for ways to more successfully reintegrate ex-offenders into communities.

The D.C. community is no exception. Indeed, the District—a wholly urban jurisdiction—is perhaps facing greater challenges than most jurisdictions. For instance, according to Bureau of Justice Statistics (BJS) data as of December 31, 1999, D.C. had a higher incarceration rate than any state in the nation.[2] The D.C. incarceration rate, which is 1,314 prisoners with sentences of more than 1 year per 100,000 residents, was about 1.7 times higher than the rate for either Louisiana (776) or Texas (762), the jurisdictions with the next highest incarceration rates. Also, the D.C.

[1] *Prisoner Releases: Trends and Information on Reintegration Programs* (GAO-01-483, June 18, 2001).

[2] BJS, "Prisoners in 1999" (NCJ 183476, Aug. 2000).

incarceration rate was about 2.8 times higher than the national average of 476 prisoners per 100,000 U.S. residents.

D.C. felony inmates are now the responsibility of the federal correctional system, as required by the 1997 Revitalization Act.[3] Specifically, under the act, the D.C. Department of Corrections' Lorton Correctional Complex is to be closed by December 31, 2001, and the felony population (sentenced pursuant to the D.C. Code) residing at Lorton is to be transferred to facilities operated by or contracted for by the federal Bureau of Prisons (BOP).[4] Also, the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) was created under the Revitalization Act and was tasked with supervising adult D.C. Code offenders on probation, parole, and supervised release.[5] CSOSA began under a trustee and was certified as an independent federal agency in August 2000.

mate Releases and Recidivism Reflect a Revolving Door Trend

Nationally, the total inmate population in federal and state prisons increased almost fourfold during the past 2 decades—from about 0.3 million at the end of 1980 to about 1.3 million at the end of 1999. Consistent with the trend of larger prison populations, the number of inmates who complete their sentences and return to communities has also risen significantly in recent years, surpassing the half-million mark in 1998. After being released, many individuals—about 40 percent historically—later are sent back to prison for committing new offenses or violating conditions of release.[6]

Regarding criminal history, BJS' most recent nationwide survey of prison inmates (1997) showed that 40 percent of federal inmates and 55 percent of state inmates in prison in 1997 had served prior prison sentences. Moreover, not all inmates had a long stretch of "street time" between sentences. Of the inmates who were in prison in 1997, more than one-

[3]National Capital Revitalization and Self-Government Improvement Act of 1997, P.L. 105-33, Title XI, 111 Stat. 712 (1997).

[4]For further details regarding the closing of the Lorton Correctional Complex, see *District of Columbia: Issues Related to the Youngstown Prison Report and Lorton Closure Process* (GAO/GGD-00-86, Apr. 7, 2000).

[5]Some offenders are placed on probation in lieu of incarceration. Parole and supervised release are forms of postprison community supervision.

[6]Appendix I presents additional information about trends in releases from federal and state prisons and returns for violating parole or other release conditions.

quarter (27 percent) of federal inmates and nearly half (47 percent) of the state inmates were under supervision at the time of the arrest that led to their incarceration. Further, according to testimony before this Subcommittee last year, BJS data showed that D.C. defendants and offenders had more extensive criminal histories than the national averages.[7] For example, the March 2000 testimony noted the following:

- In D.C., 98.3 percent of all adult probationers had prior convictions, almost twice the national average of 50 percent.
- Among D.C. parolees, the percentage with at least one prior conviction was 99 percent.
- 23 percent of D.C. parolees had six or more prior convictions.

BJS' 1997 survey of federal and state inmates showed that it is not just criminal histories generally that characterize the bulk of inmates in prison, but substantial histories of drug use as well. For example, the 1997 survey showed that 57 percent of federal and 70 percent of state inmates reported having used drugs regularly before prison. Also, approximately 1 in 4 (28 percent) federal inmates and 1 in 3 (34 percent) state inmates reported having used cocaine or crack regularly.

Regarding D.C. offenders and drug use, in a June 2000 report, the National Institute of Justice noted that 69 percent of adult males arrested in the District in 1999 tested positive for at least one type of drug.[8] This figure was 5 percentage points higher than the median rate (64 percent) for use of any drug among the adult males arrested in the 34 urban sites covered by the report. Moreover, according to recent (March 2001) CSOSA data, two-thirds of D.C. parolees have substance abuse problems.[9]

[7]Statement of John A. Carver, Trustee, Court Services and Offender Supervision Agency for the District of Columbia, before the Subcommittee on the District of Columbia, Committee on Appropriations, House of Representatives, March 23, 2000.

[8]*Arrestee Drug Abuse Monitoring (ADAM) Program: 1999 Annual Report on Adult and Juvenile Arrestees* (NCJ 181426, June 2000). ADAM is a National Institute of Justice research program that provides planning and policy information on drug use and other characteristics of arrestees in U.S. cities through quarterly interviews of adult and juvenile arrestees in holding facilities. The 1999 program collected data from more than 30,000 adult male arrestees in 34 reporting sites. ADAM data consist of arrestees' self-reports regarding their drug use and urinalysis results.

[9]"CSOSA Fact Sheet – Re-Entry System" (Mar. 2001).

Regarding inmate participation in prison programs, BJS' 1997 survey data were less extensive but indicated that some needs, such as drug treatment, might be unmet. Although not all drug users may need treatment, our analysis of inmates scheduled to be released within 12 months of BJS' 1997 survey showed that 33 percent of the federal and 36 percent of the state inmates participated in residential inpatient treatment programs for alcohol or drug abuse.[10] Further, for prison programs other than drug treatment, BJS' 1997 survey data on inmates scheduled for release indicated the following:

- 27 percent of both federal and state inmates participated in vocational training programs;
- 11 percent of the federal inmates worked in prison industry jobs, compared with 2 percent of the state inmates; and
- 37 percent of federal inmates participated in prerelease programs, compared with 12 percent of state inmates.

Reintegration Addressed in Three Phases of Federal Correctional System

Generally, in the federal correctional system, an inmate's preparation for reintegration is to encompass all three phases of the system. That is, the process is to begin immediately and extend throughout the in-prison phase of the offender's incarceration in a BOP correctional facility, continue during a transitional period in a community-based halfway house for a period not to exceed the final 180 days of the sentence, and further continue after the offender's release during a 3- to 5-year period of community supervision by probation officers. BOP oversees inmate activities during the in-prison phase and the halfway house phase, and U.S. Probation Offices oversee the community supervision phase.[11]

For the in-prison phase, BOP provides programs—including work, education, vocational training, and drug treatment—to help inmates rehabilitate themselves.[12] According to BOP, providing such programs not only supports correctional management purposes, such as minimizing idleness and increasing the safety of staff, but also prepares inmates for

[10]Appendix II presents additional information about inmate participation in substance abuse treatment programs.

[11]U.S. Probation Offices are responsible for the community supervision of federal offenders sentenced under the U.S. Code by U.S. District Courts. CSOSA is responsible for supervising D.C. Code-sentenced offenders released by BOP to the community. CSOSA's community supervision officers manage a blended caseload of parolees and probationers.

[12]Appendix III presents additional information about BOP programs for prisoners.

employment opportunities and successful reintegration upon release. Moreover, BOP's policy is that rehabilitation programming is to continue during the halfway house phase. During this phase, for example, each participating inmate is expected to find and keep a job and, if applicable, continue to participate in drug or alcohol treatment programs. Further, after an inmate is released from BOP's custody, a probation officer is expected to finalize a supervision plan for managing the offender in the community. The supervision plan should reflect a probation officer's statutory responsibilities, which include reducing the risk the offender poses to the community and providing the offender with access to treatment, such as substance abuse aftercare and mental health services.[13]

As mentioned previously, based on the 1997 Revitalization Act, BOP is now responsible for incarcerating felony inmates sentenced under the D.C. Code. Implementation of the act, including the status of progress in transferring all D.C. Code-sentenced felons to BOP, was a topic of a congressional appropriations hearing held earlier this month. At the hearing, the Corrections Trustee for the District of Columbia noted that, of the current D.C. inmate population of 10,200 inmates, almost 8,000 were adult felony inmates, and about 4,500 had already been transferred to the permanent custody of BOP.[14] Also, the Corrections Trustee noted that nearly 80 percent of the transferred inmates were housed in facilities within 500 miles of the District.

Further, at the hearing, the Corrections Trustee testified that, before the Revitalization Act, few D.C. inmates had the benefit of a transitional period in a halfway house before being released for return to the community. While noting that much progress has been made, the Corrections Trustee stated that there continues to be a shortage of halfway house beds.

[13]Appendix IV presents additional information about the supervision tools and community-based social services used by feceral probation officers.

[14]Testimony of John L. Clark, Corrections Trustee for the District of Columbia, at a hearing held by the Subcommittee on the District of Columbia, Committee on Appropriations, U.S. Senate, July 10, 2001.

National and D.C. Reintegration Initiatives

The Departments of Justice, Labor, and Health and Human Services (DOJ, DOL, and HHS)—in response to the large numbers of offenders being released from state prisons and returning to communities—are developing a federal grant program, the "Young Offender Initiative: Reentry Grant Program and the Demonstration Grant Program." The goal of the interagency Young Offender Initiative is to help states and communities work together to improve offender supervision and accountability and essential support services in order to enhance community safety through the successful reintegration into the community of high-risk or special-need offenders released from state prisons, juvenile correctional facilities, and local facilities housing state inmates. Under the initiative, interagency resources are to jointly target the same communities, especially areas with high concentrations of returning offenders. And communities are to be encouraged to focus on offenders who pose significant public safety risks and who are likely to benefit from structured interventions.

For fiscal year 2001—the first year of federal funding for the Young Offender Initiative—designated funding consisted of $30 million from DOJ, $55 million from DOL, and $8 million from HHS. The three federal agencies have joint responsibility for developing solicitations for grant applications from jurisdictions interested in applying for federal funds available under the initiative. The first solicitation—for the Reentry Grant Program component of the initiative—was issued June 1, 2001. Applications are to be submitted to DOJ by October 1, 2001. According to the solicitation, approximately $79 million is available to fund approximately 25 grants of up to $3.1 million each to applicants that demonstrate a collaborative effort and broad-based community support. Under the Reentry Grant Program component, applicants are to focus on a population of young offenders (within the age range of 14 to 35 years old) returning to the community from incarceration (minimum of 12 consecutive months for adults, 6 consecutive months for juveniles) who pose a risk to community safety.

A second solicitation—for the Demonstration Grant Program component of the Young Offender Initiative—is to be issued at a future date. According to the federal agencies, this grant program will fund separate awards totaling up to $11.5 million for communities to focus on an age-related subset of the Young Offender Initiative's target population. That is, the component is to focus on young offenders (within the age range of 14 to 24 years old) who are already involved in the criminal justice system or gangs or who are at risk of such involvement. A basic goal of the Demonstration Grant Program component—and of the Reentry Grant Program component—is to provide reentering offenders with job training

and employment opportunities, education, substance abuse treatment and rehabilitation, mental health care and aftercare, housing assistance, family support services, and criminal justice supervision.

Applicants may apply for awards under both solicitations. However, according to the federal agencies, applicants are to be eligible to receive only one award for the same or similar target populations.

Under the Young Offender Initiative, grant assistance eligibility regarding offenders released from BOP custody and returning to the District depends on various factors. For instance, according to DOJ officials, since the initiative is intended to assist state offenders, one technical factor is whether the offender was sentenced under the D.C. Code versus the U.S. Code. Also, the officials noted that assistance eligibility can depend on whether proposed program plans are consistent with the overall purpose of the initiative and incorporate all required program elements, including identification of target populations.

Regarding other initiatives for reintegrating D.C. offenders, in March 2001, we reported on various ongoing efforts to improve operations of the D.C. criminal justice system.[15] For example, in November 1998, CSOSA formed its first "Community Justice Partnership" with the Metropolitan Police Department. Under this initiative, CSOSA's community supervision officers are to work closely with police officers to monitor probationers and parolees in the District, improve offender accountability, and develop community networks to solve problems and prevent crime.

Also, in July 2000, the "Pilot Reentry System" initiative was started. A principal component is a "learning lab" to provide computer software training, as well as basic adult education, for offenders returning to the District. For the pilot, DOJ's Executive Office for Weed and Seed provided financial support. Other participants included CSOSA, the University of the District of Columbia, and the D.C. Office of Justice Grants Administration. According to CSOSA officials, a second learning lab is now in operation, and plans are under way for a third and a fourth lab. Finally, CSOSA noted that recently introduced federal legislation—the "Drug Abuse Education, Prevention and Treatment Act of 2001" (S. 304)—

[15] *D.C. Criminal Justice System: Better Coordination Needed Among Participating Agencies* (GAO-01-187, Mar. 30, 2001).

would authorize funding for local reentry efforts in the District, efforts that would focus on high-risk parolees.

Madam Chairwoman, this concludes my prepared statement, I would be pleased to answer any questions that you or other Members of the Subcommittee may have.

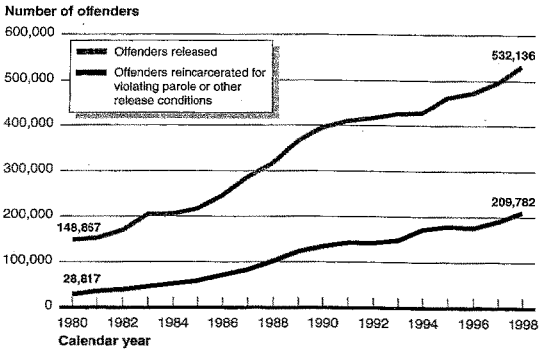
Contacts and Acknowledgments

For further information regarding this testimony, please contact Laurie E. Ekstrand at (202-512-8777) or Danny R. Burton at (214) 777-5600. Individuals making key contributions to this testimony included Ann H. Finley, Mary K. Muse, and Ellen T. Wolfe.

Appendix I: Trends in Prison Releases and Returns

As figure 1 shows, the number of federal and state inmates released to communities increased from 148,867 in 1980 to 532,136 in 1998, the most recent year for which complete data were available.[1]

Figure 1: Trends in Releases From Federal and State Prisons and Returns for Violating Parole or Other Release Conditions



Note 1: For offenders released, no federal data were reported for 1990, 1991, and 1992. For these 3 years, the graph reflects only state prison releases.

Note 2: For offenders reincarcerated, violations of parole or other release conditions can consist of various technical violations, such as not keeping appointments with probation officers or failing a urinalysis test for illegal drug use. Supervision revocations and reincarcerations can also result from the commission of a new crime, an act that violates the most basic of release conditions. However, the reincarceration data shown in the graph do not include returns to prison of ex-offenders who committed a new crime while not under parole or other supervised release.

Source: Compiled by GAO from BJS data.

Also, figure 1 shows that the number of offenders reincarcerated for violating parole or other release conditions increased more than

[1]In 1998, of the total number of inmates released, 95 percent (506,049) were state prisoners.

sevenfold, from 28,817 in 1980 to 209,782 in 1998.[2] These reincarceration data, as noted in figure 1, do not include ex-offenders who were returned to prisons for committing a new crime but were not under parole or supervised release. Nonetheless, the reincarcerations shown in figure 1 represent an increasing proportion of all prison admissions. For instance, reincarceration of violators of parole or other release conditions represented 17 percent of all prison admissions in 1980 but increased to 35 percent of admissions in 1998.

[2]In 1998, of the total number of violators reincarcerated, 98 percent (206,152) were returned to state prisons.

Appendix II: Substance Abuse Treatment and Programs for Prisoners

Generally, while agreeing that there is a need for more substance abuse treatment for prisoners, BJS officials offered a cautionary comment about statistics that quantify this need. For instance, the officials commented that not all drug users are addicts. Also, the officials noted that BJS' most recent (1997) survey of federal and state prison inmates showed that the percent of alcohol- or drug-involved prisoners, who—since admission to prison—participated in treatment or other substance-abuse programs, increased as the time to expected release decreased. As table 1 shows, for example, among the alcohol- or drug-involved federal inmates, about 20 percent of the inmates serving their final 6 months reported receiving treatment, compared with 10 percent of the inmates with more than a year until release.

Table 1: Inmate Participation in Substance Abuse Treatment or Other Programs in 1997

Time to expected release	Treatment[a]	Other programs[b]
Federal prisoners		
Greater than 1 year	10.0%	24.2%
6 to 12 months	12.5	28.4
Less than 6 months	20.5	36.9
State prisoners		
Greater than 1 year	12.6	31.0
6 to 12 months	16.3	32.4
Less than 6 months	18.6	34.0

Note: These data show inmate participation since admission to prison for current offense.

[a]Includes residential facilities, professional counseling, detoxification units, and maintenance drug programs.

[b]Includes self-help or peer counseling groups and educational or awareness programs.

Source: BJS, Special Report, "Substance Abuse and Treatment, State and Federal Prisoners, 1997" (NCJ 172871, Jan. 1999), p. 9.

Appendix III: BOP Provides Various Programs for Inmates

To help inmates rehabilitate themselves, BOP provides various programs, such as education, work, vocational training, and drug treatment programs. For example, BOP requires all federal inmates to work if they are medically able. BOP recognizes that release preparation begins at initial intake or classification[1] and encourages inmates to begin preparing for their release from prison upon their arrival at the institution. Table 2 describes the programs generally available to inmates during incarceration, although not all federal prisoners participate in these programs.

Table 2: BOP In-Prison Programs for Inmates

Program type	Program description
Education	Literacy programs are to allow inmates without a high school diploma (or its equivalent) to earn a General Equivalency Diploma (GED). Under provisions of the Prison Litigation Reform Act of 1995 (P.L. 104-134), inmates lacking high school credentials must participate and make satisfactory progress in the GED program in order to earn the maximum amount of good time credit, which may reduce sentence length. According to BOP, 3,962 federal inmates successfully passed the GED test during the first 9 months of fiscal year 2000.
	An English-as-a-second-language program is to allow inmates with limited English fluency skills to achieve at least an eighth grade English proficiency level. The Comprehensive Crime Control Act of 1990 mandates that non-English-proficient inmates participate in this program until they function at the eighth grade level in English competency. According to BOP, 18,852 federal inmates (15 percent of the total federal inmate population) were eligible for the English fluency program during calendar year 1999.
Work	Inmates are to learn job skills in institutional job assignments, such as food service worker, orderly, plumber, painter, warehouse worker, or groundskeeper. Also, some inmates work in Federal Prison Industries, Inc. (UNICOR) factories that produce, for example, metal products, furniture, electronics, or textiles. According to BOP, most inmates have institutional job assignments, and the other inmates work in UNICOR factories—although a small percentage of inmates have no work assignments due to medical conditions.
Occupational or vocational training	BOP reports that it has occupational or vocational training programs that encompass 86 different skill areas, and inmates are provided with opportunities to develop work skills by on-the-job training through institution work assignments and prison industry jobs. For fiscal year 1999, BOP reported that 8,711 federal inmates completed at least 1 occupational training program. Also, as of March 2000, BOP data showed that 9,427 federal inmates (about 9 percent of total federal inmate population) were enrolled in an occupational training program.
Drug treatment	According to BOP, its drug treatment programs include substance abuse education, nonresidential substance abuse treatment and counseling, and residential substance abuse treatment. BOP data indicate that approximately 34 percent of the total federal inmate population have a diagnosed substance abuse disorder. For fiscal year 2000, BOP reported that 12,541 federal inmates participated in its residential drug abuse treatment program.

[1]In the context of correctional systems, the term "classification" refers to the systematic subdivision of inmates into groups on the basis of their security and program needs.

Program type	Program description
Mental health	Psychologists are to provide professional diagnosis, counseling, and treatment on an individual or group basis. In calendar year 2000, BOP data showed that 14,369 federal inmates (10 percent of the total federal inmate population) were diagnosed with a mental health need.
Release preparation	Designed to help inmates transition from prison to the community, this program is to offer courses in six core areas—(1) health and nutrition, (2) personal growth and development, (3) personal finance and consumer skills, (4) employment, (5) release requirements and procedures, and (6) information on community resources. Beginning approximately 24 months before release, inmates are encouraged to enroll in and complete at least one course in each core area. Generally, each core area may offer various courses. For example, the health and nutrition core area may include courses about disease prevention, including AIDS awareness, as well as courses about weight management and how to eat nutritionally.
Inmate placement	This program is to encourage federal correctional institutions to plan and hold mock job fairs to help inmates hone their job search and interview techniques. In addition, the inmate placement program is to provide job placement services to inmates, help inmates prepare release folders (which include such documents as a social security card, education certificates, and vocational certifications), and help institutions establish onsite employment centers. According to BOP, between 1996 and 2000, the inmate placement program conducted 127 mock job fairs at 66 institutions, with approximately 5,000 inmates participating.

Source: GAO analysis of BOP data.

The same types of programs as those presented in table 2 are also available to federal inmates during their transition back to the community (i.e., during the inmates' halfway house stay) or during the offenders' term of community supervision. For example, inmates with diagnosed substance abuse addictions who were receiving treatment in prison are to continue that treatment during their transitional period at contractor-operated halfway houses and after release to supervision. Also, inmates who are prescribed medications for diagnosed mental illness are to leave the institution with a 30-day supply to begin their halfway house stays.

Appendix IV: Supervision Tools and Community-Based Services Used by Federal Probation Officers

National community supervision policies are established by the Judicial Conference of the United States, which is the policymaking authority for the federal judiciary. Each district court appoints officers and supervises the implementation of the probation system. The Administrative Office of the United States Courts (AOUSC) develops and communicates national community supervision policies for federal probation officers.

Table 3 presents examples of the various resources—supervision tools and community-based social services—used by federal probation officers to assist offenders with reintegration issues. The tools and services apply to U.S. Probation Offices and the descriptions presented in table 3 were provided to us by AOUSC. Thus, the examples are not directly applicable to the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA), which is responsible for supervising D.C. Code-sentenced offenders released to the community. However, CSOSA officials told us that, to some extent, the agency's community supervision officers may use similar tools and services.

Table 3: Supervision Tools and Community-Based Social Services Used by Federal Probation Officers

Tools and services	Description
Basic services	Probation officers may need to help offenders obtain services, such as welfare and food stamps, to meet basic needs. Officers also may make arrangements for emergency temporary housing and financial assistance for the purchase of necessities, such as food, clothing, medicine, and child care. In addition, referrals may be made to anger management, parenting, and money management counseling services. Also, transportation may be arranged for offenders to travel to and from treatment facilities, vocational training, or placement programs.
Employment assistance	Probation officers may refer offenders for testing and work skills evaluations, preemployment training, classroom training, and skill-development community service placements. Also, probation officers may make direct referrals to employment or job placement agencies. Further, medical examinations may be obtained to determine employment suitability.
Literacy, education, and vocational training	Literacy, GED, and vocational training programs are available, as is access to higher education institutions. According to AOUSC, stipends are available for clients attending such programs.
Diagnostic assessment of substance abuse	A formal substance abuse assessment may be conducted by a licensed professional. The assessment may include a comprehensive diagnostic interview and testing, followed by a prognosis report and treatment plan.
Detoxification services	Probation officers may request inpatient and outpatient detoxification services. Such services may include, for example, a physical examination and report; medication, such as methadone, antabuse, or trexan; laboratory work; and residential placement.
Substance abuse treatment	Educational, counseling, residential, and medical approaches to treatment are available to address substance abuse problems of varying types and seriousness. These approaches or programs include substance abuse prevention and treatment readiness groups; individual, family, and group substance abuse counseling; intensive outpatient group or individual treatment; short-term residential treatment; longer term placement in a therapeutic community setting; and methadone maintenance.

Tools and services	Description
Drug detection	Probation officers and service providers may collect urine specimens, which are sent for analysis to a national laboratory under contract with AOUSC. On-site drug testing laboratories are utilized in some districts to analyze specimens and provide results in less than 1 hour. Handheld, portable drug-testing devices are also used to produce results in 5 to 10 minutes. Further, in conjunction with other testing methods, a sweat patch may be used to detect the presence of drugs in perspiration.
Alcohol detection	Hand-held breathalyzers and saliva swabs can be used to detect alcohol use. In some districts, remote alcohol detection equipment—connected to a telephone line—is used to measure the alcohol content in a breath sample and immediately transmit the results over the telephone line. Also, some districts use a vehicle ignition lock device, which links a breathalyzer to an offender's vehicle. The ignition cannot be started unless the offender blows into the device and registers a breath alcohol content level below a prescribed point.
Diagnostic assessment for mental health	Probation officers may arrange for psychological and psychiatric evaluations, which include comprehensive diagnostic interview and testing, followed by a prognosis report and a treatment plan.
Mental health treatment	Mental health services include individual, family, and group counseling and prescriptions for psychotropic medication.
Community and home confinement	Probation officers may recommend that the courts require an offender to reside in a community corrections center or to remain in his or her residence for all or part of the day. Both of these options are used as alternatives to incarceration, permitting the officer to work with the offender in the community.
Community service	Probation officers may use a variety of civic, nonprofit, public, and private organizations to place offenders required to perform community service. Such placements are generally designed to (1) benefit the community and may also include elements that use any special skills the offender may possess, (2) enhance the offender's awareness of the consequences of his or her actions, and (3) sharpen the offender's employment skills.
Sex offender treatment	Sex offender management includes the use of polygraph examinations and penile plethysmograph testing, as well as special sex offender therapy programs.
Remote location verification	Continuously signaling electronic monitoring devices may be used to monitor compliance with a home confinement condition. This tool is used to detect, for example, whether an offender wearing a tamper-resistant transmitter "bracelet" is within 150 feet of a monitoring device attached to a telephone in the home. In driving by a particular location, a probation officer may use a portable ("drive-by") electronic monitoring unit to detect whether an offender wearing a bracelet is within 300 feet of that location. An automated telephone contact system that combines caller identification and voice verification technology may be used to determine whether an offender is at a particular location. Also, according to AOUSC, global positioning systems that use the military's satellite network are being field-tested for use in remote location verifications.

Source: AOUSC data.

Mrs. MORELLA. Now we'll hear from Jeremy Travis. Thank you for coming.

Mr. TRAVIS. Good morning, Chairwoman Morella and Congresswoman Norton. I'm very honored to be invited to testify before your subcommittee this morning, and I commend you for undertaking this review of a difficult and timely issue, one that is of great concern, understandably, to the residents of the District.

Let me first introduce myself and my organizational affiliation. I'm a senior fellow with the Urban Institute, which is a nonpartisan, nonprofit organization based here in Washington, and I'm affiliated with the newly established Justice Policy Center at the Urban Institute. And prior to that I served as Director of the National Institute of Justice in the prior administration for 6 years, and I now lead a team at the Urban Institute that is developing a national policy and research agenda on this issue, the issue of prisoner reentry. And last month we published a monograph entitled, "From Prison to Home" that you were kind enough to refer to.

I don't pretend expertise on the issues involving the District, but I have been involved in both my current and prior position in criminal justice reform efforts in the District, but I hope this morning that my testimony can help put some of these issues in the national framework, and I want to provide as well some—an analytical approach for thinking about where we go from here.

So I wish to make in the time allotted three points: First, the phenomenon of prison reentry in the District of Columbia is unique in the Nation both because of the distinctive nature and the changing nature of the institutional arrangements for managing reentry and because of the high level of imprisonment in the District. This changing nature of the District's criminal justice system presents, as others have—have already testified, both risks and opportunities for effective reentry management.

Second, the current approach to prison reentry being developed by the responsible agencies in the District in my view reflects the key principles of effective reintegration; so in my view, a solid foundation is being constructed.

Third, to be effective, the agencies involved should adopt a common mission statement that reflects the principles of effective reentry, and should be asked to develop performance measures based upon those principles.

Because other witnesses have and will cover the first two points, I'll touch on them briefly and focus my attention on the third. Clearly, the criminal justice system in the District is unique and is undergoing significant changes, and these changes will affect the nature and the composition of the reentry population within the District.

Parole decisions are now being made by Federal, not a District entity. Preparation for release is now the responsibility of a Federal, not a local agency, and prisoners are now being held in Federal prisons as far away as New Mexico and Arizona, far removed from the families and other support systems that are essential to effective reintegration.

Supervision is now the responsibility of a new agency, Court Services and Offender Services Agency, that has a much broader

mission. So it's understandable that in this complex and shifting environment, there are, as the Deputy Mayor alluded to, significant challenges to developing effective integration policies.

There's another challenge that we must acknowledge, that the chairwoman alluded to in her opening statement, that the level of imprisonment and therefore the scale of the reentry phenomenon is very high in the District. In 1999, slightly over 1,300 of 100,000 District residents were incarcerated, which compares to a national average of 476; and the number of inmates from the District who are incarcerated has increased by 15 percent over the past 2 years to slightly over 10,000, a prison population the size of that in Massachusetts or Nevada. And according to BJS data, there are approximately 600—I'm sorry—6,000 people under supervision in the District, the same as the parole population of the States of Virginia or Arkansas. And the number coming home, 2,500 prisoners returning to the District this year, is a prisoner flow the equivalent of that found in New Mexico or Oregon.

So this is a significant phenomenon to deal with, and it impacts, as both Members of Congress alluded to, has a disproportionate impact on the neighborhoods of the District, neighborhoods already facing other enormous social problems.

The reach of the criminal justice supervision has also consequences for our pursuit of racial justice. Ninety-seven percent of the District's prison population is African American in a District that is nearly 40 percent white. And on any given day, nearly half of the young African American men of the District are in prison or jail or on some form of probation, parole, or other pretrial release. So this is only to restate the point that this is a very important and difficult set of issues that the committee is addressing this morning.

The second point is the District of Columbia's approach to reentry in my view is—reflects sound reintegration principles. I've been impressed by the level of cooperation that I've seen here and compare it only to other States around the country where it's very difficult to even find the level of discussion that we see around the District.

As I alluded to in my testimony, I was responsible, working with Janet Reno, for the Reentry Partnership Initiative, and there are a number of jurisdictions that would be envious of the level of cooperation seen here. Why is that? I think there is some obvious—the Revitalization Act has provided an obvious incentive for people to work more closely together and the entities that are now in place, the capacity that's being developed is—provides the cornerstone for effective reintegration. Halfway houses, I think, are an important ingredient of effective reintegration.

The siting issues, I think there's some national experience that can help the District in thinking about ways to resolve some siting issues. In particular, I allude to the Safer Foundation's work in Chicago. The work of CSOSA in transitional interventions is a second key cornerstone that's very important to effective reentry; and, third, the approach generally of effective—of comprehensive supervision is essential.

Finally, I'd like to just allude to some framework issues that I think will be important to the District and the committee in mov-

ing forward. One is a recommendation that the agencies involved think carefully about what the common mission is of their work, and this is more than effective coordination. This is asking what are the goals we hope to achieve by effecting successful reentry of this number of prisoners? It's not just recidivism reduction, as important as that is. It is, I argue in my testimony, community safety, and that involves community engagement. It involves engagement of people about very difficult issues. It's not merely being able to say that we've reduced recidivism by X percent, as important as that is.

The second goal that I would urge the committee and the members of the criminal justice community to think about is the goal of reintegration, which is a distinct goal from the goal of even community safety; and that is, the goal of reconnecting the 2,500 people coming back from the District to the world of work, to productive and effective family relationships, to good health care, to social services, to productive peer group relationships, to active civic engagement.

Reintegration is a goal that is separate from the goal of recidivism reduction, or even producing safety, and is a very important social goal for all of the agencies involved to embrace and to embrace comprehensibly.

I then recommend in my statement that the agencies of the community move beyond that to a set of performance measures that will enable everybody to know whether we're making progress in this experiment as we move forward.

So I thank the committee for the invitation to testify and look forward to the opportunity to answer questions.

Mrs. MORELLA. Thank you very much Mr. Travis. We appreciate that perspective and the research that's been done.

[The prepared statement of Mr. Travis follows:]

TESTIMONY
Prisoner Releases in the District of Columbia

U.S. House of Representatives
Committee on Government Reform
Subcommittee on the District of Columbia

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July 20, 2001

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Chairwoman Morella, Congresswoman Norton, honorable members of the Subcommittee on the District of Columbia:

I am honored that you have invited me to testify before your subcommittee on the important topic of "Prisoner Releases in the District of Columbia." I commend the subcommittee for undertaking this review of a difficult and timely issue — one that is understandably of great concern to the residents of the District of Columbia, its elected officials, and the federal and local government agencies that constitute the District's criminal justice system.

I. Introduction

Allow me first to introduce myself and my organizational affiliation. I am a Senior Fellow with the Urban Institute, a nonpartisan, non-profit research organization located here in Washington. I am affiliated with the newly established Justice Policy Center, one of the nine research centers that comprise the Urban Institute. Prior to joining the Institute in April 2000, I served as Director of the National Institute of Justice, the research arm of the Department of Justice. I now lead a team at the Urban Institute that is developing a national policy and research agenda on the issue of prisoner reentry.[1]

In an appendix to my testimony, I describe some of my work on criminal justice issues in the District of Columbia, in both my current and prior position. Although my work has included involvement in some strategic planning efforts on prisoner reentry in the District of Columbia, I will respectfully defer to other witnesses who are much better able to describe the ways in which prisoners are prepared for, and experience, the inevitable process of returning home to the District. My hope this morning is that I can add to their testimony by reflecting on our national examination of the reentry issue, putting the D.C. experience in context, and offering a framework for the Subcommittee's analysis of the District's approach to the difficult challenge of reintegrating returning prisoners.

I wish to make three points.

First, the phenomenon of prisoner reentry in the District of Columbia is unique in the nation, both because of the distinctive and changing nature of the institutional arrangements for managing reentry and because of the high level of imprisonment in the District. I will argue that the changing nature of the District's criminal justice system presents both risks and opportunities for effective reentry management.

Second, the current approach to prisoner reentry being developed by the responsible agencies in the District reflects the key principles of effective reintegration. A solid foundation is being constructed.

[1] J. Travis, A. Solomon, and M. Waul, "From Prison to Home: The Dimensions and Consequences of Prisoner Reentry." Urban Institute Policy Monograph, 2001. (Available at www.urban.org/pdfs/from_prison_to_home.pdf.)

Third, to be effective, the agencies involved should adopt a common mission statement that reflects the principles of effective reentry and develop performance measures based on these principles.

I address each of these in turn.

II. The Unique Nature of Prisoner Reentry in the District of Columbia

As this subcommittee is well aware, the criminal justice system of the District of Columbia is unique — for at least two reasons. First, given the special status of the District, the response to crime, the processing of criminal cases, and the management of the supervision and reintegration of offenders are responsibilities shared between the District and federal governments. No other jurisdiction in the country has a similar criminal justice system.

Second, by virtue of the enactment of the National Capital Revitalization and Self-government Improvement Act of 1997 (the "Revitalization Act"), the institutional arrangements that undergird the functioning of the District's criminal justice system have been fundamentally realigned. Responsibility for the housing of felony offenders has been transferred from the District to the Federal Bureau of Prisons. The Lorton Correctional Complex will soon be closed. A trustee has been appointed to oversee important aspects of the correctional system. A new entity (the Court Services and Offender Supervision Agency, or CSOSA) has been created to oversee all community supervision. Parole decision-making has been transferred from the District of Columbia Board of Parole to the United States Parole Commission. A Sentencing Commission was established to enact new sentencing policies, moving from indeterminate to determinate sentences, which will affect the size and composition of the population under post-release supervision.

These aspects of the unique nature of the District's criminal justice system are having profound effects on the subject of today's hearing, the reentry of prisoners. Parole decisions are being made by a federal, not a District entity. Preparation for release is now the responsibility of a federal, not a local agency. Prisoners are now being held in federal prisons as far away as New Mexico and Arizona, far removed from families and other support systems. Supervision is now the responsibility of a new agency with a broader mission. In this complex and shifting environment, the responsible agencies face enormous challenges in coordinating the development and implementation of effective prisoner reentry policies.

There is another challenge that we must acknowledge. The level of imprisonment — and therefore the scale of the reentry phenomenon — is very high in the District. In 1999, 1,314 of every 100,000 District residents were incarcerated, compared to the national average of 476. The number of inmates from the District has increased by fifteen percent over the past two years to about 10,600 inmates, a prison population the size of those in Massachusetts or Nevada. There are currently 6,800 people under active supervised

release, the same as the parole population of Virginia or Arkansas. About 2,500 prisoners return to the District each year, a prisoner flow the equivalent of that found in New Mexico or Oregon.

The impact of this disproportionate number of prison releases is being felt acutely by a small number of neighborhoods in the District, neighborhoods that are already facing other enormous social problems. The reach of criminal justice supervision has consequences for the pursuit of racial justice as well – 97% of the District's prison population is African American, in a District nearly 40% white. On any given day, nearly half of young African American men in the District are in prison or jail, or on probation, parole or pretrial release.[2]

These dimensions of the related issues of sentencing, incarceration and reentry make it more difficult to achieve success in the District – for reasons of scale, if no other – but also make it more important that success be achieved.

III. Assessing the District of Columbia Approach to Reentry

In my view, the District of Columbia is to be commended for its approach to the challenge of reintegrating this large number of returning prisoners. I am impressed by the level of cooperation I have seen here between the responsible agencies. In my experience, every jurisdiction faces enormous challenges in bringing together corrections, parole, police, community agencies and others to improve reentry outcomes. Truth be told, few jurisdictions are even attempting to do that. In my work at the Department of Justice developing the Reentry Partnership Initiative on behalf of Janet Reno, I was struck time and again by the observation that the state corrections and parole agencies around the country rarely spoke with local law enforcement, which in turn rarely considered prisoner reentry to be part of their responsibility. Rarer still was an active conversation between those agencies of government and the community affected by reentry. Even rarer still was the engagement of prisoners and families – the direct participants in this process – in the development of effective practices and policies. Here in the District, there are genuine efforts to make the system work better. I recognize the failures – some of them all too glaring – yet on balance there are reasons to be optimistic.

Why has there been more coordination here? Perhaps because the criminal justice agencies can focus on one city, rather than a sprawling state corrections system. Perhaps because the new officials, new agencies and new powers ushered in by the Revitalization Act created new opportunities. Certainly the involvement of the Mayor's Office, the City Council, Representative Norton, and other leaders encouraging and insisting upon coordination has helped. But my overall impression is that the District is positioned to create a system for managing prisoner reentry that will be among the best in the country.

What are the promising ingredients?

[2] E. Lotke, "Hobbling a Generation: Five Years Later." Washington, D.C.: The National Center for Institutions and Alternatives, 1997.

First, the District is trying to develop a comprehensive, risk-based, evidence-based strategy that recognizes the inevitability of reentry. We too often forget that, with rare exceptions, everyone sent to prison comes home.[3] So we must face two related policy questions: How do we prepare them for their inevitable return, and how do we manage their process of reentry? Regarding preparation for return, the Federal Bureau of Prisons has a very highly regarded approach to release planning, with higher levels of program participation than seen in many state systems, so the transfer of custody to the FBOP will provide enhanced preparation for the reentry of District prisoners. I should note immediately that this transfer of responsibility to the federal prisons also poses significant problems for reentry. The mere fact that the District's prisoners are dispersed through a far-flung network of federal prisons, removed from contact with families and community support, is clearly counterproductive to sound reentry principles.

Regarding the process of reentry, the District has taken a number of promising steps. Allow me to highlight three:

A. Halfway Houses

The revitalization of the role of halfway houses is consistent with the reality that all prisoners return home. Halfway houses embrace the common sense idea that the process of reintegration is enhanced by bringing prisoners closer to the assets and networks of the community before they are released. I recognize that the siting of these facilities raises many issues. The reactions of communities that resist these facilities must be dealt with honestly and openly. Yet I compare the situation here with that in many other states where prisoners are released at bus stations in the middle of the night, with little transitional planning, to communities that are not aware of their return, and I ask whether those communities are better off under those release practices. I think not. So, if we begin with the recognition that all prisoners come home, we should then ask how we can best manage their inevitable return. In my view, halfway houses represent the right approach for a large number of returning prisoners (although perhaps not all prisoners) and the District is to be commended for developing this capacity.

Moreover, effective reentry principles suggest that transitional facilities need to be located close to the very families, employers, health care providers, social service agencies and faith institutions that are important ingredients in reconnecting returning prisoners with the necessary support systems. This argues for finding a way to resolve the tensions around siting new facilities. There are examples of successful sitings of halfway houses and transitional facilities around the country. Recently I met with the Director of The Safer Foundation in Chicago to learn more about the positive impact of their transition facilities on the surrounding neighborhoods. It is important for the District to develop a successful track record on this front, and we should learn from the successes that others have achieved.

[3] J. Travis, "But They All Come Back: Rethinking Prisoner Reentry." *Sentencing & Corrections, Issues for the 21st Century*. 7: Washington, D.C.: National Institute of Justice, NCJ 181413, 2000.

B. Transitional Interventions

The transition phase that accompanies the halfway house stay also reflects sound reentry principles. CSOSA's Transitional Intervention for Parole Supervision (TIPS) team conducts risk and needs assessments to guide the supervision and service plans for individual offenders. Even the best in-prison programming is no substitute for programs directed to the actual process of release. To the extent that employment, health, and housing providers can be brought into this process — as is currently being discussed — the District will further address the serious barriers to prisoner reentry.

C. Comprehensive Supervision

Finally, the new Court Services and Offender Supervision Agency (CSOSA) is a highly valuable innovation that will improve reentry management in the District. The fact that CSOSA has responsibility for supervision of all offenders in the community is perhaps unique in the country, and gives CSOSA a broad mission unconstrained by the definitional distinctions between parole, probation and pretrial status. The close working relationship between CSOSA and the Metropolitan Police Department is impressive, and allows for a focus on community safety that lies at the heart of effective reentry management. The direct engagement between CSOSA and a number of community organizations in the development of community justice strategies will bring new legitimacy to the working of the criminal justice system. The involvement of drug treatment, and other treatment agencies, in the supervision system reflects sound research on the effectiveness of these interventions.

In short, I believe the District has the potential to develop a highly effective, nationally important, prisoner reentry scheme and is making significant progress in that direction.

IV. Implementing the Reentry Framework

The development of an effective prisoner reentry system requires more than improved coordination between agencies. It requires more than the promising development of prerelease programs, halfway houses, transitional planning, and comprehensive community supervision. In my view, an effective approach to reentry requires a fundamental realignment of the mission and performance measures of the agencies involved. In closing, I would urge this subcommittee to support the District's leadership, the federal and local agencies, and the individuals and communities engaged in prisoner reentry in developing this sense of common mission, and in articulating these new performance measures.

The fundamental question we should ask is, "What is the goal of the reentry process?" I have already defined reentry as an inevitable fact of imprisonment – we put people in prison, and they all come back. So, we should ask what distinguishes a good reentry system from one that is not so good.

I think there are two overarching goals – enhancing safety and enhancing reintegration.[4] These are distinct goals, although they often overlap. Allow me to discuss each briefly.

Community Safety. At the core of the safety goal is the traditional, narrower goal of reducing the recidivism of returning prisoners. At the national level, nearly two-thirds of prisoners released from state prisons are rearrested within three years, and forty percent return to prison. In the District, the recidivism rates are reportedly declining, and this is good news. So, an effective reentry system should be held accountable for the rate of recidivism.[5]

The goal of enhancing safety is broader than the goal of reducing recidivism: It would require a localized assessment of the impact of prisoner reentry on a community. For example, the release from prison of an offender who quickly, and publicly, becomes criminally active again is a greater threat to community safety because of the multiplier effect of his behavior. The community is more fearful, and his criminal activity may embolden others. Conversely, the active involvement of a returning prisoner in efforts to reduce levels of crime in his community would enhance community safety. Compared to another former prisoner who does not reoffend, his desistence from crime is more valuable to community safety because he is working to promote crime reduction. Let's look at this from the community's perspective as well. The effective management of prisoner reentry could enhance a community's sense of safety if they knew every effort was being made to reduce reoffending. By contrast, the pronouncement by government agencies that large numbers of dangerous people are returning to the neighborhood, without effective community engagement and without a good management plan, could heighten a community's concern about safety.

A concern for community safety requires adoption of a clearly articulated, common mission by all agencies involved, which in turn leads to new agency activities and a new set of performance measures.

Reintegration. The goal of reintegration is distinct from the community safety goal. By "reintegration", we mean the positive reconnection of a prisoner to the institutions of civil society, e.g., the world of work, productive engagement with family and community, attachment to faith institutions, positive interaction with peers, appropriate engagement with social service and public health systems, stable housing, etc. The reintegration mission is independent of the safety goal – a person who is getting treatment for tuberculosis, reconnecting with his children, and working regularly may or may not

[4] J. Travis and J. Petersilia, "Reentry Reconsidered: A New Look at an Old Question." *Crime and Delinquency*. Volume 47, Number 3, July 2001.

[5] This should be measured carefully. The recidivism rate should not simply reflect police records of rearrests – the incidence of rearrests may reflect more police attention to the individuals under supervision, not an actual increase in criminal behavior. It would be preferable to develop an ongoing system of confidential self-reports that does not rely on police records. Just as victimization surveys are better measures of crime rates, these self-reports would be better measures of recidivism rates. This should also not be confused with a measurement of technical violations of parole conditions, a performance measure that is important for other reasons.

present a lower risk of recidivism. Yet those reconnections are as valuable as the reduced recidivism – those social connections are the essence of strong families, effective communities, and productive citizenship.

Embracing the reintegration mission changes the operations of the agencies involved in reentry. They must focus on the reintegration needs of all returning prisoners, not just those who are being released on parole, or those at high risk of recidivism. Reconnecting prisoners to the world of work, to responsible parent-child relationships, to housing, social services and health care, becomes the responsibility of the prisons and community supervision agencies. Ultimately, if this goal is embraced seriously, sentencing judges should be cognizant of the reintegration issues for each person they sentence and should adjust sentence conditions accordingly.

In sum, the reentry perspective requires, in my view, a reconsideration of the mission, operations and performance measures of the agencies involved in sentencing and corrections.

V. Conclusion

In conclusion, I would recommend that the agencies represented at this hearing move beyond effective coordination, embrace new goals for the reentry process, and develop a set of performance measures that would tell them, the public and the Congress whether they are meeting those goals. This subcommittee, and its counterpart appropriations subcommittee, could provide the support and encouragement to make that a reality. Financial support will be required to link the data systems of the agencies, to develop new measures such as the self report measures I mentioned, to engage the community in a series of discussions about reentry and public safety, to bring other agencies such as the health, human service, employment and housing agencies to the table in meaningful partnerships. But that is all possible, perhaps uniquely in the District of Columbia.

I thank you for the opportunity to appear before you and would gladly answer any questions.

Mrs. MORELLA. To start the line of questioning, this really pretty much picks up a little bit on what Mr. Travis has said and what others have said, too.

Maybe I would start off with Councilwoman Patterson. Is there some plan or strategy that would encourage more involvement by the community, by—like nongovernmental organizations to assist, maybe even to take the lead, in developing community support and activities that would help with facilitating reentry of prisoners? I mean, I am very cognizant of the fact, and my colleague has mentioned it too, that "not in my backyard" is a major impediment, and this involves community safety.

So I just wondered if there is a plan of getting some of the best and the brightest and the community activists involved in helping.

Ms. PATTERSON. I can't speak to any formal plan or anything that's on paper. I can speak to a number of informal conversations that I have had through the course of the last several months with some very good community-based organizations that work with the prisoner population and with some of those who are involved with some of the current successful operations of halfway houses.

Simply, the gist of these conversations has been we need all to join together to make this case and to participate in the public education of which you spoke and of which Mrs. Norton spoke, but no specific plan. I think the point of trying to request of the administration a plan for siting was the first step, and I think the notion of a facility site selection panel, that's another piece of it. But no; no formal plan that I'm aware of.

Mrs. MORELLA. Ms. Kellems, do you want to comment on that?

Ms. KELLEMS. Sure. I hope that is one of the outcomes of this symposium that we're having on Tuesday. I think that is our attempt, a first step to bring together the practitioners, the community organizations, and start talking about what is the vision going forward and what are the immediate first steps that we need to start rallying around, one of which is community outreach and education. How do we engage in a very street-level education process?

Some of that is beginning already with the community supervision officers who are out there. A number of the justice agencies have community outreach specialists that at a street level are trying to educate some of the neighborhoods, but it is not—as the councilwoman said, it is not yet a big framework, a big strategy at all levels of communication. And that's where we need to get, and I hope that we can at least start to do that on Tuesday at our symposium.

Mrs. MORELLA.

Thank you. Ms. Ekstrand, do you think that's important from a GAO point of view?

Ms. EKSTRAND. I definitely think that it's important to have a variety of participants and for all of them to work cooperatively and effectively. In the spring we issued a comprehensive report on the D.C. justice system, and one of our main points there was the tremendous need for cooperation across all the agencies involved.

Mrs. MORELLA. And Mr. Travis, the Urban Institute's perspective?

Mr. TRAVIS. My own perspective on this is that this is the essential ingredient to success. The District is trying to do that which,

in my experience, no other city in the country is trying to do, which is to say we want to have a comprehensive community-based reintegration strategy that involves the siting of facilities for most, if not all, people coming back home.

So to do that in a way that is successful will—the goal here is to have the District of Columbia be an example for the country—require their involvement. It's just not should we; it will require the involvement in the community in some very difficult questions. So it's more than a community education about what we're doing. It really is an active partnership in trying to think through an issue that is our issue. It's a combined issue. So I couldn't agree more.

Mrs. MORELLA. Right. Good. Excellent. You know, from the materials that I have perused and read and discussed, I do not know how many halfway houses there are in the District of Columbia nor do I know how many beds there are. Can anybody enlighten me?

Ms. KELLEMS. I can give you an idea. There are—first of all, halfway houses, as we are defining them, are places where offenders are integrating. Some people in the community use "halfway house" to refer to group homes and to refer to other community-based residential facilities. There's a set of halfway houses in the justice system operated by BOP, and a set operated by Corrections. I think the total number—I'm looking at the corrections people. I think the total number is about a dozen. I'm sorry. There are five operated by DOC and then a number operated by the Bureau of Prisons. And the total DOC capacity is 557 beds.

Mrs. MORELLA. And the estimate is that there are 250 more beds that would be needed?

Ms. KELLEMS. Here we go. Thank you. I'm sorry?

Mrs. MORELLA. The estimate is that 250 more beds are needed?

Ms. KELLEMS. At a minimum. It depends on which populations you're talking about. We are estimating anywhere from 200 to 400 beds short right now, just for the folks who are coming back who are on the schedule to go to a halfway house. The more beds we have, the more people we can put into them. If we need to maximize our bed space, you can add more beds, you can move people through them more quickly, or you can put fewer people through them. That's sort of—so it's a little bit of a difficult question to answer——

Mrs. MORELLA. So all of these things are being done, probably. I mean, probably——

Ms. KELLEMS. We're trying to——

Mrs. MORELLA [continuing]. Incarcerated for longer periods of time to make sure there's opportunities at halfway houses or going into halfway houses and out faster, you know, into the community, so all—you know, all three are being utilized. So something needs to be done. So obviously what we need to do is to make sure we are working together for a concerted plan. And I note that mention was made of the Federal grant that is being requested. You've already met the deadline for that, have you not, to submit——

Ms. KELLEMS. I believe the application——

Mrs. MORELLA [continuing]. It June 1 or something?

Ms. KELLEMS. We went to the preapplication conference. The final application is due, I believe, October 1, but you had to express

an interest. There was a team of folks from the District who went to the preapplication conference and have expressed our interest, and I think that's why they're now trying to sort out the details of whether the District can participate in the program.

Mrs. MORELLA. What would it involve? What are you asking for in the grant?

Ms. KELLEMS. The grant is essentially to fund elements of the reentry strategy, meaning programs most specifically. The group really has the opportunity to define how it would use those resources. The grant is very broad. It allows—it limits only based on a few characteristics of the population, most notably the age of the population. Other than that, they are really looking to the applicants to outline their vision, outline their strategy, what programs do you want to implement, and how do you intend to implement them in partnership with these community-based organizations.

Mrs. MORELLA. We wish you well. My time has expired and I'll now defer to my ranking member, Ms. Norton.

Ms. NORTON. Thank you, Mrs. Morella. Before I begin the questioning on this very important testimony, first let me express my thanks for the candor and the information that was available in this testimony. I'd like to say a word to Ms. Ekstrand first. It really has to do with methodology, and it's not simply the GAO methodology. It's the methodology that—of everybody who collects statistics. Mr. Travis was a little less this way.

Let me just say to the GAO and to all of our official government agencies, until statehood is granted to the District of Columbia, you don't give us accurate statistics when you compare this big city to States, and you damage the reputation of the Nation's Capital by insisting upon treating us as a State for every purpose except the right to vote the right to tax as other people do, and I'm about tired of it.

I understand why it's not—don't let me beat the messenger up here, because there's—everybody does the same thing and they do it because it is the District of Columbia. It is the 50 States and the District of Columbia, and that's how the Congress always refers to it, and there are good reasons even for referring to it that way. But among the good reasons is not a comparison of prison populations.

When you say that D.C. has a higher incarceration rate than any State in the Nation, I have to ask you does it have a higher incarceration than New York, than Chicago, than L.A., than Atlanta? Then I have something to know I have something by which I'm comparing apples to apples, and I'm just not sure if I am or not. And I may be, because it's a very high incarceration rate here.

Our Council has been very strict—very strict crime statutes. When—I think it was Mr. Travis who talked about the flow back to Detroit, flow back, when—we can only be informed accurately of what we are to do if we can compare ourselves with like jurisdictions. And it is—if I may say so, I find it without any value to compare us to a State, even though I acknowledge that if we were to do the city-by-city comparisons, I believe in my own mind that the District would still be very high.

I would like to ask you, Ms. Ekstrand, if you would ask your staff to look at your testimony and to give this committee within 30 days a comparison—the information that is in your testimony compared

with other large cities, or other comparable cities, just so I would have perhaps a clearer idea of how to look at the city.

Again, I make no criticism of the methodology used because it is the accepted methodology. It just would be more useful to the committee, often.

Ms. EKSTRAND. I think you're raising a valid point. We'll do the best we can to comply. We'll try to get it to you as fast as possible.

Ms. NORTON. Thank you so much. I appreciate that. Ms. Kellems, let me read to you from the testimony in my May 11 hearing, so that everyone here can see the background of the question I'm about to ask: "as the GAO indicates, the equivalent of 23 full-time officers were devoted to court appearances in 1999. I'm sure that the agencies involved have explanations from the perspective of their missions. However, after years of insufficient attention and incalculable losses of funds, patrol time in our neighborhoods, and probably even injury and loss of life for residents, I'm going to insist today that the relevant agencies, especially the courts, U.S. Attorney, and the MPD, submit at least a preliminary plan to the CJCC, the"—that stands for what, Community Justice Coordinating——

Ms. KELLEMS. Criminal Justice Coordinating Council.

Ms. NORTON [continuing]. "Criminal Justice Coordinating Council, within 60 days and to this committe within 90 days."

July 11th marked the 60th-day time limit. Was that deadline met?

Ms. KELLEMS. It came late on the 11th. I know most people got it on the morning of the 12th.

Ms. NORTON. Well, that's good. That's good. For D.C. that's awfully good. If you can be—we'll give you a day's lead time if you'll get it to us in 90 days, that is real progress.

Ms. KELLEMS. Thank you. We actually have August 12th circled in red ink in our calendars. We're ready.

Ms. NORTON. I suppose—let me express my disappointment here. Here the Federal Government for 3 years now has been making one of the most notable improvements in decades in the District of Columbia. There is no issue of greater concern to our residents, even those who live in areas where there's not much crime, than crime. We are 3 years into CSOSA, BOP, and everybody has acknowledged that what they have is in a different ballpark from the crumbling, disgraceful system they inherited.

So what does the District got? Well, I have been trying to discern from the testimony anything even approaching a plan, 3 years now, CSOSA, if it was 3 years, we'd be really on the back of the Federal Government. If BOP was 3 years—if BOP was late closing Lorton, there would be sanctions from the Congress. Those folks have been on time. They have been improving our system. And I cannot find what in the world the District has done.

So far, I appreciate that the council has done some things, although, I must say so, Ms. Kellems, that I think in any strong mayoral form of government, the major responsibility for leadership lies with the executive. The council has been an impediment, but the council has also put forward some things to do. The Mayor has too. Of course, he has been turned back by the council. The District's budget request has in it a provision from the council for

a plan, quote, for the housing of any misdemeanants, felons, ex-offenders or persons awaiting trial within the District of Columbia. That's very hard.

Then the council on May 1st prepares another bill. I think Ms. Patterson referred to this bill 14–213, the Correctional Facility Site Selection Advisory Panel Act of 2001. It provides for the establishment of this 15-member commission to prepare comprehensive recommendations to the council that identify tracts of land suitable for correctional facilities within the appropriate zone sections of the District.

Now, I think this came in part out of what I can't blame members of the council for doing. When members of the council see Ms. Kellems that somebody says—and CSOSA has to find some place, CSOSA goes to the city with no plan in place and CSOSA says these people are coming back, find us some place. And if what the city does is to say here, and then in this case I think it was a Council Member Ambrose woke up and found the dart had landed on her, you will never find a member of the council that says great, it's my turn now, I concede.

So I hold the council responsible in one sense, but they have to reflect their constituents. And the executive has given them nothing to answer back with. So that if everybody in your ward is running saying how come you're letting them put a facility here and you don't even have the capacity to say well, wait a minute, they've got a fair share plan here, wards 1 through 8 have here, here it is, it's our turn, then, of course, you can't expect Ms. Ambrose to do anything but reflect what she has heard. So I can't figure out what the difference is between what the council's Budget Act asked for and what bill 14–231 has. And I can't figure out why it has taken the District 3 years to even get to startup which I can't even hear in any of this testimony. That's my question.

Ms. KELLEMS. I'll go first. I think in the last several years, there has been progress on a number of operational fronts, but not on the issue I think your criticism lands. We've not been progressive in the facility-siting issue. We have started good partnerships with CSOSA together with the police department. We have put some programs in place for job opportunities, job training through the Department of Employment Services, but on the specific issue of siting facilities we have not done what needs to be done. We agree 100 percent with the council's demand for a plan. There does need to be a city-wide plan, not just for justice-based halfway houses, but for all community-based residential facilities. What the administration has done so far is begin a process of cataloging and mapping where all of these are so that we understand the highest concentrations of these facilities.

There's a tension philosophically between where you site these in relation to the people who need them and ending up with too high of a concentration in those same neighborhoods and stifling those neighborhoods. If you look at a map of the District where we've plotted all of these, you see the highest concentration of folks who need these services in the same place where you see the highest concentration of facilities. The problem is the result of what happens as a result of that.

We're trying to do several things. One is disaggregate some of these types of facilities. Because different types of facilities, while they create the same community concerns, might have different impacts on a neighborhood. We have developed this sort of inventory, and I think the council's suggestion that there be a site advisory panel is a very sound one. We'd like to be able to take to them—start the process with some information about what is there so that it's an informed discussion going forward. I think we are within weeks of being able to roll out this—exercise this facility plan—I'm sorry, the facility map of where things are at the moment which is an important starting point.

Ms. NORTON. Before Ms. Patterson answers, Ms. Patterson, you indicated something that caught my attention. You said that your 15-member commission that the Mayor could if he wanted to do it by Executive order and start the thing going. I will ask you, Ms. Kellems, you all should have done this in the first place or something like it. They passed a bill. What concerns me now you are so far behind. I know you have been working in good faith. I know because every time my office is in touch with you, it's a very results-oriented office that gets things done.

I believe that you will always be behind the 8 ball unless there is something in place that allows you to start. And the ad hoc way in which you are being forced to operate is a completely impossible way to deal with this problem. 2,500 people, we're told, are coming back into the community within, what, by the end of the year, you have 500 beds? You are in such deep trouble that either you are going to be—you, the executive, are going to be responsible for new explosion of crime or you got to do something fast. And I want to know for starters whether you will recommend to the Mayor that he sign an Executive order before the end of the month setting up the functional equivalent of what the council has asked for, so it doesn't have to come here and sit for 90 days, the stuff we have to go through here to get legislation passed, so that it can be operative by next month.

Ms. KELLEMS. I'd be happy to talk to the Mayor about that. I think, as I mentioned earlier, that on Tuesday, we will really get a lot of valuable input from experts about the composition of a group like that, how it should be formed, what its role should be, its responsibilities should be.

Ms. NORTON. You have to be very careful because it's a 15-member commission. If it consists of members of the community, this may be, you know, very circular reasoning. Unless the staff is prepared to come forward with how the plan would be done, you say to people in the community be prepared to site your community, perhaps, as one of the places for this plan. I'd like to ask Ms. Patterson.

Ms. PATTERSON. I think the point of trying to have an advisory panel would be to come up with some specific and objective criteria. Obviously, you want community input on that. You want input from the community organizations that work with the prison population but you also want input from some of our advisory neighborhood commissioners, from people who are on the ground working in their neighborhoods to help with you the criteria. I think the site selection advisory idea is to have that criteria in place as adminis-

tration District government policy, then you can match sites up against that criteria. That's certainly what I would have in mind.

Ms. NORTON. Ms. Patterson, that's not what it says. It says preparing a comprehensive recommendation that identify tracts of land suitable. That's what your bill says.

Ms. PATTERSON. That's the legislation that's introduced by two of my colleagues. That's correct.

Ms. NORTON. Could I ask that you take another look at that. I know what reading you're on——

Ms. PATTERSON. I'm expressing what I would like it to be at the other end of a process. We have rules that require a public hearing on each bill. So before we move forward, we have to have a public hearing, and then would have that kind of input. But I think seeking to have some additional capacity soon is critical. I think a site selection advisory body is something that is a medium-term assistance. So I think there are a couple of things we're talking about here. I think your point about seeking to have the administration do something perhaps through Executive order is one way to go to jump-start, and then we can have the public hearing and really further refine who should be at the table in coming up with a criteria and the selection. But that I see as more of a medium term because of our requirement for public hearings.

Ms. NORTON. Did you have a date in yours? Did you have a date by which this——

Ms. PATTERSON. I don't have a date for the hearing.

Ms. NORTON. I'm talking about, in the council legislation, does it give the deadline for the setting up of the hall, for the setting up of the 15-member commission.

Ms. PATTERSON. There is not a deadline in the legislation, as I recall.

Ms. NORTON. Let's make that unnecessary. Ms. Kellems, I would like you to take this back to the Mayor and ask him by the end of the month to have, not the—this does not interfere with Ms. Patterson's, her legislation at the moment says tracts of land. And she has explained the difference between which—I think, at minimally, somebody has to develop the criteria instantly. That criteria even before it was fully operative could begin to guide CSOSA on the short term, could begin to guide BOP so that we have something to go by instead of who doesn't scream the loudest, then let us let it go there.

So this is July 20th. I don't think it takes a lot of time to say—to appoint some folks, even if they have to be in-house folks, as well as community folks to look at criteria, just so it's a credible commission of people from the community of people, as Ms. Patterson says, with some offender experience, but it needs to be done by the beginning of August, 3 years late already.

Mr. MORELLA. I'm pleased that we're able to help to move this process forward of coordination and the—to have the Mayor present the plan for the developing that census tract and get the council working on it too. I would be interested, this entire subcommittee, in what your time lines are as you proceed recognizing how important it is.

I'd like to ask you, Mr. Travis, as we talk about site selection, have you noticed in your study there is a criteria that should be

established in terms of where these halfway houses should be? By that, I mean can you have too many in one section? Should they be distributed in different ways? That whole concept of the site selection.

Mr. TRAVIS. Our report did not specifically look at the issue of site selection for transitional housing. As I said before, I'm not aware of any jurisdiction that is trying to do what the District is trying to do. So I think it does raise some new issues in terms of what you alluded to as a concentration—the concentration effects of many halfway houses. But I do think the principles that should guide the process are to recognize that everybody comes home, comes from prison and that we want people to be reconnected with the positive forces of community and society, and to do that in advance of their actually being released from legal supervision.

So that does require that they be close to the communities from which they came. So I think that's the key message, as Congresswoman Norton said, these are family members coming home. So that's the beginning point. And then there's a community engagement piece to that that says how shall we make this work best at the community level.

Mrs. MORELLA. You know, I have considered and I'd like your advice on this, particularly Ms. Ekstrand and Mr. Travis, considered the idea of using the District of Columbia as a so-called model to determine what works in terms of recidivism, etc. What kind of a study would you recommend should be done and what information would be needed to be collected? Do you think that's a good idea?

Mr. TRAVIS. I'll go first and then defer to Ms. Ekstrand. I think there is an opportunity here really, a wonderful opportunity for the District to provide the learning opportunity for the rest of the country, in part, because of the positioning of the agencies that is made possible under the Revitalization Act, and because of this commitment to halfway houses and transitional planning, which is unique, in my experience, throughout the country.

The study that would make sense here is actually one that the Urban Institute has designed and we're hoping to launch in the next year which is to collect data about what happens to people when they're in prison and follow them for periods of time as they leave prison and have interviews with the prisoners and their families and the community members throughout that entire process. And the data from prison would include participation in the types of preparatory and treatment programs that make a difference at the period of release. But it's very important that we connect what happens in prison to the period of time after they return home. Because that's the time of greatest risk, the time of relapse for drug offenders, the time of reconnecting to negative peer influences for young people in particular.

So it has to connect both the traditional prison-based literature and the basically nonexistent community-based understanding of this process of reentry. And I think because of the entities that are represented at your hearing, there is an interest in doing exactly that sort of study.

What is particularly exciting, from a research point of view here, is that the interest in halfway houses and serious transitional planning really is a way that's going to break open our understanding

of reentry. Because that's what's not being done sufficiently in other jurisdictions. So the commitment of the District to do this presents an opportunity to inform a larger national discussion if there's a proper student that is underway.

Mrs. MORELLA. Would there be a particular time period that would be critical or imperative?

Mr. TRAVIS. Well, I tell you, we've taken a look at this over the past year and the study that we have designed, we have invited a number of States and the District to participate in. It would start with the period of time right before release, so 60 days before people are released, that's an important window to ask the prisoners how are they prepared, in their own mind, for this inevitable return home, and obviously you collect data about their entire prison experience but you interview them at that point.

Then you interview them within the first month and first 6 months, and within the first year and within the first year and a half. So it's 18 months at least after their return home, and you're interviewing, at the same time, their family members and their peer groups and the communities to which they return. So that the entire experience is understood from those various dimensions. So it's in total a 2-year period of time to understand the phenomenon and in essence to evaluate what's working. You can design it in certain ways that you're also testing different sorts of interventions such as halfway houses.

Mrs. MORELLA. Excellent.

Ms. Ekstrand, would you comment on that?

Ms. EKSTRAND. When we began our work in prisoner releases, the first thing we did was try to find robust studies of what worked. Because we really anticipated that we would be able to include as part of our report a great deal of information from very strong studies in terms of what works. We were very disappointed to find out that there wasn't a lot of strong evaluation work that we felt that we could hang our hat on in terms of reporting. So there is a real basic need for strong evaluation research in this area. And it's more than ever because the number of releasees has increased so rapidly.

Mrs. MORELLA. Thank you. I look forward to working with you, both of you in trying to craft and construct something that would be applicable and consistent with what everyone feels. I'm now going to defer to Ms. Norton for her last question.

Ms. NORTON. I'd like to ask Ms. Patterson and Ms. Kellems if they noted that there was any reaction when—in the community in your own efforts with these halfway houses, when apparently one of the old contractors had a facility; I believe it was a juvenile halfway house, if I recall correctly. In any case, it was very close to a school. And then there was a very high profile closing of that halfway house by the Attorney General. Was there any—has that had any affect on the community's understanding or acceptance of these halfway houses?

Ms. PATTERSON. I think, if I recall correctly, I think that was a Federal facility that was going to go back into a site and then didn't. And I think, frankly, it simply underscored the point you made that squeaky wheels get attention. And you can stop things in your neighborhood if you use your political muscle. I don't think

it—and I appreciate that from a constituent's perspective from responding to constituents. I don't think it contributes particularly usefully to the longer discussion that we need to have about how we make the decisions about where facilities go.

Ms. NORTON. Ms. Kellems, do you recall any repercussions from that incident?

Ms. KELLEMS. It actually is down the street from my house, so I know exactly where it is; it was, in fact, directly across the street from an elementary school. It had been a facility for juveniles and there had been a fire and it was closed for some period of time. And it was being reopened as a facility for adults. The general sense in that particular community is exactly as Councilwoman Patterson said, that if you scream loud enough you can stop these things on sort of a one-off basis.

There are a lot in and around that particular neighborhood within half a mile or so, and I think the community feels that we really need to come and understand the plight they're facing at a very real level, a plight, as they perceive it, meaning high concentrations of these things in what are considered inappropriate locations, and it speaks to, as Councilwoman Patterson said, the need to be more comprehensive, to have criteria that the community buy into.

The tension that we face is that many of these facilities are zoned—were purchased in the 60's, and properly zoned and given certificates of occupancy, and now, because there is such a community backlash against new facilities, that the only ones that are there have continued to operate and continued to exist. We have to figure out a way to spread this responsibility on a larger scale across the city.

Ms. NORTON. That was a classic case of the old D.C. system echoing to whatever was planned by the BOP. We'll get to that when we see the BOP. But Ms. Kellems, I do think in your own neighborhood, what you had was an indication of how lethal a reactive approach is to this whole question. It just gets shut down. There's nothing you can do. You got a big article in the Washington Post and a big editorial, and then the Attorney General himself goes in and shuts you down, yet it's his responsibility in the first place that this has happened.

So let me go further finally and ask I am so concerned with—I couldn't discern the makings of plans or coordination and I've asked for this commission. But I think it's so serious that the whole notion of commissions and the rest of it, which always take time to educate people, which take their own startup time, is something that I might have expected the District to do in the transition time between the passage of the Revitalization Act and CSOSA and BOP coming online. And as much as I believe that what the council is asking the Mayor should now do, and I commend that, I'm going to ask you, Ms. Kellems, if you would be willing to set up something approaching a temporary emergency transition working group between CSOSA and BOP and the appropriate personnel in the District so that pending a plan there is some guided process rather than perhaps an emergency developing, so that somebody gets somebody to give them a facility, and then you get a big blow up with respect to that.

So I think quite apart from the commission, very necessary, that within the government, some kind of temporary, I call it "emergency transition," because I don't know what it should be, working group, so CSOSA doesn't have to go to you on a one-on-one basis so that somebody begins to manage coordination, to take responsibility for coordination pending the development of a plan by the city. Could we see such evidence within the next 2 weeks?

Ms. KELLEMS. Absolutely.

Ms. NORTON. Through the submission to this committee of what it is you have devised. I'm not telling you what to devise. This is off the top of my head. I am simply saying something at the staff level that would develop a process that would give the committee greater confidence, give the council and the Mayor and the residents of the District greater confidence that there is some guided process in place and that these things don't happen just as they fall out.

Ms. KELLEMS. I think that's a very good idea. I would suggest that we work with the—there is something called the interagency detention work group that's chaired by the corrections trustee that actually you, Ms. Norton, and Mr. Holder had called for. That group has spent a lot of time in the last year and a half identifying the specific capacity needs, the specific capacity issues and short-term strategies to manage what it is we do have.

I think what we need to do is marry that with the city's Office of Planning and our facilities folks and look on a concrete basis at that third piece. In addition to minimizing the stay of people there, in addition to maximizing the use of the existing space, what can we do on the third prong to increase the capacity in the very near term and get some people thinking about that.

Ms. NORTON. It's excellent. I see you know exactly what to do. Ms. Kellems, would you get us within 2 weeks what this group consists of and you believe its mission should be? Thank you, Madam Chairman.

Mrs. MORELLA. That brings up a question I had in mind too, was to Ms. Kellems about the status, actually, of that interagency detention work group that you mentioned. I know it was established in 2000 and it was to address the short-term halfway house capacity problems. What has been some of the actions of that work group and how does that group plan to address the capacity issues as we go forward?

Ms. KELLEMS. With your indulgence, I'll leave some of the details to John Clark, the corrections trustee who is actually the chair of the work group, and is on the next panel and can give you much more information. The work group has been very successful, however, in a whole range of issues in terms of procedures and guidelines for the individual operating agencies, how they manage populations going in, time lines for how long folks are staying in their and what sort of services they're getting, criteria for who maybe won't go in for quite as long—they've dealt with some of the court policies and procedures that we have.

There has been a whole range of activity, and I think Mr. Clark can probably speak to the detail much more than I have. But we very much appreciate that that group has been able to bring the Bureau of Prisons, the Parole Commission, the courts, the U.S.

Marshals, a number of these players around the table on a monthly basis and really keep the heat on all of us to make continued progress.

Mrs. MORELLA. We look forward to hearing from him on that because that is actually what this is all about, the coordination, the plans, the strategy, working together, the best practices that really aren't there, which may lead to using the District of Columbia as a model to determine some of that.

I want to thank this wonderful panel for sharing with us their experiences and hopes for what we can achieve in this area. So thank you Councilwoman Patterson; thank you, Deputy Mayor Kellems; thank you, Director Ekstrand, and thank you, Dr. Travis for this.

Now we'll ask our second panel to come forward. John Clark corrections trustee the D.C. Office of Corrections Trustee. Dr. Kathleen Hawk Sawyer, director of the Bureau of Prisons. Police Chief Charles Ramsey. And the Honorable Edward Reilly, chairman of the U.S. Parole Commission, Jasper Ormond, Jr., interim director of Court Services and Offender Supervision Agency and James Anthony, deputy director of the D.C. Department of Corrections. While I have you finding your spots maybe I'll have you stand in place. Clark, Sawyer, Ramsey, Reilly, Ormond and Anthony. As you stand I'll ask you to raise your right hands.

[Witnesses sworn.]

Mrs. MORELLA. The record will show an affirmative response by all of the panelists. So we'll start off, then you all had the preliminary, and again, thank you for your patience as we went through the first panel. And maybe we can coordinate some of the responses. We'll start off then with you, Mr. Clark, thank you for joining us.

STATEMENTS OF JOHN CLARK, CORRECTIONS TRUSTEE, D.C. OFFICE OF CORRECTIONS TRUSTEE; DR. KATHLEEN HAWK SAWYER, DIRECTOR, BUREAU OF PRISONS; CHARLES RAMSEY, CHIEF OF POLICE, DISTRICT OF COLUMBIA; EDWARD REILLY, CHAIRMAN, U.S. PAROLE COMMISSION; JASPER ORMOND, JR., INTERIM DIRECTOR, COURT SERVICES AND OFFENDER SUPERVISION AGENCY; AND JAMES ANTHONY, DEPUTY DIRECTOR, D.C. DEPARTMENT OF CORRECTIONS

Mr. CLARK. Thank you and good morning, Chairwoman Morella, Congresswoman Norton. And thank you for having this very important hearing. I am going to totally retool the brief remarks that I wanted to make because we've been hearing several themes repeated already. And we have a number of other distinguished witnesses. I want to focus on just a few key areas. First, I want to make the point that prisoner reentry is not just a corrections problem. It's not just a responsibility of the corrections and parole supervision authorities. Rather, it's a critical matter for community safety and an important public policy issue. In that regard, having a rational well coordinated process for releasing felons is a concern for the entire criminal justice apparatus, and more broadly for elected and community officials and the community at large.

These offenders leaving prison represent, in my estimation, the most at-risk group of individuals on our streets, and to the extent that they're not successfully reintegrated, the entire community is at risk. I am heartened to see a growing recognition of that fact in the District, and I am pleased that your committee has recognized this reality by having such a broad array of witnesses represented here today.

My second point, and really, Ms. Norton has already made this point very eloquently, but I think it bears repeating, is simply that in the 4 years since the passage of the Revitalization Act, significant progress has been made in achieving a more effective reentry of felons returning from prison to the streets of the District, thus, enhancing public safety.

One thing that I would emphasize here is that and with the graph that Congresswoman Norton showed, there has been significant progress in the reduction of rearrests among parolees as the Federal model has been implemented, but it wasn't just the Federal folks and court services; a significant role was played by the District, particularly by the D.C. Department of Corrections, which actually implemented much of this policy in their existing halfway houses.

The shortage of halfway house space has already been adequately mentioned. I would just again summarize that over the past 5 years in the District, we have lost a net total between 250 and 300 halfway house beds for males for a variety of historical reasons that I won't go into.

Madam Chair, to a great extent, I think we've heard that we know what works in this reentry process, but it is extremely difficult to establish adequate reentry resources. If, as a system in the District, we are unable to help the Federal Bureau of Prisons bring online at least another 250 additional halfway house beds in the coming months. It appears that the BOP will have to release a significant number of felons loose directly into the streets of the community.

I want to—again several of the things I wanted to say have been mentioned, but one of the questions you raised that I will try to answer briefly has to do with the number of halfway houses in the District and the number of halfway house beds. By my count, there are, in the District, 8 correctional halfway houses housing somewhere around 700 prisoners. And these are comprised of one District of Columbia halfway house operated by the Department of Corrections, five contract halfway houses operated under contract to the Department of Corrections and three of those are shared by the Federal Bureau of Prisons. And the Bureau of Prisons, by my count, has two halfway houses in addition to those three that they share with the Department of Corrections that they contract for, solely for Federal prisoners, and those are both under one contract in ward 1.

Beyond that, I would respond quickly to Ms. Norton's suggestion about a work group task force, whatever, in the District, by indicating that there has been some work going on, as was mentioned through the interagency detention work group, but I think on a more permanent basis, possibly the appropriate place to deal with this is in the Criminal Justice Coordinating Council, which is now

being reactivated, rejuvenated hopefully, will take the form of having an active agency staff in the near future. In fact, at a recent meeting, we did discuss this issue and did have a discussion of making this a focus of the Criminal Justice Coordinating Committee, making that one of the priorities of the group. With that, I conclude my remarks and be pleased to answer questions.

Mrs. MORELLA. Thank you, Mr. Clark.

[The prepared statement of Mr. Clark follows:]

UNITED STATES HOUSE OF REPRESENTATIVES

COMMITTEE ON GOVERNMENT REFORM

SUBCOMMITTEE ON THE

DISTRICT OF COLUMBIA

TESTIMONY OF JOHN L. CLARK

CORRECTIONS TRUSTEE

FOR THE DISTRICT OF COLUMBIA

July 20, 2001

Testimony of John L. Clark
Corrections Trustee for the District of Columbia
Before the United States House of Representatives
Committee on Government Reform
Subcommittee on the District of Columbia
July 20, 2001

Good morning Chairwoman Morella, Congresswoman Norton and Members of the Subcommittee. Thank you for the opportunity today to discuss what I consider to be one of the most important issues facing the District of Columbia criminal justice system, the provision of well-coordinated services and supervision for offenders returning to the community after a period of incarceration.

Significant Progress over the Past Four Years: Admittedly, there is a great deal of work still to be done and serious challenges face the District, including a shortage of more than 250 halfway house beds for male prisoners. At the same time, it is also important to recognize that over the past four years since the passage of the Revitalization Act in 1997, significant progress has been made in achieving a more rational and effective re-entry of felons returning to the District from prison. This progress is undoubtedly having a favorable effect on the public safety of our city.

Prisoner Re-entry: Not just a Corrections Problem, but a Community Safety and Public Policy Issue

Approximately 2,500 convicted felons will return from prison to our city this year and similar numbers will return in future years. However, we will only be prepared for

this influx with careful interagency strategic planning. These offenders represent the most at-risk group of individuals to commit crimes on our streets. For many of them, there have been previous re-entry failures resulting in an early return to anti-social patterns and often to criminal behavior. It is well known that the first weeks, particularly up to the six-month mark, is the most difficult and critical time if an offender is to make a successful, crime-free re-entry.

At the same time, I have noted a growing recognition that the re-entry of felons from prison to the streets of the District is not simply a problem for the correctional system, but rather is one that significantly affects the safety of the community at large. It is being recognized that the ownership of the problem and the search for answers must extend to a much wider circle, to include the police, and other components of the criminal justice system, as well as to elected officials, community leaders, and the community at large. I am impressed with the recent sense of urgency in the City which has led to energetic joint planning and communication on this issue among various District and Federal agencies, as well as with some elected City Council leaders such as Judiciary Committee Chair Kathy Patterson. I would also recognize that Congresswoman Norton's intervention has had a very helpful, energizing effect on several occasions.

Historical Background: Some Problems, Some Progress

At the time of the Revitalization Act in 1997, minimal services were provided to felons returning to the District, most of whom were confined at the Lorton Complex under the jurisdiction of the D.C. Department of Corrections (DOC). For several years prior to 1998, DOC had discontinued its previous transitional halfway house program for felons being released. This action was taken in response to unfavorable publicity over previous operational problems. During the period of the mid-1990's, felons were simply

brought from Lorton to the D.C. Jail and released directly to the community with little support. During this interim period, halfway houses in the District were used only for court-ordered pretrial work release cases and a few sentenced misdemeanor offenders.

Loss of 300 Halfway House Beds in District in Recent Years: As a result of this temporarily reduced use in the mid-1990's and of serious physical plant deterioration, DOC closed two of the major halfway houses it operated in the District. Until its closure in 1996, Center One had a capacity of more than 200 on North Capitol Street, NW. Center Three on G Street, NE, housed up to 90 males. That site is now privately operated as the Fairview facility, holding female offenders for both the DOC and the Federal Bureau of Prisons (BOP). This center took over the function of a now closed private facility on Naylor Road, Southeast which had a capacity of about 50. Finally, 19 other previously available beds at transitional facilities operated by another experienced private vendor in Northwest, the Bureau of Rehabilitation, have also been closed. The total current halfway house bed capacity in the District of Columbia is about 700, including about 325 beds used for the local pretrial and sentenced misdemeanor population.

Recent Progress Improves Public Safety: In spite of the overall loss of capacity, some significant progress has been achieved based on changes in public policy. During the initial implementation of the Revitalization Act beginning in early 1998, top administrators from the DOC, Court Services and Offender Supervision Agency (CSOSA), the U.S. Parole Commission (USPC) and the Corrections Trustee began meeting in an effort to jointly re-institute and upgrade a transitional program for returning felons. Beginning in June 1998, virtually all felons being released on parole from the DC DOC were first placed into a highly structured halfway house program, modeled closely on the well-regarded federal model long used by the BOP, including several

enhancements such as extensive drug testing and close coordination with halfway house staff by CSOSA supervision officers who were placed directly into the transitional facilities. The Department of Corrections in particular is to be commended for its willingness to implement this program for parolees. Unfortunately, there has not been sufficient transitional bed space to place a number of prisoners being mandatorily released to the District without parole.

At the same time this was occurring, an increasing number of DOC cases were being transferred to the custody of the Bureau of Prisons as part of the Lorton closure process. By the end of 2001, the transfer of felons from the DOC to the custody of the BOP will be completed, and all those returning to the District will be the responsibility of the BOP. By long-standing policy and practice, the BOP releases most prisoners through structured transitional halfway house programs, including here in the District.

CSOSA has been tracking several performance measures to determine if these programs have been effective in the District, and I am sure they will be reporting their results in more detail to the subcommittee at this hearing. In summary, initial CSOSA indicators over the past three years regarding the re-arrest rate for parolees are very promising – the number of parolees arrested on new charges has dropped by more than 50 percent since May 1998. Likewise, it appears that the number of parolees being returned to prison as violators has also been reduced over this period.

This is all good news for the public safety of the District of Columbia, and indeed, these measures are likely to play a part in the continuing reduction of the local crime rate, thus making our community safer and the role of the Metropolitan Police Department at least a somewhat easier.

Community Transition Beds for Female Offenders: Both the BOP and the DOC have adequate halfway house beds for females. Currently, virtually all women sentenced under D.C. Code are serving their terms in BOP facilities and are being released through a 50-bed contract with the Reynolds and Associates at the Washington Halfway Homes program. Most women are placed in transitional halfway house programs for a period of at least three months. Both agencies contract with the same Washington Halfway Homes program, which has a total capacity of about 100 women.

Response to a Local Crisis in 2000

In the fall of last year, public and Congressional concern arose over well-publicized backlogs and delays in the transitional release processes affecting felons confined under District law and in the parole hearing processes. While the results of the policy decisions outlined above appeared to be very favorable, another practical effect of these positive changes in policy was that the greatly increased need for male halfway house beds on the part of DOC and BOP led to a significant shortage. In particular, there was a growing backlog of felons, including as many as 200 inmates awaiting parole in the DOC, whose releases from prison were being delayed due to an acute lack of halfway house bed space here.

At the same time, this halfway house capacity problem was further complicated because of the high usage of available DOC halfway house beds for other populations of pretrial cases and sentenced misdemeanor prisoners. In fact, there was a growing problem with daily backlogs of approximately 30-50 pre-trial work release cases ordered into halfway houses by judges of the Superior Court or Federal Court who were stuck in the D.C. Jail awaiting available beds. Further, there had been no space available for the

return of pretrial releasees in the Pretrial Services Agency's Intensive Supervision Program (ISP) who had become noncompliant with release conditions and who needed to be returned from home to placement in a halfway house. In September, there was a backlog of 18 such non-compliant cases still at-large in the community awaiting placement.

In view of the critical impact of the problems at hand, Congresswoman Norton and Deputy Attorney General Eric H. Holder requested that the Interagency Detention Work Group quickly formulate and implement an action plan to effectively address these problems. The Trustee was asked by Ms. Norton and Mr. Holder to facilitate the work of this interagency effort.

The principal agencies involved in this process through the Interagency Detention Work Group were the D.C. DOC, the BOP, CSOSA, the Pretrial Services Agency, the U.S. Parole Commission, the Superior Court, the Mayor's Office, and the Trustee's Office. A joint short-term action plan was quickly formulated in October and implementation steps began immediately. Three months later in January of this year, we were able to report significant progress to Ms. Norton and Mr. Holder, including the elimination of the backlogs noted above. The October interagency action plan and the January progress report have been provided to the Subcommittee in preparation for this hearing.

However, the immediate progress in eliminating backlogs based on short-term action steps could not mask the underlying problem: there simply are not sufficient halfway house beds in the District to meet the growing needs to house the various populations. The work group estimated the need to add at least 200 re-entry halfway

house beds locally to provide adequate services for the number of cases being returned to the District from prison.

Strategies to Mitigate Effects of Halfway House Capacity Shortage

Though the ongoing shortage of available transitional placement beds must be acknowledged, still some important lessons were learned in implementing the joint agency response. The strategies we employed in the short-term should be valuable in coping with the longer term problems until more halfway house space can be developed. For example:

1. Agency flexibility, systematic joint interagency planning, and cooperation are critical, including participation by institutional corrections staff (DOC AND BOP), the paroling authorities (USPC), the community supervision staff (CSOSA), high level District policy makers, and the operators of halfway houses and other community treatment programs. Further, each entity may have to be flexible enough to modify its ordinary practices to address this unusual situation of public need.

2. Prioritization and classification of prisoners for available services: If some felons must be returned without transitional placement, a joint process must be employed to systematically prioritize and classify the types of cases suited for each option. Organized screening will identify those cases with the greatest needs for placement into scarce halfway house beds.

3. Attention to individual risk assessments and recognition of special needs cannot be sacrificed in the crush of large systemic needs and strategies. There cannot be a "one size fits all" approach.

4. Use of available beds must be maximized, such as by employing shorter average placements than may have been traditional so as to increase turnover. For instance, previous average placements of four to five months were reduced to 60 to 90 days. In some cases, a 30 day placement for transitional services may be appropriate for those with verified and approved residence plans. Still, it is recognized that individual case planning is critical and the needs presented by some cases will require longer than average placements.

5. Expeditious approval of parole plans: In view of shortened periods of placement, it is critical for the halfway house and CSOSA supervision staff to be able to quickly complete the process of verifying and approving individual parole plans, including residence and employment.

6. Alternative methods of supervised re-entry must be utilized for cases where placement in a traditional halfway house is not possible. For example, particularly for the large number of non-violent felons who commit crimes to support their reoccurring substance addictions, direct placement into community-based drug treatment or assessment programs may be appropriate. Direct placement at home with day-reporting or other forms of close supervision by CSOSA community supervision officers is judged adequate for some. Although CSOSA was able to accommodate a number of cases into such direct placements in community drug treatment programs, it has not been funded to continue such alternative options on a longer-term basis.

Home confinement: As another alternative, BOP has a long established process of placing many cases from halfway houses into a highly structured program of home

confinement during the final weeks before release, provided they are employed and otherwise well adjusted. BOP is working with its local halfway house contractors to expand their use of this option beyond the 20 percent agency goal in order to free up additional beds.

Role of the Trustee

As in several other problematic areas in the local criminal justice system, the Trustee has been asked in this area of community corrections to play the role of a neutral broker, facilitating interagency planning and processes among other involved entities. Prior to assuming the role of Trustee, I had the opportunity at the Federal Bureau of Prisons to serve for six years as the agency's Assistant Director responsible for community corrections programs and halfway house operations around the country. During that period, I toured and reviewed operations at approximately 150 halfway houses in most of the 50 states. Often enough, I was heavily involved in various local controversies as to the siting of locations for new halfway house facilities in certain cities, not unlike some of the recent events in the District.

Based on that experience, while I recognize that the rejection of certain halfway house sites in the District is discouraging, it is not unusual. Our joint local efforts to find suitable sites cannot be dampened. The lack of halfway house beds should be viewed as a basic threat to public safety. As communities object to the establishment of halfway houses in their neighborhoods, it is far more important to have this type of supervised release through halfway houses than repeat the past practice of the 1990's when felons were released from secure confinement directly back into the community. We must take this period as an opportunity for community education. In that regard, I am encouraged

by initiatives such as this hearing and work by other leaders, such as the Mayor's Office and the City Council's Judiciary Committee.

Conclusion

Madam Chairwoman, this concludes my remarks. I would be pleased to respond to questions by the Subcommittee.

Mrs. MORELLA. Dr. Sawyer, welcome.

Are you the first woman to be the Director of the Bureau of Prisons?

Ms. SAWYER. Yes, I am. I've been Director since 1992.

Mrs. MORELLA. Since 1992. I remember, way back with James Bennett.

Ms. SAWYER. That's been quite a while, yes. Good morning, Madam Chairman and Congressman Norton, I too appreciate the opportunity to participate in this hearing. The need to provide programs and treatment of offenders to successfully reintegrate into the community is a critical aspect of the Bureau of Prisons mission. As has been stated many times this morning, our communities are directly impacted by the success or failure of these efforts.

The Bureau of Prisons is currently responsible for managing more than 150,000 inmates in 100 institutions scattered all around the country. Pursuant to the Revitalization Act, we are transferring D.C. code offenders into our facilities and today we have 5,835 D.C. Superior Court inmates in our custody, and we will absorb the remaining approximately 2,000 into our custody by the end of 2001. In addition, we have 1,170 D.C. offenders from the U.S. District Court also.

In the Bureau, released planning begins on the day that inmates arrive in our institutions. As such, we provide a variety of programs to prepare these inmates for an ultimate successful reintegration into society. Our programs stress the development work skills to enhance employability. The Bureau requires all of our inmates to work unless those with medical problems who cannot work. And approximately 25 percent of the Bureau's medically able sentenced inmates work in Federal prison industries. Research has demonstrated that inmates who work in prison industries or complete vocational training are 24 percent less likely to recidivate than those who do not and are 14 percent more likely to be employed following release from prison.

The Bureau requires that inmates who do not have a verified 12th grade education must participate in our literacy programs for a minimum of 240 hours or until they complete their GED. The Bureau also offers drug education and residential drug treatment programs to all inmates who have a treatment need. Research on our residential drug treatment program reveals that 3 years after release from custody inmates who complete our residential drug program are significantly less likely to be rearrested or to use drugs.

The Bureau also offers a variety of other programs directed toward enhancing personal responsibility. All Bureau facilities have parenting programs that provide inmates with opportunities to learn more about their children, child development and family skills. Our women's facilities operate intensive programs that focus on helping women who have histories of chronic abuse by addressing their victimization and enabling positive change.

Finally, near the end of their sentence, inmates take part in the release preparation program, which includes developing resumes, job seeking, job retention skills and presentations from community organizations and mock job fairs. The Bureau of Prisons' goal is to place inmates in halfway houses for the final portion of their terms of imprisonment.

Halfway houses, as has been stated, provide important opportunities for inmates to find a job, place to live, save some money, continue their drug treatment where necessary, and strengthen family and community ties. All of these factors contribute to the lower rate of recidivism and higher rate of employment among—that is found in research studies among offenders who do release from halfway houses compared to those who release without the benefit of halfway houses.

The halfway house programs contribute to public safety. The length of placement varies. It's up to 6 months, depending upon the offenders' needs. The national average for our Bureau of Prisons inmates is a placement in halfway house for 3 to 4 months, which we believe is a good number.

In the District of Columbia, however, because of the lack of availability of bed space, the offenders releasing there receive less than 60 days in a halfway house placement currently. As a result of the transfer to the Bureau of Prisons of the D.C. felons, we desperately need more halfway house beds. We do not operate any of our own halfway houses. They are all contracted out by providers. Prior to the awarding of a contract, the Bureau inspects the proposed sites. We conduct background checks on the staff and we carefully monitor any of these contracts once awarded.

Our efforts to secure halfway house contracts in D.C. have met substantial resistance. Recently, we had to cancel one procurement and limit our use of beds at another site. We currently have several open requests for procurement of additional halfway house beds that are outstanding, but based on the community reaction thus far, we are not optimistic that we're going to be able to secure any of those beds. The lack of halfway house beds not on disadvantages the offender, it disadvantages the community and the citizens because of an inmate's releasing into community the difficulties frustrations and failures that they face, including the potential return to criminality is going to be very frustrating for them and impact the community.

I appreciate you holding this hearing today to bring this important issue to the focus. The reality is that many of the residents and leaders who oppose siting halfway houses in their ward will be neighbors to these offenders who are returning directly from prison without the benefit of the halfway house program right into their communities. And so I'll be pleased to answer any questions that you might have.

Mrs. MORELLA. Thank you, Dr. Sawyer.

[The prepared statement of Ms. Sawyer follows:]

Department of Justice

STATEMENT

OF

KATHLEEN HAWK SAWYER
DIRECTOR, FEDERAL BUREAU OF PRISONS

BEFORE THE

SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA
HOUSE COMMITTEE ON GOVERNMENT REFORM

CONCERNING

PRISONER RELEASES IN THE DISTRICT OF COLUMBIA:
THE ROLE OF HALFWAY HOUSES AND COMMUNITY SUPERVISION
IN PRISONER REHABILITATION

PRESENTED ON

JULY 20, 2001

Good morning Chairwoman Morella, Delegate Eleanor Holmes Norton, and the other members of the Subcommittee on the District of Columbia. I appreciate the opportunity to participate, along with other representatives from the District of Columbia's criminal justice community, in this hearing that will draw needed attention to issues of great importance. The need to provide programs and treatment to offenders in order to increase their ability to successfully reintegrate into society is a critical aspect of the Bureau of Prisons' mission, and it is a matter that deserves all of our thought and attention-- for all of us are directly impacted by the success or failure of these efforts.

Before addressing the specific areas outlined for discussion today, I would like to provide you with some background regarding the Federal prison system and our emerging role in the District of Columbia. As a result of the enactment of the National Capital Revitalization and Self-Government Improvement Act of 1997 (The Revitalization Act) that included tasking the Bureau with responsibility for housing all sentenced felons from the District, our agency has assumed a much larger role in the District's criminal justice system. This new responsibility includes many significant challenges, particularly in light of the continuing dramatic growth in the Federal inmate population.

The Bureau of Prisons is responsible for managing more than 150,000 inmates, the vast majority of whom are sentenced in the 94 Federal district courts around the country. Others (1) are being held for the United States Marshals Service as pretrial offenders, (2) are being held for the Immigration and Naturalization Service, (3) are being held at the request of a State department of corrections to address specific management concerns associated with the offender, or (4) are serving sentences imposed in the District of Columbia Superior Court. There are currently 99 Federal prisons, with 3 more scheduled to open by the end of this year, and 26 more in some stage of development. The construction of new facilities is a necessary response to the unfortunate reality that growth in the Federal prison population shows no signs of abating. For each of the past 3 years there has been a net increase of more than 10,000 Federal inmates, and we project the population to reach 198,400 by 2006.

In addition to building new prisons, we rely on private prison companies to house our burgeoning inmate population. Most of the inmates that we send to private facilities are low security criminal aliens. In addition, pursuant to requirements of the Revitalization Act, we will have approximately 1000 sentenced felons from the District of Columbia in a privately operated

facility in North Carolina. We also have contracts with the Commonwealth of Virginia to house DC inmates in Virginia Department of Corrections facilities, as a means of keeping the offenders within reasonable proximity of the District until we complete construction of some of the new Federal prisons.

The Bureau of Prisons' ambitious construction schedule and appropriate use of privately operated facilities, and the availability of beds in Virginia Department of Corrections facilities, will allow us to meet the Revitalization Act requirement to absorb all of the sentenced felons from the District of Columbia by the end of 2001. However, having met that difficult requirement, does not conclude our work; just the opposite, for that is when the real work begins. For while the mission of the Bureau includes the provision of safe, secure and cost effective housing of inmates, it also includes the provision of opportunities to offenders to gain the skills and interventions that they will need to return to society as productive and law abiding citizens. We take this latter responsibility very seriously, and expect inmates to do the same; inmates are told shortly after their arrival to Federal prison that their release planning begins immediately. For many inmates, this planning means sitting down with institution staff and mapping out a course of programs that includes high school

classes (to earn the general equivalency degree (GED)), job skills training, and treatment for substance abuse or other psychological needs.

Inmate Care and Programs

Work Programs

All sentenced inmates in Federal correctional institutions are required to work, except for the relatively small number who are medically unable to do so. Most inmates are assigned to institutional maintenance jobs such as a food service worker, orderly, plumber, painter, warehouse worker, or groundskeeper. Due to current levels of crowding, most work details are comprised of more inmates than necessary to accomplish the particular task. Thus, staff must be continually creative to provide sufficient work opportunities.

Approximately 25 percent of the Bureau's medically able, sentenced inmates work in Federal Prison Industries (FPI), the Bureau's most important correctional program. Rigorous research has demonstrated that inmates who worked in prison industries or completed vocational programming were 24 percent less likely to recidivate than those who did not, and were 14 percent more likely to be employed following release from prison than their

non-participating peers. This study showed that inmates who returned to the community with the skills and training provided by working in FPI earned higher wages (and paid more in taxes), providing additional benefits to the community.

FPI does not receive any appropriated funding for its operations, and by statute must be economically self-sustaining. Operating off sales revenue, rather than appropriated funds, FPI precludes the need for alternative inmate programs, lowering annual prison management costs to taxpayers by hundreds of millions of dollars. Not only does FPI not cost taxpayers any money, a recent independent study concluded that there is a significant net benefit to society in terms of avoiding the financial and social costs of future criminality.

Educational and Vocational Programs

All Bureau of Prisons institutions offer a variety of educational programs and occupational and vocational training programs based on the vocational training needs of the inmates, general labor market conditions, and institution labor force needs. Through all of these programs, inmates gain knowledge and skills that help them become gainfully employed upon release and avoid new criminal conduct. These important programs, which have been shown by Bureau research to significantly reduce recidivism, are

a cornerstone of the Bureau's commitment to addressing the education deficits with which inmates begin their incarceration. The Bureau requires that, with few exceptions, inmates who do not have a verified 12th-grade education participate in the literacy program for a minimum of 240 hours or until they obtain the GED credential. Non-English speaking inmates are required to participate in an English as a Second Language program until they are proficient in oral and written English. Institutions also offer literacy classes, adult continuing education, and post-secondary courses that are vocationally oriented. At present, just over one-third of all inmates are enrolled in one or more educational classes.

Drug Abuse Programs

In 1989, the Bureau revamped its substance abuse program and designed a comprehensive substance abuse treatment strategy in an effort to change inmates' criminal and substance-abuse behaviors. In the drug abuse education component, inmates receive information about alcohol and drugs and the physical, social, and psychological impact of abusing these substances. Inmates who are identified as having a further need for treatment are encouraged to participate in non-residential or residential drug abuse treatment, depending on their individual treatment needs. Non-residential drug abuse treatment and counseling are available

in every Bureau institution. Treatment includes individual and group therapy, as well as specialty seminars and self-improvement group counseling programs.

The most intensive drug abuse treatment in the Bureau is the residential drug abuse treatment program which is provided in 47 Bureau institutions. This treatment is designed for the approximately 34 percent of offenders with a diagnosed substance abuse or dependency disorder. The residential program provides intensive treatment, 5 to 6 hours a day, 5 days a week for 9 months. The remainder of each day is spent in education, work skills training, and other inmate programs. Upon completion of a residential substance abuse treatment program, aftercare treatment services are provided in the general population and in community corrections centers to ensure an effective transition from the residential program to the community.

A rigorous analysis of the residential drug treatment program conducted by the Bureau's Office of Research and Evaluation revealed that three years after release from custody, inmates who completed the Bureau's Residential Drug Abuse Treatment Program were significantly less likely to be rearrested and to use drugs, when compared to similar offenders who did not participate in the residential treatment. These findings indicate that the Bureau's

residential drug abuse treatment programs make a significant difference in the lives of inmates following their release from custody and return to the community. Because of the success of this program, it will be expanded to an additional 10 locations by the end of Fiscal Year '02 to ensure that 100 percent of eligible inmates continue to receive residential drug abuse treatment programming.

Other Treatment Programs

Changing Criminal Thinking

Encouraged by the positive results of the residential substance abuse treatment program, the Bureau has implemented a number of new residential programs for special populations (including younger, high security, and intractable, quick-tempered inmates) who are responsible for much of the misconduct that occurs in Federal prisons. The cognitive restructuring approach used in the drug treatment programs was carried over as the foundation for programs to change the criminal thinking and behavior patterns of inmates. These programs focus on inmates' emotional and behavioral responses to difficult situations. While too early to assess value in terms of reducing recidivism, we have found that these programs significantly reduce inmates' involvement in institution misconduct. Previous studies have

shown a strong relationship between institution misconduct and recidivism, so we are hopeful that the full evaluations of these programs will confirm their effect in reducing recidivism.

Religious Programs

The Bureau of Prisons' offers religious programs to provide inmates with opportunities to grow spiritually; to deepen their religious beliefs; to strengthen their religious convictions; and to reconcile with their God. Bureau institutions schedule services and meeting times for inmates of many religions and faiths. Religious programs are led or supervised by staff chaplains, contract spiritual leaders, and community volunteers of a variety of faiths. Chaplains provide and oversee inmate self-improvement forums such as scripture study and religious workshops and are available upon request to provide pastoral care, spiritual guidance, and counseling to inmates. Inmates may also request spiritual counseling from community representatives. Inmates are able to observe religious holy days and are able to wear and use religious items consistent with both their faith and with the security, safety, and good order of the institution. A religious alternative diet is available to those inmates whose religious beliefs include special diets. This year the Bureau will implement a faith based pilot program at four geographically

diverse institutions. We expect that at least some DC inmates will benefit from this new pilot program.

Parenting

All Bureau facilities have parenting programs that provide inmates with opportunities to learn more about children, child development, and family skills. In some institutions, Children's centers, adjacent to visiting rooms, provide a warm, child-centered setting, where inmates can spend time working to strengthen their relationship with their children. Video-to-Child programs allow inmates to videotape themselves reading books or telling stories and then to send the tapes to their children.

Anger Management

Anger management programs are also available in Bureau institutions. These programs teach inmates to improve their ability to manage anger and stressful situations through the use of cognitive restructuring, communication, and stress management techniques. Inmates discuss scenarios that might provoke anger, and role play effective responses to these challenges.

Medical Care

It is an unfortunate reality that inmates typically have greater health care needs than the average citizen. Many offenders have

long-standing medical and dental concerns which either have been neglected in the past, or which have resulted from dysfunctional lifestyles involving drugs or alcohol abuse. As a result, many inmates may be as much as 10 years older physiologically than their chronological age -- a fact that has clear implications for health care programming and costs. Our limited experience with the DC inmate population prevents us from drawing any conclusions regarding their medical needs at this point.

Programs for Female Inmates

Recognizing that female offenders have different social, psychological, educational, family, and health care needs, the Bureau continues to design and implement special programs for female offenders. Several facilities operate intensive programs that focus on helping women who have histories of chronic sexual, emotional, or physical abuse by addressing their victimization and enabling positive change. The Bureau also operates the Mothers and Infants Together (MINT) program for minimum security inmates who are pregnant. These offenders are housed in a community corrections center during their last two months of pregnancy, and remain there for three months after giving birth, in order to bond with the child.

Release Preparation

The Bureau complements its array of programs with a specific Release Preparation Program in which inmates become involved near the end of their sentence. The program includes classes in resume writing, job seeking, and job retention skills. The program also includes presentations by officials from community-based organizations that help ex-inmates find employment and training opportunities after release from prison. Mock job fairs are also provided to instruct inmates in appropriate job interview techniques and to expose community recruiters to the skills available among the inmate population.

Community Corrections (Halfway Houses)

Like many departments of corrections across the country, the Bureau of Prisons places most inmates in halfway houses for the final portion of their term of imprisonment to help offenders gradually re-adapt to their community environment. Many of the programs and treatment that offenders receive in the correctional institutions are reinforced during their stay in the community corrections centers. Halfway houses provide an important opportunity for offenders to find a job and a place to live, save some money, complete drug treatment (in some cases) and strengthen ties to family and friends. All of these factors

contribute to the lower rate of recidivism and higher rate of employment found in research studies among offenders released through halfway houses compared to those released directly to the street. In other words, halfway house programs contribute significantly to public safety.

The average length of stay for inmates in halfway houses is 4-5 months; the length of placement varies, up to 6 months, depending on the offenders' need to make arrangements to reintegrate into the community (such as establishing a residence and securing employment). In the District of Columbia the average is closer to 60 days due to the difficulty in securing spaces in halfway houses.

As a result of the transfer to the Bureau of Prisons of sentenced felons from the District of Columbia, the Bureau needs additional halfway house beds in the District. Our efforts to secure these additional beds have met substantial resistance. The siting of halfway houses is a complicated issue in many cities, and the District of Columbia is no exception, particularly given the relatively small geographic area that comprises the nation's capital.

The Bureau of Prisons will not site a halfway house where there is strong and wide spread community opposition; as this would not

promote an environment conducive for inmates reintegration into the community. Recently, the Bureau modified the requirements on halfway house providers regarding the notice they provide to the community in advance of a contract award, and the Bureau provides direct notification of contract proposals to the communities. These notifications are intended to ensure that the community has sufficient time and information to consider halfway house placements, and provide the Bureau with input regarding the potential siting.

The Bureau of Prisons does not operate any halfway houses, rather all of them are operated by private providers under contract with the Bureau. Prior to awarding a contract, the Bureau inspects the proposed site and conducts background checks on all proposed contract staff. The Bureau carefully monitors performance under such contracts, conducting regular (scheduled and unscheduled) site visits. Repeated findings of deficiencies lead to withholding funds, contract modifications and even contract termination on occasion.

The Bureau complements its use of halfway houses with home confinement. Some inmates are placed in home confinement for a brief period at the end of their prison terms. They serve this portion of their sentences at home under strict schedules, curfew requirements, telephonic monitoring, and sometimes electronic

monitoring. The supervision is provided by staff at the halfway houses. After release from the halfway house or from the institution (for inmates not released through a halfway house), most inmates have a period of supervised release under the supervision of the U.S. Probation Office, or in the case of DC offenders, by the Court Services and Offender Supervision Agency.

The Bureau of Prisons remains very concerned about the resistance in the community to siting community corrections centers. Not only does it disadvantage the returning offenders, it disadvantages the citizens in the community who will be directly harmed by the offenders difficulties, frustrations, and failures including repeat criminality, in trying to return to a community that rejects them. We continue to work with our fellow law enforcement agencies, city officials, and representatives of the community to develop approaches to these issues that best meet the needs of all parties. Staff from the Bureau of Prisons have participated in planning sessions coordinated by the Mayor's office, roundtable discussions with members of the city council, public forums, and meetings with the companies that operate halfway houses.

I appreciate the opportunity to discuss the programs and operations of the Federal Bureau of Prisons and the challenges

that we are facing. I would be pleased to answer any questions you have.

Mrs. MORELLA. And now I'm pleased to recognize Police Chief Charles Ramsey. I know you're very busy, Chief, and I appreciate you being here.

Chief RAMSEY. Thank you, Madam Chair, and Congresswoman Norton, members of the subcommittee staff, I appreciate the opportunity to present this brief statement concerning the Metropolitan Police Department's role in building an effective offender reentry system that serves our parolees while protecting District of Columbia neighborhoods.

The public safety challenges posed by prisoners release to the community have always been formidable. Over the years, studies have consistently shown that up to two-thirds of released prisoners are rearrested within 3 years, and 4 in 10 are returned to prison or jail. As Deputy Mayor Kellems and other witnesses have pointed out, meeting these challenges requires the ideas and information and resources of more than one agency. To effectively manage offenders released back to the community, our criminal justice agencies must work together while the structure of the District's criminal justice system with a combination of local and Federal agencies adds an extra layer of complexity to this task, we are working hard and effectively to forge the type of partnerships that are critical to our success.

That spirit of partnership is exemplified by the joint offender supervision program under way between the Metropolitan Police Department and the Court Services and Offender Supervision Agency [CSOSA]. This program known as the MPD CSOSA partnership was started on a pilot basis almost 3 years ago in police service area 704 in the 7th police district.

Approximately 1 year later, the pilot program was expanded to an additional 11 PSAs, and based on our success in these areas, we've begun the process of expanding the program to every police district and every PSA in the District of Columbia.

The MPD CSOSA partnership is designed to reduce recidivism by providing more consistent and intense of supervision of offenders released from prison back to the community. The program goals are to ensure that parolees follow their conditions of release, that they are taking advantage of the reentry opportunities available to them, and that they are not engaging in further criminal activity.

Basically, the program has three components. First, the sharing of information between CSOSA and the Metropolitan Police Department; second, home visits of releasees by CSOSA an and MPD personnel; and third, orientation sessions in which parolees and probationers learn about the program. And the resources information sharing is absolutely critical to the effective offender supervision. As the criminal justice officials who are out on the street 24 hours a day, 7 days a week, our PSA officers must have access to information about parolees released back to the communities our officers patrol, not just who they are and where they live, but also what specific conditions of release they're required to follow.

This information is essential from a prevention standpoint. A central element of our policing for prevention community policing strategy is for our officers to get to know the individuals in their PSAs, including those who have committed crimes in the past.

This information is also critical from an investigative standpoint. When crimes do occur, we need up to date information on who the recent parolees are, where they live and what their criminal histories are. Under our partnership program, CSOSA will be making this type of information available to our PSA teams. Through increased automation, our agencies will continue to work at streamlining the process and making the information more timely and complete. But the foundation of trust and cooperation has been established. The second program component involves Metropolitan police officers and CSOSA community supervision officers following up with individual parolees and probationers in their homes what we call accountability tours.

For decades, the basic approach to community supervision in our country has been to require the parolees to initiate regular contacts with their parole officers, usually in person or over the telephone. With this partnership program, we're changing the whole dynamic of this process. Now for selected parolees, it is police officers and CSOSA members who initiate the contact through joint visits to the parolees homes. These visits allow us to observe parolees in their environment and to more closely monitor their reentry progress, or lack thereof. There type of direct hands on monitoring is particularly important for releasees with known substance abuse problems who may be under specific conditions to avoid alcohol, drugs or individuals known to traffic in illegal drugs. And these home visits also sends a very powerful message to both the individual parolees and to the community that we take our supervision responsibilities seriously and are committed to protecting the community by keeping a close eye on parolees.

The third program component, orientation sessions for releasees are important from a systemic prevention perspective. At these sessions, the parolees and probationers have their photos taken and they learn about the MPD CSOSA partnership and the enhanced supervision it involves. As importantly the parolees and probationers learn about the resources available to support their successful reintegration into the community from education to job training, employment services to substance abuse assistance, to name a few. Getting these individuals off to a good start, providing them with the tools they need and the incentives to use them is vitally important. I should point out that our department is working with our Federal partners on similar intensive supervision program for defendants at the beginning of the criminal justice process, those that have been released to the community pending trial. That program is called CORE, or Conditions of Release Enforcement Program. Working with the U.S. attorneys officer and pretrial services agency officers in selected PSAs have been using CORE to aggressively enforce conditions of pretrial release, and to do so quickly effectively and without the bureaucracy that has characterized pretrial enforcement in the past.

Now CORE is being expanded district-wide as well. Basically, the program allows our officers when they observe defendants who violate their conditions of release to immediately arrest those violators upon finding probable cause of a violation. This is a significant reform that is, once again, sending a strong message to pretrial defendants in the communities where they live.

As you've heard today, there are many aspects to building a comprehensive and effective reentry system for offenders released from prison back to our communities. Law enforcement is just one component of that system, but a critical component nonetheless, in monitoring individual parolees, assisting them in assessing prevention resources, and working to put our communities—to protect our communities.

But law enforcement cannot achieve this goal on our own. That's why we're establishing a partnership program that we have, such as the one I've just outlined here today. Thank you very much for giving me the opportunity to speak here this morning. I'll be glad to answer any questions.

Mrs. MORELLA. Thank you, Chief Ramsey.

[The prepared statement of Chief Ramsey follows:]

Hearing on Prisoner Releases in the District of Columbia – The Role of the Halfway Houses and Community Supervision in Prisoner Rehabilitation

United States House of Representatives
Committee on Government Reform
Subcommittee on the District of Columbia

The Honorable Constance A. Morella
Chairwoman

Testimony of
Charles H. Ramsey
Chief of Police
Metropolitan Police Department

July 20, 2001

Rayburn House Office Building
Room 2154

Madame Chair, members of the Subcommittee, staff, and guests – I appreciate the opportunity to present this brief statement concerning the Metropolitan Police Department's role in building an effective offender re-entry system that serves our parolees while protecting District of Columbia neighborhoods. The text of my remarks is available on our Department's Web site – www.mpdc.org.

The public safety challenges posed by prisoners released to the community have always been formidable. Over the years, studies have consistently shown that up to two-thirds of released prisoners are rearrested within three years, and 4 in 10 return to prison or jail. These challenges, however, have intensified in recent years, for two reasons. First, with record incarceration rates over the last two decades, we now are managing more releasees in the community than ever before. Second and just as important, as the correctional philosophy in our nation has moved away from rehabilitation, with a greater emphasis on punishment, offenders are returning to the community with fewer skills and other resources that can help them make a smooth, crime-free adjustment back to the community. So the challenges we face with managing recidivism – here in the District of Columbia and, frankly, in communities across the country – have never been more substantial.

As Deputy Mayor Kellems and other witnesses have pointed out, meeting these challenges requires the ideas, information and resources of more than any one agency. To effectively manage offenders released back to the community, our criminal justice agencies must work together. While the structure of the District's criminal justice system – with a combination of local and federal agencies – adds an extra layer of complexity to this task, we are working hard, and effectively, to forge the type of partnerships that are critical to our success.

That spirit of partnership is exemplified by the joint offender supervision program under way between the Metropolitan Police Department and the Court Services and Offender Supervision Agency (CSOSA). This program – known as the MPDC–CSOSA Partnership – was started on a pilot basis almost three years ago in Police Service Area 704, in the Seventh Police District. Approximately one year later, the pilot program was expanded to an additional 11 PSAs. And based on our success in these areas, we have begun the process of expanding the program to every police district and every PSA in the District.

The MPDC–CSOSA Partnership is designed to reduce recidivism by providing more consistent and intensive supervision of offenders released from prison back to the community. The program goals are to ensure that parolees follow their conditions of release, that they are taking advantage of the re-entry opportunities available to them, and that they are not engaging in further criminal activity. Basically, the program has three key components: first, the sharing of information between CSOSA and the MPD; second, home visits of releasees by CSOSA and MPD personnel; and third, orientation sessions, in which parolees and probationers learn about the program and the resources available to them.

Information sharing is absolutely critical to effective offender supervision. As the criminal justice officials who are out on the street – 24 hours a day, 7 days a week – our PSA officers must have access to information about parolees released back to the communities our officers patrol: not just who they are and where they live, but also what specific conditions of release they are required to follow. This information is essential from a prevention standpoint – a central element of our "Policing for Prevention," community policing strategy is for officers to get to know the individuals in their PSAs, including those who have committed crimes in the past. This information is also critical from an investigative standpoint – when crimes do occur, we need up-to-date information on who the recent parolees are, where they live and what their criminal histories are. Under our partnership program, CSOSA will be making this type of information available to our PSA teams. Through increased automation, our agencies will continue to work at streamlining the process and making the information more timely and complete. But the foundation of trust and cooperation has been established.

The second program component involves Metropolitan Police officers and CSOSA community supervision officers following up with individual parolees and probationers in their homes – what we call "accountability tours." For decades, the basic approach to community supervision in our country has been to require the parolees to initiate regular contacts with their parole officers – usually in person or over the telephone. With this partnership program, we are changing the whole dynamic of this process. Now, for selected parolees, it is police officers and CSOSA members who initiate the contact through joint visits to the parolees' homes. These visits allow us to observe parolees in their environment and to more closely monitor their re-entry progress (or lack thereof). This type of direct, hands-on monitoring is particularly important for releasees with known substance abuse problems who may be under specific conditions to avoid alcohol, drugs or individuals known to traffic in illegal drugs. And these home visits send a very powerful message – to both the individual parolees and to the community – that we take our supervision responsibilities seriously and are committed to protecting the community by keeping a close eye on parolees.

The third program component – orientation sessions for releasees – are important from a systemic prevention perspective. At these sessions, the parolees and probationers have their photos taken, and they learn about the MPDC–CSOSA Partnership and the enhanced supervision it involves. As importantly, the parolees and probationers learn about the resources available to support their successful reintegration into the community – from education to job training, employment services to substance abuse assistance, to name a few. Getting these individuals off to a good start – providing them with the tools they need and the incentives to use them – is vitally important.

I should point out that our Department is working with our federal partners on a similar, intensive supervision program for defendants at the beginning of the criminal justice process – those who have been arrested and released to the community pending trial. That program is called CORE, or the

Conditions of Release Enforcement program. Working with the U.S. Attorney's Office and the Pretrial Services Agency, officers in selected PSAs have been using CORE to aggressively enforce conditions of pretrial release – and to do so quickly, effectively and without the bureaucracy that has characterized pretrial enforcement in the past. Now, CORE is being expanded District-wide as well. Basically, the program allows our officers, when they observe defendants who violate their conditions of release, to immediately arrest those violators upon finding probable cause of a violation. This is a significant reform that is, once again, sending a strong message to pretrial defendants and to the communities in which they live.

As you have heard today, there are many aspects to building a comprehensive and effective re-entry system for offenders released from prison back to our communities. Law enforcement is just one component of that system, but a critical component nonetheless – in monitoring individual parolees, assisting them with accessing prevention resources, and working to protect our communities. But law enforcement cannot achieve these goals on our own.

That is why establishing partnership programs such as the ones I have outlined today is so important. By teaming up with our partners in the Court Services and Offender Supervision Agency, the U.S. Attorney's Office and other criminal justice agencies, the Metropolitan Police Department is working to leverage – and maximize – the law enforcement resources we bring to the table. The results, I believe, can be more successful re-entry for offenders, reduced recidivism rates and, most important, safer communities throughout the District of Columbia.

Mrs. MORELLA. Now I'm pleased to recognize Chairman Reilly.

Mr. REILLY. Good morning, or good afternoon now, Chairman Morella and Congresswoman Norton, members of the panel and staff. I am indeed privileged for the opportunity to testify about the critical problems faced by the U.S. Parole Commission with regard to the use and availability of halfway houses in the District of Columbia. Beginning in 1998, when the paroling authority of the District of Columbia Board of Parole was transferred to the Commission pursuant to the Revitalization Act of 1997, we understood that many reforms would be needed in the management and usage of halfway houses in the District. Yet the commission was reasonably confident that with Federal money and resources the District of Columbia halfway house system could be gradually brought into line with Federal standards with regard to prisoners being prepared for release on parole.

Unfortunately, this has not yet been achieved. The present shortage of halfway house bed space significantly impedes the ability of the Commission and our justice system partners, including the Court Services and Offender Supervision Agency to operate an effective parole system for the District.

Let me first describe a few vital functions and dual role that halfway houses have served in the Federal correctional parole system. First, prior to the date of their release, halfway houses provide prisoners with the controlled transition into society. This is critical to their future success on parole or supervised release. It has been determined that stays in halfway houses are beneficial for virtually all prisoners preparing for release, particularly in improving their employment prospects. Prisoners who truly must spend a period of time in a halfway house before going on parole are those who lack a suitable residence and/or employment, and those who need a structured setting to accustom them to the need for compliance with conditions of parole. The Commission strongly believes, based upon both experience and documented research, that an appropriate prerelease halfway house stay significantly reduces the risk of recidivism that would otherwise result from sending prisoners into a community unprepared.

Second, halfway houses serve as an alternative sanction to revocation of parole. This type of alternative sanction, oftentimes called halfway back, is justified in the case of parolees who violate the conditions of parole but not in a way so serious as to require sending them back to the institution.

Temporary placement in a halfway house or residential sanction center can be an effective alternative to revocation of parole. These functions were not being served by halfway houses in the District of Columbia when the Commission began to assume its Revitalization Act responsibilities.

Since then the Commission and its partner agencies have re-established the use of halfway houses for the prerelease transition process. But widespread delays in halfway house placements have persisted. Even though the transfer of the District's remaining prisoner population to the Bureau of Prisons will be completed over the next few months, we are facing a shortage of halfway house bed spaces that are allocated for the Bureau of Prison's use.

I have been advised that the Bureau has only 203 halfway house beds available for all commitments for which is responsible in three facilities. At this time, only 79 of these beds are occupied by prisoners with parole dates. Yet there soon will be approximately 130 to 150 prisoners being released each month from Federal facilities to begin parole or mandatory released supervision in the District of Columbia.

Let me address how the current shortfall is affecting the Commission's operations and our ability to help reduce recidivism rates in the District. The first consequence of the halfway house bed space shortage is that the Commission has to cease its former practice of routinely delaying parole dates until prisoners could be transferred to their assigned halfway houses.

The Commission formally retarded parole dates at the request of the Department of Corrections so as to ensure that all paroled prisoners would be released through a halfway house. The policy of releasing paroled prisoners through a halfway house was a subject of memorandum of understanding between the Commission, the Department of Corrections, and the trustees and initiated to facilitate the release planning process carried out by CSOSA.

However, this practice, combined with other problems, had the unintended consequence of building up a major backlog of several hundred prisoners with delayed parole dates. The second consequence of the halfway house shortage is the Commission and CSOSA will continue to be unduly restricted in their ability to manage parolee population and reduce recidivism, promote public safety and ultimately engender the confidence security and goodwill of the community.

At present, the Commission issues an average of 63 District of Columbia parole violation warrants per month and returns to prison by revoking parole of over 700 parolees per year. In the majority of low level violation indications, we ask CSOSA to place the parolee in its graduated sanctions program or to continue working with the parolee in the hope of successful behavior modification. For this program to work, we need to have a residential sanctions facility or additional halfway house capacity. If the commission cannot place these parolees in halfway houses, for example, to sanction persistent technical violators, revocation of parole for such violators becomes more or less inevitable because their violation behaviors frequently turn more serious as time goes on.

The bottom line is that a successful parole or supervised release system requires this basic tool to reduce recidivism. A temporary return to halfway house is necessary for many offenders in order to avoid a return to crime.

In conclusion, I would emphasize that opening more new halfway houses or residential sanction center facilities in the District of Columbia is ultimately the only solution to the problem. Otherwise, Federal and District of Columbia courts and agencies will continue to compete for the use of too few beds and spaces to go around. Failure to provide additional bed spaces means that prisoners who gain parole or mandatory release will be going into the community but without a service that keeps them under surveillance and gives them the services they need to maximize their chances of success. Failure increases the likelihood that parole offenders will return to

crime in the communities where they were released or where they returned. And that is what we are all trying to prevent.

I thank you, Madam Chairman, for the opportunity to appear before the committee today and will look forward to answering any questions you might have.

Mrs. MORELLA. Thank you, Chairman Reilly.

[The prepared statement of Mr. Reilly follows:]

Department of Justice

STATEMENT

OF

EDWARD F. REILLY, JR.
CHAIRMAN
UNITED STATES PAROLE COMMISSION

BEFORE THE

SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA
COMMITTEE ON GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES

CONCERNING

THE ROLE OF HALFWAY
HOUSES AND COMMUNITY SUPERVISION IN PRISONER
REHABILITATION

PRESENTED ON

JULY 20, 2001

Good morning Chairwoman Morella, Delegate Norton, and Members of the Subcommittee. I am grateful for the opportunity to testify today about the critical problems faced by the United States Parole Commission with regard to the use and availability of halfway houses in the District of Columbia for released prisoners under its jurisdiction.

Beginning in 1998, when the paroling authority of the District of Columbia Board of Parole was transferred to the Commission pursuant to the National Capital Revitalization and Self-Government Improvement Act of 1997, we understood that many reforms would be needed in the management and usage of halfway houses in the District of Columbia. We knew that halfway houses in the District of Columbia had a very troubled history, and were expected to serve large numbers of released prisoners, probationers and pretrial detainees to a degree that clearly overtaxed the system. Yet, the Commission was reasonably confident that, with Federal money and resources, the District of Columbia halfway house system could be gradually brought into line with Federal standards, with regard to prisoners being prepared for release on parole.

Unfortunately, this result has yet to be achieved. The present shortage of halfway house bed space significantly impedes the ability of the Commission and our justice system partners, including the Court Services and Offender Supervision Agency (CSOSA), to operate an effective parole system for the District of Columbia.

Let me first describe the vital functions and dual role that halfway houses have served in the Federal correctional/parole system.

First, prior to the date of their release, halfway houses provide prisoners with a controlled transition into society. This is critical to an inmate's future success on parole or supervised release. It has been determined that stays in halfway houses are beneficial for virtually all prisoners preparing for release (particularly in improving their employment

prospects). The Bureau of Prisons (BOP) has a policy of transitioning all offenders who are appropriate for community based programs through its halfway house program. (Some prisoners are facing detainers from other jurisdictions or are behaviorally inappropriate for halfway house residency.) I have been advised that the Bureau currently releases around 75 percent of its eligible Federal prisoners through halfway houses. Halfway house stays in the Federal system generally average between 4 to 5 months, but may be as much as 6 months if deemed necessary. Prisoners who truly must spend a period of time in a halfway house before going on parole are those who lack a suitable residence and/or employment, and who require a structured setting to accustom them to the need for compliance with the conditions of parole.

The Commission strongly believes, based upon both experience and documented research, that an appropriate prerelease halfway house stay significantly reduces the risk of recidivism that would otherwise result from sending prisoners into the community unprepared. This conclusion is supported by two research studies by the BOP.[1] Moreover, prisoners who fail to follow the rules of a halfway house can be promptly returned to prison. Halfway houses thereby serve as a valuable testing ground for a prisoner's ability to conform to the conditions of parole supervision.

Second, halfway houses serve as an alternative sanction to revocation of parole. This type of alternative sanction (sometimes called "halfway back") is justified in the case of parolees who violate the conditions of parole, but not in a way so serious as to require sending

[1] See "An Evaluation of Community Treatment Centers," by James L. Beck, 43 Federal Probation 3 (1979) at 36-40; and "Employment, Community Treatment Center Placement, and Recidivism," by James L. Beck, 45 Federal Probation 4 (1981) at 3-8.

them back to prison. Many parole violators fall into this category, and temporary placement in a halfway house or residential sanctions center can be an effective alternative to parole revocation. In the Federal system, we even have express statutory authority for this type of halfway house usage. See 18 U.S.C. §4209 (c)(1) and §4214 (d)(4) (1976).[2]

Neither of these functions were being served by halfway houses in the District of Columbia when the Commission began to assume its Revitalization Act responsibilities in 1998. We, and the appointed trustees for corrections and offender supervision, found that the District of Columbia Department of Corrections had virtually ceased using halfway houses for prisoners released on parole in response to earlier negative publicity. Compounding the problem, the District of Columbia Board of Parole had no halfway house space available for parolees as an alternative to revocation and return to prison.

Since then, the Commission and its partner agencies (CSOSA, the BOP, and the Department of Corrections) have reestablished the use of halfway houses for the prerelease transition process. However, widespread delays in halfway house placements have persisted. Even though the transfer of the District's remaining prisoner population to the BOP will be completed by the BOP over the next few months, we are facing a shortage of halfway house bed spaces that are allocated for BOP use. I have been advised that the Bureau has only 203 halfway house bed spaces available for all commitments for which it is responsible in three facilities: Hope Village, B.R.I., and Reynolds Associates. At this time, only 79 of these beds are occupied

[2] These laws were repealed in 1984, but saved as to all Federal offenders whose crimes were committed prior to November 1, 1987 (the parole-eligible population). See Editorial Note to 18 U.S.C. § 3551.

by prisoners with parole dates. Yet, there soon will be approximately 130 to 150 prisoners being released each month from Federal facilities to begin parole or mandatory release supervision in the District of Columbia. In order for these prisoners to have average halfway house stays of just 60 days, the Bureau would need to have around 285 bed spaces reserved for the purpose.

Unless sufficient halfway house bed space is acquired, many District of Columbia Code offenders who need a halfway house transition to maximize their chances of success on parole will have to be released from Federal prisons directly into their home communities, or after halfway house stays that are too short to achieve their purpose. The District halfway house bed space shortage also means that the Commission will continue to lack adequate alternatives to revocation of parole for many parolees who might otherwise be turned around by a residential sanctions center or halfway house placement without having to go back to prison.

Let me address how the current shortfall is affecting the Commission's operations, and our ability to help reduce recidivism rates in the District of Columbia.

The first consequence of the halfway house bed space shortage is that the Commission has had to cease its former practice of routinely delaying parole dates until prisoners could be transferred to their assigned halfway houses. The Commission formerly retarded parole dates at the request of the Department of Corrections, so as to ensure that all paroled prisoners would be released through a halfway house. The presumption of releasing paroled prisoners through a halfway house originated in a memorandum of understanding executed in May, 1998 by the Commission, the D.C. Department of Corrections and the trustees for corrections and offender supervision, and was initiated to facilitate the release planning process carried out by CSOSA

community supervision officers. However, this practice, combined with problems such as delays in the transmittal of information on the intended releasees from prison staff to community corrections staff, had the unintended consequence of building up a major backlog of several hundred prisoners with delayed parole dates. In addition to contributing to prison overcrowding, this situation contributed to an overall erosion in the public's confidence regarding our ability to manage prisoners.

On the other hand, even under the policy of the BOP, the majority of District of Columbia prisoners will continue to be suitable for halfway house placements that cannot be implemented. The more the Commission is forced to parole these prisoners directly into the community without an adequate halfway house stay, the more warrants the Commission will have to issue for those who fail to make a successful adjustment to parole supervision. Thus, recidivism and higher imprisonment rates are going to result from the shortfall in halfway house space, no matter what policy the Commission follows.

The second consequence of the halfway house shortage is that the Commission and CSOSA will continue to be unduly restricted in their ability to manage the parolee population, reduce recidivism, promote public safety and ultimately engender the confidence, security and goodwill of the community. At present, the Commission issues an average of 63 District of Columbia parole violation warrants per month, and returns to prison, by revoking parole, over 700 parolees per year. This is a 20 percent rate of reimprisonment out of a parolee population of around 3,342 active supervision cases. The need to conduct so many revocation hearings has severely strained the Commission's limited staff and hearing examiner resources. But the revocation rate does not nearly account for all recidivism by parolees. The true parole violation

rate for District of Columbia parolees appears to approach 50 percent, counting all technical violations as well as new misdemeanors and felonies. The Commission declines to issue warrants in the majority of low-level cases. Instead, we ask CSOSA to place the parolee in CSOSA's "graduated sanctions" program, or to continue working with the parolee in the hope of successful behavior modification. For this program to work, we need to have a residential sanctions facility or additional halfway house capacity.

It is important to emphasize that, although CSOSA has the funding and the ability to require parolees with drug problems to enter residential treatment programs, and a limited halfway back program for some other types of violators, the need for more residential sanction facilities within the community is critical. If the Commission cannot place these parolees in halfway houses (for example, to sanction persistent technical violators, and to correct chronic unemployment or failure to keep a suitable residence), revocation of parole for such violators becomes more or less inevitable because their violation behaviors frequently turn more serious as time goes on.

The bottom line is that a successful parole or supervised release system requires this basic tool to reduce recidivism. A temporary return to a halfway house is necessary for many offenders in order to avoid a return to crime. In most jurisdictions across the United States, halfway house placements for parolees or those on supervised release are regularly and frequently employed, but not in the District of Columbia simply because we lack the bed space.

In closing, I wish to make clear that opening more new halfway house or residential sanction center facilities in the District of Columbia is of both immediate and critical importance.

Otherwise, Federal and District of Columbia courts and agencies will continue to compete unsuccessfully for the use of too few bed spaces. Failure to provide additional bed spaces means that prisoners who gain parole or mandatory release will be going into the community without a service that keeps them under surveillance and gives them the services they need to maximize their chances of success. Failure, of course, also means that they are far more likely to return to crime in the communities where they released or where they return. To reiterate what I said earlier, by use of the halfway house and residential sanction center prisoner retransition programs, we can better ensure overall public safety and thereby engender the confidence, security and goodwill of the community.

Thank you for the opportunity to present this statement to the Subcommittee. I look forward to answering any questions the members of the Subcommittee may have.

Office of the Chancellor

This letter was also sent to
US Representative Gary Condit

Yosemite Community College District
P.O. Box 4065 / Modesto, CA 95352 / 2201 Blue Gum Avenue / (209) 575-6509

June 19, 2001

VIA FACSIMILE

The Honorable John Doolittle
United States House of Representatives
1526 Longworth HOB
Washington, D.C. 20515

RE: Co-sponsorship of HR 2219 (Camp) – Hope Scholarship Credit

Dear Representative Doolittle:

I write on behalf of the Yosemite Community College District (YCCD) to urge your co-sponsorship of HR 2219 (Camp) which expands community college student eligibility for the Hope Scholarship tax credit.

HR 2219 would help remedy the shortcomings of the Hope credit by improving the scholarship eligibility formula to include student's basic educational expenses (specifically books, supplies and other required equipment) and not just tuition and fees.

In addition to expanding the category of costs eligible for the Hope Scholarship, HR 2219 also modifies the structure to allow the neediest of students to benefit from the tax credit. Currently, if a student receives any Pell Grant or Supplemental Educational Opportunity Grant funds, the amount is counted against the student's eligible Hope expenses, thus limiting much of the benefits primarily to middle and upper-income tax payers.

Currently, the value of the Hope Scholarship tax credit in California is little or non-existent, as California community college fees are well below the $2,000 eligibility figure. By expanding the definition of education expenses and modifying the structure of the Hope Scholarship tax credit, HR 2219 will provide substantial new benefits to California community college students.

Thank you for considering co-sponsorship of HR 2219. If you have any questions regarding this legislation, please feel free to call me at (209)575-6509 or our Director of External Affairs, Nick Stavrianoudakis at (209)575-6959.

Sincerely,

Pamila Fisher
Chancellor

PF:ska
cc: YCCD Board of Trustees
American Association of Community Colleges

Mrs. MORELLA. And now I'll turn to Jasper E. Ormond, the interim director of Court Services and Offender Supervision Agency [CSOSA].

Mr. ORMOND. Good afternoon, Chairwoman Morella and Congresswoman Norton. I appreciate the opportunity to appear before you on behalf of the Court Services and the Offender Supervision Agency for the District of Columbia to discuss the opportunities and challenges of offender reentry into in the District of Columbia. Much attention today has been given to the role of halfway houses and reentry programming and the need to expand halfway house capacity in the District. While halfway houses are indeed a critical element of an effective reentry system, I would like to concentrate my remarks on the system as a whole. We note that most of the offenders returning to the District are undereducated and underskilled. They have the history of drug abuse and the need for treatment or after-care programming that begun in treatment is very, very critical.

They have an average of 9.2 prior arrests and 4.5 prior convictions. One in five has a prior violent offense, while 78 percent are single and over half report that they have children. Over 40 percent have nowhere stable to go after they leave prison. Often they have lost contact with family and friends. And I think that statistic underscores a critical need for halfway house transition that 40 percent basically have no place to go.

Our first priority in discussing reentry is public safety. We intend to reduce recidivism and prevent crime, and we have set a target as a 50 percent reduction in crime over the next 5 years, but our strategy must include the related priority of addressing offenders needs and providing meaningful opportunities and support. Our total current parole caseload is 5,132, which includes 3,342 offenders on active supervision status. The average period of parole supervision is 5 years. We believe that over this period, the offender can make an important journey by adhering to the external controls of supervision, the offender learns to exercise internal control over his or her behavior. By practicing accountability to others, the offender learns accountability to self.

We believe that close supervision and attention to individual needs are critical to the parolee's success in establishing a drug and crime-free life. To that end, we have a caseload in almost every police service area in the District. We are bringing our officers and our services to offenders where they live. It is critical to our strategy that our officers work in the field, not in centralized downtown offices. By the end of this fiscal year, we will have six field officers, each of which is strategically located in an area with a high concentration of ex-offenders.

CSOSA has established a three-phase reentry structure. The initial transition phase occurs in the halfway house and involves risk and needs assessment, relapse planning and intensive drug testing. Fourteen of our community supervision officers work with halfway house residents in our transitional intervention program, the TIPs program. The TIPs program is a result of collaboration among CSOSA, the D.C. Department of Corrections, the Bureau of Prisons, the Corrections Trustee and the U.S. Parole Commission. It

represents an important evolution in the way we are thinking about reentry.

This phase lasts 30 to 90 days, depending on the issues facing the offender. During this time, the offender learns what will be expected of him or her during community supervision, what resources are available to help and what sanctions will be imposed for noncompliance. We also begin intensive drug testing. If the offender does not reside in halfway houses prior to release, the assessment and case planning function occurs during the early stages of supervision.

During the second phase reintegration, the offender works intensively with his or her CSO to put in place the basic structures of a responsible lifestyle: a stable residence, employment, and positive relationships. This reintegration phase lasts a minimum of 6 months and usually longer.

One of our major budget initiatives for fiscal year 2002, a Reentry and Sanctions Center, will be critical to both the transition phase and reintegration phase. The center will provide residential placements for both the initial assessment that is so critical to reentry planning and the residential sanctions that are critical to preventing recidivism. The Reentry and Sanctions Center will also supplement halfway house capacity by providing the space for both pre-parole and sanctions placement.

We are putting in place the services offenders need during this phase. We have developed 27 agreements with public and nonprofit agencies for community service. Building on the success of our initial learning lab at St. Luke's Center, we are establishing a network of labs to provide literacy training and unemployment assistance. We are also working with a coalition of churches and nonprofit organizations to develop job opportunities.

The stress of reintegration can contribute to a relapse of substance abuse, which must be addressed through treatment. Our substance abuse treatment system includes 10 local providers, who will serve more than 1,200 probationers and parolees this year. Treatment includes both residential and outpatient programs, and all of our treatment is tied to supervision and sanctions.

We believe that offenders must be held accountable for their behavior. To that end, we have developed a system of graduated sanctions for noncompliance. These sanctions range from increased drug testing to placement and treatment in anticriminality sanctions group, to residential placements up to 90 days. This residential sanctions program halfway back removes the offender from circumstances influencing his or her noncompliant behavior.

The final phase is relapse prevention and restitution. During the remainder of his or her term of supervision, the ex-offender maintains and enhances a drug and crime-free lifestyle. CSOSA has made significant progress in developing the kinds of partnerships that lead to a successful reentry program. We have established successful collaborations with the Bureau of Prisons and the U.S. Parole Commission. We are particularly proud of our wide-ranging partnerships with the Metropolitan Police Department, which unites community supervision officers and community policing in a joint supervision activity. We believe these partnerships contribute significantly to public safety.

We intend to have an active partnership in every police service area by the end of 2001. Already more than 3,000 metropolitan police officers have been trained in the partnership philosophy. We can achieve positive outcomes. We have already seen promising results, a 70 percent decrease in parolee rearrests since May 1998 and a 50 percent drop in drug testing—positive drug testing among offenders who have received treatment. We have increased drug testing by 600 percent in the last 3 years and we believe that increased monitoring is influencing the drug use among offenders.

These early indicators give us confidence that our goal of 50 percent reduction in recidivism among the violent and drug offenders we supervise can be reached by 2005. We believe that the most effective way to meet the reentry challenge is through collaboration. We must work together to build both government and community support for halfway houses.

Thank you for the opportunity to appear before you today, and I will be open to answering any questions. Thank you.

[The prepared statement of Mr. Ormond follows:]

STATEMENT OF JASPER ORMOND,
INTERIM DIRECTOR,
COURT SERVICES AND OFFENDER SUPERVISION AGENCY
BEFORE THE
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA,
COMMITTEE ON GOVERNMENT REFORM,
U.S. HOUSE OF REPRESENTATIVES

JULY 20, 2001

Good morning, Chairwoman Morella, Congresswoman Norton, and Members of the Subcommittee. I appreciate the opportunity to appear before you on behalf of the Court Services and Offender Supervision Agency, or CSOSA, to discuss the opportunities and challenges of offender reentry in the District of Columbia. We believe that offender reintegration, or reentry, is one of the most important issues facing the criminal justice system today, and we appreciate the Subcommittee's interest in this important issue.

Much attention has been given to the role of halfway houses in reentry programming and the need to expand halfway house capacity in the District. While halfway houses are indeed a critical element of an effective reentry system, I would like to concentrate my remarks on the system as a whole. Offenders face many challenges in attempting to establish law-abiding, productive lives. The programs and services that constitute reentry programming should respond to those challenges in a coordinated, systematic manner. The totality of needs that the individual offender brings to his or her reentry should be met with a coordinated system of responses.

What are those needs? We know that most of the offenders returning to the District are undereducated and underskilled. They have a history of drug abuse that probably was not addressed in prison. They have an average of 9.2 prior arrests and 4.5 prior convictions. One in five has a prior violent offense. While 78 percent are single,

over half report that they have children. Over 40 percent have nowhere stable to go after they leave prison. Often, they have lost contact with family and friends, and while almost all intend to return to the area they lived in before incarceration, most will recognize few, if any, of the faces they see when they get there.

For offenders who have built their lives around substance abuse and crime, and who have spent years away from society, it is difficult to gain the confidence that their lives can be different. Our first priority in discussing reentry is, of course, public safety: we intend to reduce recidivism and prevent crime. But our strategy must also include the related priority of providing meaningful opportunity and support for ex-offenders.

CSOSA supervises over 5,500 parolees. Our total caseload includes active, monitored, and warrant status cases. Of the total, 3,342 are parolees on active supervision status. The average period of supervision is five years. We have a caseload in almost every Police Service Area in the District. We believe that close supervision and attention to individual needs and behavior are critical to the parolee's success in establishing a drug- and crime-free life. Without that kind of attention, we are setting returning offenders up for failure, which is very costly to all of us.

It's fair to say that many inmates leave prison with little more than the hope that they can make better choices than they have in the past. Reentry is about giving ex-offenders something to choose and helping them internalize the dynamics of choice.

Community supervision provides external control and external accountability. An officer is looking over the offender's shoulder, keeping tabs on him or her, enforcing the conditions and requirements of release. We believe that by adhering to these external controls, the offender learns to exercise internal control over his or her behavior. By practicing accountability to others, the offender learns accountability to his or her self.

Of course, the ideas of "control" and "accountability" are more meaningful if the offender pays a real price for breaking the rules. When the controls are external, the price

is clear: loss of freedom. When the controls are internal, the price is harder to measure. One objective of reentry programming is to provide the offender with an opportunity to gain something that he or she wants to keep. That "something" varies from person to person. It may be a close relationship, the respect and affection of one's children, a career, a house, or good health. Whatever it is, the individual must value it enough to structure his or her life around maintaining it, and it must be compatible with a law-abiding lifestyle. We are striving to establish programming that provides ex-offenders with the opportunity to define and work for these types of rewards. We cannot expect that ex-offenders will develop strong internal behavioral controls unless they believe those kinds of real benefits are possible.

CSOSA has established a three-phased reentry structure. The initial **transition phase** occurs in the halfway house and involves risk and needs assessment, release planning, and intensive drug testing. Fourteen of our Community Supervision Officers, or CSOs, are assigned to work with halfway house residents and perform this assessment and case planning function in the Transitional Interventions for Parole Supervision, or TIPS, program. This phase lasts from 30 to 90 days, depending on the issues facing the offender. During this time, the offender learns what will be expected of him or her during community supervision, what resources are available to help, and what sanctions will be imposed for non-compliance. At this point, the offender is on pre-parole status and can be returned to prison if he or she is not ready for release.

If the offender does not reside in a halfway house prior to release, the assessment and case planning function occurs during the early weeks of his or her supervision. The offender's CSO completes the risk assessment, initiates drug testing, and refers the offender for substance abuse, mental health, educational, or other assessments as appropriate.

During the second phase, **reintegration**, the offender works intensively with his or her CSO to put in place the basic structures of a responsible lifestyle: a stable

residence, employment, and positive relationships. This reintegration phase lasts a minimum of six months, and usually longer.

For many offenders, this amounts to building a life almost from scratch. Research has demonstrated that the moment of release and the first few weeks thereafter are crucial for success. If the offender feels secure and supported at this point, his or her chances for success increase. It is in this phase that the need for community partnership and acceptance most clearly emerges. It is critical that CSOSA establish partnerships with employers to develop job skills that can lead to career opportunities for ex-offenders. Similar partnerships with property managers are equally important to ensure an adequate supply of affordable, stable housing. Health care must also be accessible for this population. Literacy training is also critical.

Equally important, police officers must partner with community supervision officers to reinforce accountability. For many offenders, the stress of this transition will contribute to a relapse into substance abuse, and the reentry system must be prepared to respond appropriately. All of this must occur within the context of supervision and must take into account the probability of false starts and technical violations. During this time, swift and appropriate sanctions are essential to respond to non-compliance.

One of our major budget initiatives for FY 2002, a Reentry and Sanctions Center, will be critical to both the transition phase and the reintegration phase. The Center will provide residential placements for both the initial assessment that is so critical to reentry planning and the residential sanctions that are critical to preventing recidivism. The Reentry and Sanctions Center will also supplement halfway house capacity by providing space for both pre-parole and sanctions placements. These placements are vital to our approach to reentry.

The final phase is **relapse prevention and restitution**. During the remainder of his or her term of supervision, the ex-offender maintains and enhances the structures that were established during the reintegration phase. Relationships are critical to this phase,

which is very much about helping the ex-offender sustain momentum and develop internal goals that go beyond staying out of prison. The best source of productive relationships is the community: churches can provide social contact and connection to the community. Mentors can provide guidance and friendship. Non-profit organizations can provide opportunities for community service as part of restitution. The offender can find ongoing support in community-based groups such as Narcotics Anonymous. All of these entities can work with the Agency to provide the offender with an opportunity for a meaningful, productive life that does not revolve around drugs and crime.

CSOSA has made significant progress in developing these kinds of partnerships, but much work remains to be done. We have developed 27 agreements with public and non-profit agencies for community service. We have implemented a wide-ranging partnership with the Metropolitan Police Department. We are active in over 30 Police Service Areas and intend to reach every service area by the end of the year. We have trained over 3,000 MPD offers in our partnership philosophy. We are establishing a network of Learning Labs to provide educational and vocational services. We are working with a coalition of churches and non-profit organizations to develop job opportunities. In every way possible, we are working to implement our model and make a coordinated system of reentry services a reality in the District. We are doing this in the communities where offenders live. It is critical to our strategy that our officers work in the field, not in centralized downtown offices. By the end of this fiscal year, we will have six field offices, each of which is strategically located in an area with a high concentration of ex-offenders.

We believe that effective supervision practices enhance public safety and promote offender accountability. To that end, we have developed a system of graduated sanctions for non-compliance. These sanctions range from increased drug testing, to placement in a treatment or anti-criminality sanctions group, to residential placement for up to 90 days. This residential sanction program, Halfway Back, involves a system of vendors who provide residential placement and assessment programming. The offender can be removed from the circumstances influencing his or her non-compliant behavior while the

CSO and treatment staff plan a system of interventions to prevent the behavior from continuing.

Our substance abuse treatment system includes ten local providers who will serve more than 1,200 probationers and parolees this year. Treatment includes both residential and outpatient programs, and all of our treatment is tied to supervision and sanctions. All offenders entering treatment sign an Accountability Contract which defines the consequences of violating the rules of the program. Our contractors are required to notify us in a timely manner if an offender disrupts the program, leaves, tests positive, or shows non-compliance in any other way. These behaviors become a supervision issue as well as a treatment issue. There is substantial evidence that this kind of sanctions-based treatment is very effective.

But our potential for success is greatly influenced by the extent to which we can gain the help of others. No matter how many resources we dedicate to reentry, we can't employ or house the offenders we supervise. We can't provide their health care. We can't give them friendship or guidance. We can only assist and encourage others to do so. We are very dedicated to identifying and developing those capacities.

We are encouraged by the support the federal government has shown for this model in the multi-agency Reentry Grant Program initiative, which is being administered by the Department of Justice. The grant encourages development of broad-based partnerships that address the entire range of social, economic, treatment and educational needs involved in the reentry process. The General Accounting Office and the Urban Institute have recently published reports highlighting the many needs of returning prisoners. All of this activity demonstrates that reentry is gaining momentum as an important social policy issue.

We can achieve positive outcomes. We have already seen promising results: a 70 percent decrease in parolee rearrests since May of 1998 and a 50 percent drop in positive drug tests among offenders who completed treatment in the first months of FY 2001. We

have increased drug testing by 600 percent in the past three years, and we believe that increased monitoring is influencing drug use among the population we supervise. These results are preliminary indicators of the kind of success that can contribute to our goal of a 50 percent reduction in recidivism among the violent and drug offenders we supervise by the end FY 2005.

The need for reentry programming is the logical outcome of incarceration because the overwhelming majority of prisoners return to the community. In the District, this means that more than 5,500 residents need the type of support and help that I have talked about today. It is vital to the safety and preservation of our city that we collaborate in meeting this challenge, and that we work together to build both government and community support for halfway houses and residential sanctions facilities in the neighborhoods where offenders live. We have established successful collaborations with our partners in reentry, the Bureau of Prisons and the U.S. Parole Commission. We look forward to continuing and enhancing those relationships.

Thank you again for the opportunity to speak about this issue, which is at the heart of CSOSA's mission. I would be happy to answer any questions the Subcommittee may have.

Mrs. MORELLA. Great. Thank you, Director Ormond. And now I recognize deputy director, James Anthony, D.C. Department of Corrections. Thank you, Mr. Anthony.

Mr. ANTHONY. Good afternoon, Chairwoman Morella, and Congresswoman Norton. Members of the subcommittee and staff, I am pleased to be here to testify on behalf of the D.C. Department of Corrections. Director Washington is unavailable to present testimony today due to a previous commitment out of the city.

Historically the Department of Corrections has operated a post-conviction work release program for inmates sentenced and held in our custody since November 1966. The establishment of the program was set forth as a result of the Work Release Act of 1964. The intent of the legislation was to provide the citizens of the District of Columbia with a sense of security regarding return of inmates who had been incarcerated for an extended period of time, while at the same time affording the inmate an opportunity to slowly reintegrate into the community.

Historically, in order to address the needs of the inmate population, the Department established and implemented programs designed to assist the inmate in reintegration and rehabilitation into the community. These programs consist of and include unemployment assistance, job counseling, substance abuse counseling and intervention, academic tutoring, GED preparation, basic life skills, stress management, HIV/AIDS awareness and social services networking and assistance.

Traditionally, our halfway houses have been used to facilitate and transition sentenced inmates who have served a significant portion of their sentences and have been granted parole or some form of conditional release. In recent years, the court has increased its utilization of halfway houses as a form of pretrial detention.

Since the enactment of the Work Release Act of 1964, the Department of Corrections has successfully operated and managed a work release program for the District of Columbia, and the Department has established a state-of-the-art inmate information management system recently, which allows the Department to more effectively provide for the care and the custody of the inmate population.

Additionally, the Department has developed a District-wide escape monitoring system, which utilizes advancement and technology that provides its criminal justice partners with accurate and timely data related to inmate status.

We have also established a work program utilizing halfway house program participants, who on a daily basis works in coordination with several District of Columbia agencies to provide manpower assistance for building, grounds and maintenance services.

With the enhancement of the National Capital Revitalization and Self-Government Improvement Act of 1997, the statutory mandate of the Department of Corrections will change, and the Department shall no longer house in its halfway houses sentenced felons. Statutorily, the Department will only have responsibility for the detention and transition of sentenced misdemeanants and pretrial defendants. The responsibility for transitioning the sentenced felon population will be transferred, as you know, to the Federal Government.

The Department of Corrections currently operates one halfway house, and it contracts with four independent vendors to house court-ordered commitments and sentenced felons. The Department of Corrections has a total bed space capacity of 557 at this time; 290 are used to treat pre-trial defendants, 210 for sentenced felons, and 57 for females.

As a result of the closure of the Lorton Correctional Complex, the Department will continue to utilize the independent contract beds in order to meet the anticipated population needs. These beds will provide the central detention facility with additional bed space should the Department experience an increase in inmate population that will cause the agency to exceed the court-ordered ceiling capacity of 1,674 beds at the central detention facility.

This completes my prepared testimony, and my staff and I are here and available to answer any other questions you may have.

[The prepared statement of Mr. Anthony follows:]

CONGRESS OF THE UNITED STATES

COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

PUBLIC HEARING

"PRISONER RELEASES IN THE DISTRICT OF COLUMBIA – THE ROLE OF HALFWAY HOUSES AND COMMUNITY SUPERVISION IN PRISONER REHABILITATION"

RAYBURN HOUSE OFFICE BUILDING

FRIDAY, JULY 20, 2001
ROOM 2154
10:00 A.M.

JAMES ANTHONY
DEPUTY DIRECTOR
DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

GOOD MORNING CHAIRWOMAN MORELLA, AND MEMBERS OF THE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA, COMMITTEE ON GOVERNMENT REFORM. I AM JAMES ANTHONY DEPUTY DIRECTOR, DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS. DIRECTOR WASHINGTON IS UNABLE TO BE PRESENT HERE TODAY TO TESTIFY BEFORE THIS COMMITTEE REGARDING "PRISONER RELEASES IN THE DISTRICT OF COLUMBIA – THE ROLE OF HALFWAY HOUSES AND COMMUNITY SUPERVISION IN PRISONER REHABILITATION", DUE TO A PREVIOUS COMMITMENT OUT OF THE CITY.

HISTORY

CHAIRWOMAN MORELLA THE DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS HAS OPERATED A POST CONVICTION WORK RELEASE PROGRAM FOR INMATES SENTENCED IN ITS CUSTODY SINCE NOVEMBER 10, 1966. THE ESTABLISHMENT OF THIS PROGRAM WAS SETFORTH AS A RESULT OF CONGRESSIONAL LEGISLATION, "THE WORK RELEASE ACT OF 1964". THE INTENT OF THE LEGISLATION

WAS TO PROVIDE THE CITIZENS OF THE DISTRICT OF COLUMBIA WITH A SENSE OF SECURITY REGARDING THE RETURN OF INMATES WHO HAD BEEN INCARCERATED FOR AN EXTENDED PERIOD OF TIME, WHILE AT THE SAME TIME AFFORDING THE INMATE AN OPPORTUNITY TO SLOWLY REINTEGRATE INTO THE COMMUNITY.

IN ORDER TO ADDRESS THE NEEDS OF THE INMATE POPULATION, THE DEPARTMENT ESTABLISHED AND IMPLEMENTED PROGRAMS DESIGNED TO ASSIST THE INMATE IN HIS/HER REINTEGRATION AND REHABILITATION INTO THE COMMUNITY. THESE PROGRAMS CONSISTS OF AND INCLUDES EMPLOYMENT ASSISTANCE/JOB COUNSELING, SUBSTANCE ABUSE COUNSELING AND INTERVENTION, ACADEMIC TUTORING, GED PREPARATION, BASIC LIFE SKILLS, STRESS MANAGEMENT, HIV/AIDS AWARENESS, AND SOCIAL SERVICES NETWORKING AND ASSISTANCE.

TRADITIONALLY HALFWAY HOUSES HAVE BEEN USED TO FACILITATE AND TRANSITION SENTENCED INMATES (MISDEMEANANTS AND FELONS) WHO HAVE SERVED A

SIGNIFICANT PORTION OF THEIR SENTENCES AND HAVE BEEN GRANTED PAROLE OR SOME FORM OF CONDITIONAL RELEASE. HOWEVER, SINCE 1970, IN THE DISTRICT OF COLUMBIA, HALFWAY HOUSES HAVE TAKEN ON ADDITIONAL RESPONSIBILITIES AND FUNCTIONS. IN RECENT YEARS THE COURT HAS INCREASED ITS UTILIZATION OF HALFWAY HOUSES AS A FORM OF PRE-TRIAL DETENTION.

DOC–HALFWAY ENHANCEMENTS

SINCE THE ENACTMENT OF "THE WORK RELEASE ACT OF 1964", THE DEPARTMENT OF CORRECTIONS HAS SUCCESSFULLY OPERATED AND MANAGED A WORK RELEASE PROGRAM FOR THE DISTRICT OF COLUMBIA. THE DEPARTMENT HAS INCREASED HALFWAY HOUSE SERVICES BY PROVIDING PROGRAMMING TO THE INMATE POPULATION. THE DEPARTMENT HAS ESTABLISHED A STATE OF THE ART INMATE INFORMATIONAL MANAGEMENT SYSTEM (JAIL AND COMMUNITY CORRECTION SYSTEM, JACCS),WHICH ALLOWS THE DEPARTMENT TO MORE EFFECTIVELY PROVIDE FOR THE CARE AND CUSTODY OF

THE INMATE POPULATION. ADDITIONALLY, THE DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS HAS DEVELOPED A DISTRICT WIDE ESCAPE MONITORING SYSTEM WHICH UTILIZES ADVANCEMENT IN TECHNOLOGY THAT PROVIDES ITS CRIMINAL JUSTICE PARTNERS WITH ACCURATE AND TIMELY DATA RELATED TO INMATE STATUS. THE DEPARTMENT HAS ALSO ESTABLISHED A WORK PROGRAM UTILIZING HALFWAY HOUSE PROGRAM PARTICIPANTS WHO ON A DAILY BASIS WORKS IN COORDINATION WITH SEVERAL DISTRICT OF COLUMBIA AGENCIES TO PROVIDE MANPOWER ASSISTANCE FOR BUILDING, GROUNDS AND MAINTENANCE SERVICES.

NATION CAPITALIZATION REVITALIZATION ACT OF 1997

WITH THE ENACTMENT OF THE NATIONAL CAPITAL REVITALIZATION AND SELF-GOVERNMENT IMPROVEMENT ACT OF 1997, THE STATUTORY MANDATE OF THE DEPARTMENT CORRECTIONS WILL CHANGE AND THE DEPARTMENT WILL NO LONGER HOUSE IN ITS HALFWAY HOUSES SENTENCED FELONS. STATUTORILY, THE DEPARTMENT WILL ONLY HAVE RESPONSIBILITY FOR THE

DETENTION/TRANSITION OF SENTENCED MISDEMEANANTS AND PRE-TRIAL DEFENDANTS. THE RESPONSIBILITY FOR TRANSITIONING THE SENTENCED FELON POPULATION WILL BE TRANSFERRED TO THE FEDERAL GOVERNMENT (BUREAU OF PRISONS).

POST LORTON - DOC HALFWAY HOUSE USAGE

THE DEPARTMENT OF CORRECTIONS CURRENTLY OPERATES ONE HALFWAY HOUSE CCC#4 AND CONTRACTS WITH FOUR INDEPENDENT VENDORS TO HOUSE COURT ORDERED COMMITMENTS (PRE-TRIAL DETAINEES/ SENTENCED MISDEMEANANTS) AND SENTENCED FELONS. THE DEPARTMENT OF CORRECTIONS HAS A TOTAL BED SPACE CAPACITY OF 557. THESE BEDS ARE DESIGNATED AS FOLLOWS, 290 PRE-TRIAL, 210 SENTENCED FELONS AND 57 FOR FEMALES.

AS A RESULT OF THE CLOSURE OF THE LORTON CORRECTIONAL COMPLEX, THE DEPARTMENT WILL CONTINUE TO NEED THE 337 CONTRACT BEDS IN ORDER TO MEET ITS ANTICIPATED POPULATION NEEDS. THESE BEDS WILL PROVIDE THE CENTRAL DETENTION FACILITY WITH

ADDITIONAL BED SPACE SHOULD THE DEPARTMENT EXPERIENCE AN INCREASE IN INMATE POPULATION THAT WILL CAUSE THE AGENCY TO EXCEED THE COURT ORDERED CEILING OF 1674, AT THE CENTRAL DETENTION FACILITY. (DC JAIL)

CHAIRWOMAN MORELLA, THIS COMPLETES MY PREPARED TESTIMONY, MY STAFF AND I ARE AVAILABLE TO RESPOND TO ANY OF YOUR QUESTIONS REGARDING THIS MATTER.

Mrs. MORELLA. Thank you very much, Mr. Anthony. I think what I would like to do is to just get—again, get an opportunity to get some statistics with regard to the number of halfway houses that exist for women and men. And are they together? Do you have some halfway houses where you have women who are there with men, or are they separate? The length of time that they stay there, the average, I mean, I'm hearing like 60 days probably the average, but I want to get that kind of validated. And then if you know something about what the recidivism rate is, whether maybe Mr. Clark, maybe Dr. Sawyer would help.

Mr. CLARK. Do I understand the question was related first of all to female offenders?

Mrs. MORELLA. No. Actually, but I'm including that now, too.

Mr. CLARK. OK.

Mrs. MORELLA. But I wonder, are they separate?

Mr. CLARK. Yes.

Mrs. MORELLA. I know they are fewer, many——

Mr. CLARK. Yes. In fact, I think the point should be made that in the District on the good news side, there is no shortage of halfway house facilities or beds for the females who are returning. There are——

Mrs. MORELLA. May you not need them in the future.

Mr. CLARK. Pardon me?

Mrs. MORELLA. May you not need the additional space in the future.

Mr. CLARK. That would be wonderful. There are two facilities, a somewhat larger one in Northeast, I think on G Street, and a smaller one in the DuPont Circle area on 19th Street, which are both operated by the same company, Reynolds and Associates. I think there is a total capacity of around 90 to 100 beds between the two of them, and that vendor contracts at those sites both with the Bureau of Prisons and the Department of Corrections. And there are no facilities that are shared by men and women.

Mrs. MORELLA. Tell me about the recidivism rate. I mean, I hear that two-thirds of those that are released into the community with maybe the shortened stay at halfway houses return as recidivists?

Mr. CLARK. I'm not the right person to speak on that.

Mrs. MORELLA. Perhaps Dr. Sawyer.

Ms. SAWYER. I can address that for our Federal inmates. Roughly 40 percent of our inmates recidivate in the first 3 years, which means 60 percent of those inmates stay on the streets after 3 years. Now, when I say recidivate, we define that very broadly. That includes those who violate supervision, those who violate parole. They don't need to have committed a new offense. They don't even need to have gone back to prison, necessarily, but it means they have violated some element of their supervision or committed a new crime. And that is for Federal inmates that are releasing back into the community.

Mrs. MORELLA. There must be somebody, though, that knows what the recidivism rate is in the District of Columbia.

Ms. SAWYER. Mr. Anthony or Jasper?

Mr. ORMOND. Madam Chair, we are first taking a very close look at how we are defining recidivism. First we looked at convictions. This year we are establishing a baseline for what we're truly call-

ing recidivism, and I would be somewhat reluctant about putting a number out now. By September 30th of this year, we should have a good sense of what the true number is, because it also includes convictions, as well as violations for technical violations.

Hopefully if the graduated sanctions and the drug treatment and the other Halfway Back options are being as effective as the preliminary results indicate, we should see a significant decrease in the number of technical violations. So convictions will be the variable that we really focus on, but, again, September 30th, October, we will be in a much better position to intelligently answer that question, and I would be reluctant to just give a number at this point.

Mrs. MORELLA. When you do answer them by September 30th, what will it include? I know you have categories, so we——

Mr. ORMOND. It will include people that were convicted for new crimes, because rearrest is not always a good indicator, because people are often no—in addition to convictions for new crime, violations that will result for a return back to prison, those would be the two major criteria that we will use, yeah.

Mrs. MORELLA. I'm surprised you don't have it in categories at this point.

Mr. ORMOND. I'm sorry?

Mrs. MORELLA. I'm surprised you don't have it categorized at this point, since it's really critical to what we're talking about, halfway houses——

Mr. ORMOND. Those are the two categories, convictions and violations that will lead back to incarceration, but we're continuing to gather the data at this point, yes.

Mrs. MORELLA. And you will get——

Mr. ORMOND. Yes, we will get it. Yes, we will, yes.

Mrs. MORELLA. Another question I have has to do with whether or not health assessments have been done on the released prisoners that are on parole. For instance, I am particularly interested in the incidence of tuberculosis and HIV and AIDS, those that, you know, come about perhaps through drugs. And I wonder how you monitor and address those needs. Again, I'm looking at everyone, so that whoever wants to answer, feels qualified to offer a point, will do that. Dr. Sawyer.

Ms. SAWYER. Yes, I can speak very specifically to—again, on Federal inmates and the existence of the infectious diseases of the inmates that are in our custody. Roughly 1 percent, and that has been pretty much a standing average for the last several years in the Bureau of Prisons; 1 percent of our inmates are HIV positive.

Now, our understanding—and I'd defer to Mr. Anthony, but our understanding and the data we've gotten thus far on the inmates coming into our system from the D.C. Department of Corrections is that their HIV rate runs closer to 8 percent. So since this is a large city and since cities tend to have a larger preponderance of infectious diseases and our inmates come from across the country, you would expect that to be somewhat different, but the best numbers we've gotten thus far from the inmates coming into our system as we prepare for their medical needs is 8 percent incidence from the D.C. population.

In terms of tuberculosis, the numbers are much lower. Our rate in the Federal prison system is roughly 6.4 per 100,000. The D.C. rate in the whole District of Columbia, not just the inmates, is 13.5 per 100,000. So that would certainly suggest that the incidence among the inmate population is going to be higher also.

The average population—I'm sorry. That was—the 6.4 is the average population in the country; 2.5 is the average population per 100,000 for Federal Bureau of Prisons inmates. So our population is 2.5 per 100,000. The U.S. population is 6.4 per 100,000. The District of Columbia is 13.5. Mr. Anthony may have that specifically for his offender population.

Mrs. MORELLA. Mr. Anthony.

Mr. ANTHONY. Mrs. Morella, I do not have the exact figures regarding that information today, but I will get that for you.

Mrs. MORELLA. You're right, because, see, I'm also interested in how you monitor it. Do you send them out with multiple drug resistant strains of TB or HIV and AIDS, or how do you monitor them, and what kind of an assessment?

Mr. ANTHONY. All inmates entering our system go through medical examinations, and so forth, and at that point in time, in terms of intake, they are assessed for their needs, and it's determined at that time. And if they are found to be infected in terms of TB, then they are separated from the general population, and so forth, until such time that they're treated and stabilized before they're allowed to enter the population.

Mrs. MORELLA. Can you get those statistics to us also?

Mr. ANTHONY. Yes, I will.

Mrs. MORELLA. And I would include sexually transmitted diseases in that category.

Mr. ANTHONY. All right.

Mrs. MORELLA. Great. Great. Thank you, my time has expired. Ms. Norton.

Ms. NORTON. Thank you very much, Madam Chair. First, let me address a question to Ms. Sawyer. As of December 31st, will the entire responsibility, including each and every inmate now in Lorton, be in the hands of the Bureau of Prisons?

Ms. SAWYER. Yes, it will. In fact it may be before December 31st. We've set a target for ourselves of November 1st to try to get the vast majority, and there may be a few stragglers after November 1st, but we thought we'd give ourselves a window there to assure that we have them all in our system before December 31st.

Ms. NORTON. Well, first of all, may I commend BOP for the way in which they have moved on time. It was a little slow up there at one point, but I must say that every time that there was a problem, BOP was able to get ahold of it very efficiently. And here you're going to come in ahead of time with each and every inmate from Lorton being in the Federal system on time by December 31st and the closure of Lorton as of that date; is that true?

Ms. SAWYER. Absolutely. Thank you very much.

Ms. NORTON. Now, that will—of course, ever since the passage of the Revitalization Act in August 1997, you have had full financial responsibility for inmates at Lorton for all of our prisoners, and that has been an extraordinary relief for the District of Columbia, of course. And we wouldn't be out of insolvency today if the Federal

Government had not relieved us of the revitalization agency responsibilities.

But as I understand it, even after assuming full responsibility for each and every inmate and full financial responsibility, the District of Columbia will be paying for inmates held in the District of Columbia solely for the convenience of Federal prosecutors or Federal—yes, Federal prosecutors. That's who would have to, I think, ask, or Federal courts.

Ms. SAWYER. Inmates in that status would really be the responsibility of the U.S. Marshals Service. It really is not a Bureau of Prisons involvement there. So I am not really equipped to address that. I'm not sure. Mr. Clark might be. But those become Marshals' inmates when they're in that status.

Ms. NORTON. Well, I'm interested in the fact that they will remain District of Columbia financial responsibility and doing something about it.

Mr. CLARK. Yes. This has been a thorny issue for several years, and we've had discussions about it. Again, the model that was adopted in the Revitalization Act and in the MOU that led up to it is the model of local versus State responsibility, and the idea was that the Federal Government in this instance would take over the responsibility that is similar to States around the country. And typically in States around the country, prisoners who are being held locally for the convenience of the court are our local responsibility until they are sentenced, finished with their time at court and are sent to the State prison.

So in my estimation, and I've spent a lot of time on this, the District is not disadvantaged vis-a-vis other jurisdictions, local jurisdictions around the country in this regard.

Ms. NORTON. Well, our information was that the Federal Government pays States for housing prisoners held for their convenience.

Mr. CLARK. If they're being held for the Federal court, they are, but not if they're being held, in this instance, for the local court, for the Superior Court. So here locally, the prisoners who are being held for the District Court are the responsibility of the U.S. Marshals, who reimburse the District I think $8 or $9 million a year. Those who are being held for Superior Court, similar to Cook County Court, let's say, are a local responsibility as they are in Cook County, even though in this case the U.S. Attorney's Office takes the role of the local prosecutor.

Ms. NORTON. All right. Let me go on then to Mr. Jasper. Actually, I think this really has to do with not only Mr.—I think this has to do with BOP and the Department of Corrections. I'm trying to figure out what happens as of December 31st with the jurisdiction that the Department of Corrections now has over halfway houses. Am I right in assuming that as of December 31st, all the responsibility for pretrial and for supervision of those coming back into the community lies entirely with the Federal Government as well? And if so, that leaves open the question, what happens to these facilities that the Department of Corrections has? It has one itself. And then of course it has five, according to your prior testimony here, which it shares with the BOP. And then there are two that are entirely BOP. Who has control over those facilities as of December 31st?

Don't everybody speak at once.

Mr. CLARK. I'd be glad to speak to that.

Mr. ANTHONY. At the moment, the Department of Corrections has the contractual authority for those facilities at this point in time.

Ms. NORTON. Now, you all will be using—I take it you contract them out. That's all you do with them, and you pay for it, insofar as it involves District of Columbia inmates or pretrial——

Mr. ANTHONY. That would be the case after December 31st.

Ms. NORTON. Now, will you be needing all of your space?

Mr. ANTHONY. We believe we will need all of our space at that time.

Ms. NORTON. Yes, Ms. Sawyer.

Ms. SAWYER. So they will retain all the pretrial responsibilities for which they use halfway houses. They will also retain the misdemeanant responsibilities for which they use halfway houses. So the only thing we actually are picking up in terms of the halfway house responsibility are the releasing inmates, the ones who have been sentenced, they're in our custody for felonies, not misdemeanants, and are going to be releasing from us. Those will be going back into halfway houses.

Ms. NORTON. Well, they share—the reason I'm asking about their need is it's interesting to note that they now share five facilities.

Ms. SAWYER. It's not exactly a sharing. What it is is a contractor, for example, Hope Village, if I could use that one, they have X number of beds. We have contracted for the use of 110 of those, but the D.C. Department of Corrections has contracted for a larger number, an additional number. So it's one facility——

Ms. NORTON. I see, but explain to me who supervises that facility which has two jurisdictions in it. Who is responsible for that facility? Is this where Mr. Jasper comes in or——

Ms. SAWYER. No. We're responsible for the——

Ms. NORTON. I mean, Mr. Ormond comes in. I'm sorry.

Ms. SAWYER. We're responsible for those inmates that are in our custody, the Federal inmates releasing through that facility. We're responsible for monitoring that facility in the relationship to those inmates, and the D.C. Department of Corrections would be responsible for monitoring that institution's functions in response to their inmates. So we both do. We basically both monitor the facility.

Mr. ANTHONY. With Hope Village, we have a contract there for 170 beds, and we're responsible for monitoring that aspect—that contract is separate and apart from the Federal Government.

Ms. NORTON. Are these folks all mixed in together? Are they separated out?

Mr. ANTHONY. Yes, ma'am. They're in separate housing.

Ms. NORTON. They're in separate housing. So the BOP is in one—I see. Do they have different standards? Are there different ways of operation?

Ms. SAWYER. There's going to be some variations, because we write our statement of work, and we have our priorities and our requirements we place on them that might be a little bit different. I think in general, there would be a very similar operation, but I'm not sure I could say identically, because our statement of work——

Ms. NORTON. I wish—I would very much like—do y'all talk to one another about——

Ms. SAWYER. Absolutely.

Ms. NORTON [continuing]. Internal operations?

Ms. SAWYER. Absolutely.

Ms. NORTON. Would you provide to the chairman, to this committee, a summary——

Ms. SAWYER. Sure.

Ms. NORTON [continuing]. Of how each of the facilities operates, what the criteria, what the guidelines of each facility and how each facility relate to one another? I just want to make sure that as we take over completely in the Federal—the Lorton inmates, that we don't somehow develop trouble up ahead because we didn't foresee what having two different jurisdictions in the same contracted space might give us. And there may be no trouble here, but we'd just like to—we'd like to see how you operate and how you relate to one another.

Ms. SAWYER. We'll certainly do that.

Ms. NORTON. Mr. Ormond, what are you—are you releasing——

Mr. ORMOND. I'm sorry?

Ms. NORTON. Are inmates offenders who were coming out, are any of them being released directly into the community for lack of halfway space right now?

Mr. ORMOND. Yes. The initial numbers we have roughly—probably less than a third of the population is being released directly into the community.

Ms. NORTON. So two-thirds are going to halfway houses still?

Mr. ORMOND. About 70 percent currently are going to halfway houses, yes.

Ms. NORTON. How do you determine—or do you have a choice between who gets to go—who goes to a halfway house and who gets turned out into the community without any—first of all, let me be clear. If somebody doesn't go to a halfway house but they would have if there were space, are some of your services available or required of that person released into the community? Doesn't go to a halfway house. You don't have space, but he's out into the community. Do you have any responsibility for that offender who now has had to go straight to the community without any of your services or any of the halfway house requirements?

Mr. ORMOND. Yes. We still have supervision responsibility for that individual.

Ms. NORTON. How do you exercise that responsibility? Much of your responsibility—much of what you do is effective, because—let me give an example. In the first several weeks, that's virtually a lockdown, isn't it——

Mr. ORMOND. Yes, it is.

Ms. NORTON [continuing]. When they first come out. So those folks aren't even going back and forth in the community to commit any crimes at all. They're locked up for all intents and purposes?

Mr. ORMOND. That's correct.

Ms. NORTON. So that's part of the reason that you've been so successful?

Mr. ORMOND. Yes.

Ms. NORTON. What do you do—are you releasing into the community people who are the least serious of the people coming out, or do they have to just get releases to come out, and if there's a bed available, you get to go in it; if it's not available but you are a four-time recidivist, you get to go free? How is that done?

Mr. ORMOND. We are meeting with the Bureau of Prisons and the U.S. Parole Commission. Our attempt is to categorize offenders and only release those people directly to the community, and our supervision officers are responsible for making those assessments, that are minimal risk. That is not the ideal approach, but at this point in time, we do have to categorize based upon risk to a community, yes.

Ms. NORTON. Madam Chairman, my time is up. I have other questions, but I'll——

Mrs. MORELLA. What an enormous undertaking when you think about what we're discussing, halfway houses, whether or not people go directly into the community, whether they have an opportunity to spend 60 days in a halfway house, or whether it is 120, which would be probably what's ideal. Going through my mind is the whole problem of how do they find housing? We know what the job situation is and what the housing situation is in the District of Columbia, how difficult it is to find adequate housing that you can afford. How do they find a job? I mean, is there a—do you have the counselors that truly help them within that very short period of time that they are in a halfway house, if they are, that's going to help them? They have had some skills—as I look at some of the programs that Bureau of Prisons offers, ideally they've had some literacy skills, with a GED as the ultimate area or the advancement, but some literacy skills that I hope are required before they leave. But some of them have problems with regard to mental illness, drug-related illnesses, all kinds of health problems.

What do we do? What should we be doing? How do you handle all of these problems? The magnitude is great, an even just the basic bottom line of do they have a house and a job and access to health?

Mr. ORMOND. And I would just like to say that period of time in the halfway house is absolutely critical for us, because that is the time that we make the assessment of what their housing situation is, what their employment skills are, what the family reintegration looks like, the mental health issues, the other health issues. So that period is absolutely critical. And at that point we make our recommendation back to the U.S. Parole Commission, and their transition in the community is determined by their level of functioning along those critical elements that you mentioned. It also gives us an opportunity to assess the resources that's available, particularly the health, the mental health and substance abuse resources, to make sure that match takes place prior to going into the community.

The sex offenders, again, very critical, because we do not allow the sex offenders to move into the community until those treatment resources are in place. If we began to circumvent the halfway houses, now we have sex offenders moving into the community without us absolutely being sure that those resources are in place.

Mrs. MORELLA. Incidentally, we do appreciate what CSOSA has been doing, too, so as I mentioned in my opening statement, there have been some improvements that we have seen.

Mr. Reilly, would you like to comment?

Mr. REILLY. I'd like to just comment, Madam Chair, that last weekend I had an opportunity, because I was very interested in what was available in this community, and CURE sponsored a fair downtown here, and I spent 3 hours on my Saturday with two of our staff from the Parole Commission and was really amazed at the resources that were available at that particular meeting.

Councilwoman Patterson was also in attendance. It was an opportunity for me, and I wanted to familiarize myself with just what was here in the District to help these folks.

But it also I think—and I think Mr. Ormond commented on it earlier. There is a great need for the coalitions in this community of churches and other interested groups to come together and offer the hand that needs to be offered.

I mentioned this to Cardinal McCarrick the other evening at a dinner from the standpoint of the Catholic Church, but all churches to get together and help, because the District is unique in every situation in terms of this whole system that has been created now, and it seems to me imperative that we all bring together those resources.

I intend and have already had a call from Mr. Reynolds, who runs some of the halfway houses, to begin visiting this next week, those halfway houses, because I want to familiarize myself with just exactly what they are, where they are and what people think of them. I think that's imperative for us at the Parole Commission, because we put people in these facilities and we want to know that indeed putting them there is going to be an advantage and a benefit to them. So we're trying to become aware ourselves by getting very intimately and personally involved in this, but I do think it's a community effort on behalf of everybody to pull together with these various groups and the resources that I learned were available.

Mrs. MORELLA. Good. The community is a big stakeholder, and as we said with the first panel, coordination, cooperation, community hearings, meetings, including the nongovernmental organizations and the religious groups that are there, a safety net is really very important.

Chief Ramsey, what is the status of the community justice partnership, CSOSA's community supervision offices to work closely with the police officers to monitor probationers and the parolees in the District? I know that was established, I understand the end of 1998, between the police department and CSOSA, but how does the initiative work? How many police officers are assigned to that program?

Chief RAMSEY. Well, it works very, very well. Commander Winston Robinson is in the audience from the 7th District and that's where we actually started the program. It was a pilot in 7-D on BSA–704 and in a year's time, they experienced a 39 percent reduction in crime.

Now, whether or not that entire 39 percent reduction in crime was due to this program or not, but it was the largest decrease in

the entire city, and I strongly believe that a lot of what we did had something to do with that, because for the first time officers had information they needed around the people that were in that status. We worked very closely with CSOSA. We made home visits. It sent a very strong message to the individuals that, you know, we take supervision very, very seriously. If officers saw someone violating their parole, they were able to take some sort of action, and it has certainly made a difference. About half of our PSAs now—we have 83 PSAs in the city—46 of them have partnerships.

It is not a dedicated group of officers, but what it is are officers that have been trained, that understand this, and that work along with CSOSA to make these visits. Oftentimes it could be members of a focus mission team. It could be members directly from the PSA that do it.

On the other hand—and let me just say that by the end of this year, we hope to have all 83 PSAs with some form of partnership. Obviously we have more parolees concentrated in some areas of our city than others, but we do want to expand that training to all of our members.

On the other side, we have the core program, which is when we work with pretrial and the U.S. attorney's office and knowing conditions of release, again, it is very valuable for officers to know if there is a stay-away order, individuals that they come in contact quite frequently were able to enforce that. And, I mean, it is a great partnership that we have. Obviously it needs to be expanded so it can cover a whole city, but I think in just a brief period of time it has already demonstrated that it makes a huge difference.

Mrs. MORELLA. You feel you currently have the resources but you'd like to expand it?

Chief RAMSEY. Yes, ma'am. We definitely want to expand it, and I think it's worth anything that I put into it from an extra resource standpoint, because it does have an impact directly on crime in our communities.

Mrs. MORELLA. And where there's a concentration of released prisoners in a single geographic area, what actions does the Metropolitan Police Department take to monitor crime levels? Do you have an increased number of police who are there? Do you use community police on bicycles or, you know——

Chief RAMSEY. Well, there's a couple things we do. One thing we started doing was to track our crime data by PSA. So we've taken—we've got baseline data that we have, for an example with 704—PSA–704, we use 1997 as a baseline for that. So in 1998 we had a pretty big comparison to see the differences in crime rates and so forth, so we track it by PSA and we try to integrate the information that we have around the number of parolees and some PSAs have a very, very large number of parolees living in that given area. We have some that have virtually none, I mean, for all practical purposes they have none. But we do try to focus on that very, very carefully.

I think—I'm a big proponent of the halfway houses, because when I came here, I didn't really understand their function, but the longer I'm here, the more I can see that that structure that people have when they come from a structured environment, it just helps them make that transition. When they're put immediately out into

the community, they don't have that support mechanism and supervision, we can only supervise so closely, and after that, I think the environment can take over and the pull that people feel from that environment can oftentimes turn them back toward criminal activity. And if we aren't able to keep pace with the growing number of people leaving our penitentiary systems, then we're going to have a system that is going to be driven not by people at minimal risk, but you're going to see that start to move up to a more moderate risk or unfortunately maybe even high risk, if they can't keep pace, because at some point in time, you can only put so many people in a system, and after that you've got to make an adjustment, and that adjustment is going to be on the assessment and people that we don't want to put out on the street directly, they're going to be forced to do it.

Mrs. MORELLA. Thank you, Chief Ramsey.

Ms. Norton.

Ms. NORTON. Thank you, Madam Chairman. Perhaps Ms. Sawyer can make me understand this. Several times from different testimony we've heard this notion that there are more returning from the District than before, and I didn't quite understand that, because I thought under the probation system you had to serve most of your time, and then you came out through the system of release. Whereas there used to be a parole system where I thought you could get out earlier.

Why is it that we're having such a large number of inmates or offenders returning in such large clumps now?

Ms. SAWYER. I don't think the number returning has actually changed. It is the number returning needing halfway houses, because as was noted earlier, the D.C. Department of Corrections has kind of stopped using halfway houses or reduced it dramatically for release cases, and the Bureau of Prisons, plus the Department of Corrections and CSOSA have all embraced this idea that returning through halfway houses is very important and it does impact recidivism rates and it has obviously been doing that here in the District once the halfway houses are back in use again. So it's really the number has increased of inmates needing halfway house separation.

Ms. NORTON. It's very important to say, because the impression is left when one reads the newspaper that all of a sudden these are the kinds of things we have to watch out, because people get terrified beyond anything that is necessary. People are being told that there is a whole slew of prisoners coming out and it's something very different and they're going to blame BOP for it. I couldn't understand what in the world people were talking about. Now I understand. Thank you. It's very important.

Did you have something to say, Mr. Clark, on that?

Mr. CLARK. Only to put this in somewhat of a historical context, over the course of the last 10 years, the number of offenders incarcerated in the District has steadily gone down. About 10 years ago, it was around 12,000. Today it is about 10,600—or 10,100. That's encompassing all of the pretrial cases and all those in the Department of Corrections and all those in the Bureau of Prisons, but essentially the pretrial and sentenced felon population combined has continually gone down. So in the same vein——

Ms. NORTON. If anything, there are fewer people coming out than before, fewer people with greater supervision and more services. The numbers here are very important to get straight in the public's mind.

Mr. Ormond made a very important point in answer to a very important question that the Chair asked about recidivism. This is another—a piece of information that's out there that is really wrong. The word "recidivism" covers a multitude literally of sins, from the sin of not reporting in to your halfway house, to the extent of committing a crime. It is a total disservice to all we're trying to do in the community to lump them in the same categories that might be for the convenience of somebody, but the press won't do you a favor with it. They will report out this is the recidivism rate, because that's what they've heard from you, and I understand, Mr. Ormond, why you were reluctant to just come out with some number off the top of your head. You indicated to Mrs. Morella that by September or October you would have a workable system. If so, you will be one of the few systems that does have a workable system of reporting so that the public will have a real sense of what will happen. Can I ask that when you get that, can you offer those statistics to the Chair in the fall, as you said you would have them?

Mr. ORMOND. Yes.

Ms. NORTON. You now said—you said, Mr. Ormond, that you are able to keep people for only something under 60 days now in a halfway house. Was that your testimony earlier?

Mr. ORMOND. I think Dr. Hawk made that statement.

Ms. NORTON. OK. Less than 60 days. What was it when—let's look at the chart for a moment. That chart is what made me a believer and what I think would make reasonable people in the community understand that they have a lot more to gain than to lose if we have a fair share plan of halfway houses, because there's no question, if you look at that chart at the beginning date of CSOSA jurisdiction and where it was 2 years later, that something dramatic happened to crime. And it's—I'd like to focus on that. Can you tell me how long you were able to keep people in the kind of state-of-the-art supervision that was your goal at the beginning when those numbers were very—I'm sorry—near the end of that period when those numbers had come way down and whether you are keeping people in there for the same number of days now, or whether you are cutting the days in order to get more people into the system in the first place?

Mr. ORMOND. The days are being cut. I think up to around June or July 2000, we basically had the system as we had initially agreed it to be, that each person would transition into the halfway houses. There were a lot of meetings and there were a lot of discussions about reducing the days. We were very, very reluctant to do that, but we were in a position. Either we retired a lot of people in prison or we began to reduce the days so everyone would get an opportunity for transition. But that is not the idea. But I think Dr. Hawk, who has more experience with this, will basically say particularly for the substance abusers we need the entire 120 days because the assessments, the multiple needs that they present really require time to put resources in place, but also to create an ac-

countability system that they are also clear that we are serious about community order and accountability.

Ms. NORTON. And you say that takes at least 120 days, and now you're already down to 60 days. And I understand why, but we already cut the time in half, virtually, in order to keep from just putting people out into the community, some with some and some with none.

Ms. SAWYER. The less than 60 days was an average that I indicated that is the current average placement, and that varies, because we place——

Ms. NORTON. Well, everything is always an average. You can't do anything better than——

Ms. SAWYER. My only point is it varies based upon the need of the inmate. So someone who has a drug treatment history, has completed the drug program, needs to have the longer period of time out there for supervision, would get more on the high end, the 120 or so. Someone who has far lesser need maybe has a relatively good plan but needs a little bit of time, make it 30 days. So it varies——

Ms. NORTON. That's good to have that kind of calibration. What you do, of course, if you're talking—when you're talking substance abuse, you're talking about almost every inmate that comes out of prison. Is there any treatment that's done before you get out of prison so maybe some of it's done and Mr. Ormond won't have—will only have a kind of mopping up job to be done, because while you had them in there for 10 years you took care of it?

Ms. SAWYER. Absolutely. I referenced in my opening comments that we have residential drug treatment available for every inmate who has a drug treatment need and who will volunteer for treatment, and right now we're hitting 92 percent of those who have a drug treatment need, which is roughly a third of our total population. The percentage may be a little higher than that for the D.C. inmates coming in.

We're actually required to do that by statute now. Congress requires us and they therefore give us the funds necessary to ensure that we have a 9-month residential drug treatment program in place for every inmate that we can get into that program. But the transition piece into the community is critical. We used to do drug treatment years ago. We do it early on in their sentence and then think they were cured and then we would release them a few years later into the community. And once they're back to the old temptations and the old frustrations, they fall back into drugs. So what we've done now is moved our treatment program toward the end of the sentence. You don't get involved in the residential drug treatment until the last year or two of your sentence, and the 6-month transition piece through the halfway house into the community where we link them to a drug treatment provider in the community, that match is similar to the program we're running in the institution so that they're aided through that transition when those temptations are much more available to them in the community, and that's a critical part of our program.

Ms. NORTON. Let me get straight the ones that have to come out, perhaps the risk assessment has been done and they come out. Now, those folks have to do the same—have to come in to do the

same—get the same treatment and get the same services to transition that they would get if they were in a halfway house. People in the community, you've done the risk assessment, those with the least risk are the ones—I understand the triage involved here. Those that are the least risk are the ones you've had to say, you can go into the community because we have no halfway house. I'm trying to find now what services are available to that group.

Mr. ORMOND. We provide the comprehensive supervision. We also have treatment services for that population. But, again, the challenge is often the risk is based upon criminality. Addiction is such an interesting animal, if you will, because given the best interventions that takes place in the Bureau of Prisons, once these men and women come back into the community, the whole cycle of addiction can very easily kick in. That is why we really need—we try very hard in the Bureau of Prisons policy basically to say that for those substance abusers that are going through that 9-month program, that they go through at least 120 days of halfway house transition, because the science tells us that's very critical.

So, again, we provide interventions if they do not go to the halfway house, but it's not the ideal way to deal with the population.

Ms. NORTON. And I see you're making another important distinction, because the risk assessment has to be based on criminality, but the greater risk may be——

Mr. ORMOND. The addiction.

Ms. NORTON. Addiction—vulnerability to addiction. So we really do have a problem here.

This leads me to the Halfway Back notion, which I like a lot. Instead of, you know, saying you've got a minor or even something more important as a violation and back you go to the pen, excuse me, there is a Halfway Back house. I'd like—apparently with graduated sanctions?

Mr. ORMOND. Yes.

Ms. NORTON. I'd like to know how effective that is in decreasing recidivism, what I think the average person out here in the public would call recidivism; namely, the need to be reincarcerated?

Mr. ORMOND. We have found it to be very effective. The people that have gone through those interventions, they—positive tests have been reduced by 50 percent. It's been very dramatic, and, again, we are using positive drug tests, and we're testing people very rigorously to see if they are continuing to use drugs. It's also a significant cost avoidance, because now the U.S. Parole Commission does not have to get involved. The Bureau of Prisons will not have to bring these people back into the prison. The D.C. jail will not have to intake them, because we are able to manage them with violations prior to actual convictions and other addresses——

Ms. NORTON. Wait a minute. Is there enough room for people to go to the Halfway Back houses?

Mr. ORMOND. There is not enough room at this point, because often we have to use the same vendors that are providing halfway houses. Now, we are in a position now to expand it to 100 additional beds with a reentry facility at Karrick Hall. The President put moneys in the budget to do the capital development. This program has shown an 85 percent improvement in the results over the last 4 years. It's rigorously evaluated through the University of

Maryland. However, that is also being impacted by the D.C. Commission and our inabilities to expand services in that census tract near D.C. General Hospital. So, I mean, we have various resources and initiatives, but a lot of it is being impacted at this point, and it is currently in our 2002 budget submissions that we can expand the capacity for Halfway Back.

Ms. NORTON. So you—the President has put in his budget funds to allow—now, this is a residential—this is a residential facility?

Mr. ORMOND. Residential Half Back, yes.

Ms. NORTON. So your Half Back, you're back incarcerated because you can't—you have to get more treatment without going back and forth to the community?

Mr. ORMOND. Exactly.

Ms. NORTON. And you are—you have 100-bed facility funding if you can find a residential facility in the District of Columbia?

Mr. ORMOND. Yes. We actually have been in a facility on the grounds at D.C. General Hospital. We want to expand that facility to accommodate——

Ms. NORTON. By 100 beds?

Mr. ORMOND. To 100 beds, yes.

Ms. NORTON. How many beds now?

Mr. ORMOND. Twenty-one beds now.

Ms. NORTON. And you need 100 beds in order to take care of all the folks that——

Mr. ORMOND. That would probably allow us to take care of about 80 percent of the need.

Mr. ORMOND. And do they now just go back to prison? What do you do since you don't have the beds?

Mr. ORMOND. We have the contracts but many of those people—that's why that whole recidivism question is interesting. A lot of those people are going back to jail now, because we do not have the option, because the judges often want them to be taken off the community for public safety reasons. But, again, that facility is being impacted by the current D.C. Commission and our inabilities to do any further improvements in that census tract.

Ms. NORTON. Well, you know, if those folks have to go back to prison because of violations which otherwise would not allow that, we may be back to the situation we have with the Parole Board.

Mr. Reilly, I don't know if you were on the Commission at the time, but I woke up one morning and this is how I found it out. I may ask that—I may hope that none of us find out things like this through the Washington Post, where we found out through the Washington Post that there were people waiting to be released by the Parole Commission and were ready to be released, but because of the volume of cases, there was nothing you could do, because you had to be very careful in allowing people to get out of prison.

So here you might have somebody for months, ready to be released, unable to get out, not because of anything he did. In fact, he's prepared himself for release. He's got his head on straight about never coming back here, and he is told, I'm sorry. There's paperwork at the Parole—it's a paperwork problem at the Parole Commission.

I was so astounded, I called the Deputy Attorney General, Mr. Clark, had Mr. Clark bring in everybody, the Parole—everybody

that had anything to do with inmates. We set up this working group, and I must say this is another success story, because they—working with you, the—and only through the halfway house breakthrough, this terrible situation where somebody gets his anger back because the bureaucracy is keeping him in there, not his own conduct, that breakthrough took place.

What I have to ask you, Mr. Reilly, is are we in any danger that we will have a backlog of people who BOP is ready to release but you can't release because of paperwork difficulties? Are we in any danger of going back to that recidivism?

Mr. REILLY. Thank you, Congresswoman Norton. I think we've all obviously joined together in trying to develop some strategies and to address and plan in advance for the future. Obviously with what's going to occur—and we all know that—we are working together to try to avoid just what you've outlined here a moment ago, and much of what happened with the Parole Commission—and I don't want to go back and regress. I want to progress and go forward—was a result of a lot of things that occurred, but I'm not going to get into those today at this hearing.

Ms. NORTON. We know there were a lot of agencies involved.

Mr. REILLY. There were a lot of things involved.

Ms. NORTON. Well, it certainly wasn't just the Parole Commission.

Mr. REILLY. You're right.

Ms. NORTON. I'm quite aware of the role of the Department of Corrections. That's why everybody was in the room and everybody had a hand I'm sure in straightening it out. But I just want to make sure that—because I don't know if your budget has been increased. I don't know if the problems that led to that are now under control, and that's really what I'm asking.

Mr. REILLY. Well, I'm happy to report that the budget at least from the House of Representatives has been approved by the—or at least the markup and so on has been approved by the House committee, and it will have a very positive effect on the Parole Commission's ability to fulfill its mission and obligation.

Obviously there are a lot of things that resulted in our not being prepared when that transition took place in the first place, and I intend to see that corrected. It was totally unacceptable to me, and I am correcting it. And I'm hopeful that we can avert and avoid what has happened in the past. There is always the danger, obviously, of something falling apart, because if we don't all work together in concert—and we obviously could have a real crisis develop again—but in view of the great partnership that is existing and that I've seen, I think we can avoid that and that we can—if we can get the halfway house placements, and some of those things will help and assist us in placing those offenders who don't belong in an institution, it obviously will lessen the burden on all of us and we hope we can return them then to society and back into the community as productive citizens. I'm convinced we can do that by working together.

Ms. NORTON. Can I ask one question of Mr. Clark, please.

Mr. Clark, you said that there was no shortage of beds for females. I'd like to know why, and I'd like to know whether some of those beds can be used for males in the halfway houses.

Mr. CLARK. I'm not sure why there's no shortage. It just seems that neighborhoods seem to be more willing to accept the female halfway houses. In fact, the large one in Northeast, the larger one, which I believe has maybe 60 or 70 beds, recently had a charter school come in and move in right next door, right across the alley from them voluntarily, and they have a nice partnership going right now. So it just seems——

Ms. NORTON. It's just great to hear that kind of testimony. That is the rarest kind of testimony. Go ahead. I'm sorry.

Mr. CLARK. Well, that was my——

Ms. NORTON. Well, I mean, are there excess—you can't put women in with men. That I would not—with people coming out of prison, I would not advise that, but I would ask whether or not there is any possibility that some of the—some of the facility—if there was—for example, if there were excess beds in a number of different facilities for women, one might move all the women into one or two facilities, and then you'd have a place for men, if that could be done.

Mr. CLARK. There are only—oh, excuse me.

Ms. NORTON. Go ahead.

Mr. CLARK. There are only two facilities, both run by the same vendor, Reynolds and Associates, the one in Northeast, and a small facility in Northwest around DuPont Circle. And actually I asked the same question of the owner of that company within the last couple of weeks, and he's very reluctant to change the mission of either one of them.

Ms. NORTON. The neighborhood might become upset if that were to happen.

Finally, may I just say to you, Mr. Clark, that you suggested that the Criminal Justice Coordinating Council might be the best, I think functionally you're right, best group to activate the notion that I spoke about of some kind of working group, I called it emergency transition, and you said they would—that the Criminal Justice Coordinating Council would be the logical group. It would be, but you also indicate it is not fully activated, isn't that right, the Criminal Justice Coordinating Council is not fully activated to a point—that is to say, it doesn't have its director, it doesn't have all that we talked about in our last hearing yet, does it?

Mr. CLARK. It does not have a staff at this point, but it's been rejuvenated in terms of having regular meetings and rejuvenating——

Ms. NORTON. Mr. Clark, I want you to get together, since you are the person we sent in correct the Parole Commission DOC problem that we had where people were being held in jail and not enough halfway space, would you get together with Ms. Kellems—all I want to make sure doesn't happen is that we wait for something to be staffed. What I had in mind and what I asked you all to report back on was something that would be staffed so that there would be pending a plan, a group of experts from the relevant—staff experts from the relevant agencies working on the problem that is upon us, which is you got 500 beds and you got 2,500 people coming at you. We can't wait until D.C. gets a plan in order to do that. And some sections of the Criminal Justice Coordinating Council or whatever you and Ms. Kellems decide, I want you to get back

to us in 2 weeks about what it is you decided to do with respect to that, since I heard two different ideas come forward.

Thank you very much, Madam Chair.

Mrs. MORELLA. If there were any other questions, we'll submit them to you in writing and ask for your response. It's been a long hearing but I think it's been a very important one. I think that we discussed a lot: Coordination, cooperation, reporting back, making sure that we move ahead with what needs to be done with regard to community safety and actually the safety of those people going back into the community who have been a part of our corrections system. So I want to thank all of you, thank you in the second panel, John Clark, Dr. Sawyer, Chief Ramsey, Chairman Reilly, Director Ormond and Deputy Director Anthony. And I want to commend my staff, Russell Smith, majority staff director, and Rob White, Matthew Batt, Shelly Kim, Heea Vazirani-Fales; the minority side Jon Bouker and Jean Gosa; and all of you for being here today too.

So the Subcommittee on the District of Columbia now adjourns.

[Whereupon, at 1:30 p.m., the subcommittee was adjourned.]

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