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DOING TIME: ARE DC PRISONERS BEING ADEQUATELY PREPARED FOR REENTRY WITH EQUAL ACCESS TO BOP SERVICES?

HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE, AND THE DISTRICT OF COLUMBIA

OF THE

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

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DOING TIME: ARE DC PRISONERS BEING ADEQUATELY PREPARED FOR REENTRY WITH EQUAL ACCESS TO BOP SERVICES?

TUESDAY, OCTOBER 16, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE, AND THE DISTRICT OF COLUMBIA,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 p.m. in room 2154, Rayburn House Office Building, Hon. Danny K. Davis (chairman of the subcommittee) presiding.

Present: Representatives Davis of Illinois, Cummings, Kucinich, Clay, Norton, and Marchant.

Staff present: Tania Shand, staff director; Caleb Gilchrist, professional staff member; Lori Hayman, counsel; Cecelia Morton, clerk; LaKeshia Myers, editor/staff assistant; Eleanor Hudson, intern; Howie Denis, minority senior professional staff member; and Benjamin Chance, minority clerk.

Mr. DAVIS OF ILLINOIS. The subcommittee will come to order.

Let me welcome Ranking Member Marchant, members of the subcommittee, hearing witnesses, and all of those in attendance. Welcome to the Federal Workforce, Postal Service, and the District of Columbia Subcommittee hearing, "Doing Time: Are D.C. Prisoners Being Adequately Prepared for Reentry with Access to BOP Services?"

The hearing will examine the manner in which the Federal Bureau of Prisons [BOP], provides educational, vocational treatment and transitional programming to D.C. prisoners held at the privately operated Rivers Correctional Institution in Winton, NC, as well as at other BOP-run facilities. Correctional Research has established that participation in such core programs contributes to substantial reductions in recidivism.

The subcommittee is seeking detailed information on the nature, quality, availability, comparability, and effectiveness of these programs in the prisons where District prisoners are incarcerated.

Hearing no objection, the Chair, ranking member, and subcommittee members will each have 5 minutes to make opening statements, and all Members will have 3 days to submit statements for the record.

I shall begin.

Good afternoon. Welcome to today's hearing to examine the rehabilitative services at Rivers Correctional Institution, a privately

run Federal Bureau of Prisons facility housing D.C. inmates and foreign-born residents.

There are 2 million Americans in prisons in the United States. Each year more than 650,000 ex-offenders are released from State and Federal prisons. They will return to civilian life. These men and women deserve a second chance to break the grip of a drug habit, a chance to support a family, to pay taxes, and to be self-sufficient.

Many of these ex-offenders return to their communities unprepared and without the support they need to sustain their new lives. This is why I have sponsored H.R. 1593, the Second Chance Act. It is a bipartisan deal that addresses reentry reform with a comprehensive approach to help eliminate barriers and increase access to transitional services for ex-offenders.

A third of all departments provide zero services to released ex-offenders, and most do not offer a transitional program, thereby placing a heavy burden on families and communities. Without structure and support to help ensure a lasting transition, we are unwittingly creating a revolving door for former inmates. These individuals pay a price, as do their families and society.

Ex-offenders face many barriers that impede their return to society, which includes serious physical and mental health problems, homelessness, and lack of education, or minimal qualifications to hold a job. As a result, two out of three ex-offenders will be re-arrested for new crimes within the first 3 years after their release.

This hearing will help shed light on the importance of transitional services for ex-offenders, not only in the District of Columbia but across the country.

Currently, 7,000 District inmates under Federal jurisdiction are spread across 75 institutions and 33 States. Since the passage of the National Capital Revitalization and Self-Government Improvement Act of 1997, Congress has not conducted any hearings into BOP's management of D.C. prisoners.

My colleague, Delegate Eleanor Holmes Norton, has been to Rivers Correctional Institution in Winton, NC, and the Federal Prison Institution in Cumberland, MD. She spoke to inmates and prison officials at both institutions. I commend her for her efforts to learn more about the educational and transitional services offered to D.C. inmates at BOP facilities.

I thank you.

[The prepared statement of Hon. Danny K. Davis follows:]

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STATEMENT OF CHAIRMAN DANNY K. DAVIS AT THE SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE AND THE DISTRICT OF COLUMBIA

HEARING ON

"Doing Time: Are DC Prisoners Being Adequately Prepared for Reentry with Equal Access to BOP Services?"

October 16, 2007

Good afternoon, welcome to today's hearing to examine the rehabilitative services at Rivers Correctional Institution (RCI), a privately-run Federal Bureau of Prisons (BOP) facility housing D.C. inmates and foreign-born residents. There are two million Americans in prisons in the United States. Each year, more than 650,000 ex-offenders released from state and federal prisons will return to civilian life. These men and women deserve a second chance to break the grip of a drug habit, a chance to support a family, to pay taxes, and to be self-sufficient. Many of these ex-offenders return to their communities unprepared and without the support they need to sustain their new lives.

This is why I have sponsored H.R. 1593, the "Second Chance Act"; it is a bipartisan bill that addresses reentry reform with a comprehensive approach to help eliminate barriers and increase access to transitional services for ex-offenders. A third of all correction departments provide zero services to released ex-offenders, and most do not offer a transitional program, thereby, placing a heavy burden on families and communities. Without structure and support to help ensure a lasting transition, we are unwittingly creating a revolving door for former inmates. These individuals pay a price, as do their families, and society.

Ex-offenders face many barriers that impede their return to society, which include: serious physical and mental health problems, homelessness, and lack of education or minimal qualifications to hold a job. As a result, two out of three ex-offenders will be rearrested for new crimes within the first three years after their release. This hearing will help shed light on the importance of transitional services for ex-offenders not only in the District of Columbia, but across the country. Currently, 7,000 District inmates under federal jurisdiction are spread across 75 institutions and 33 states. Since the passage of the National Capital Revitalization and Self-Government Improvement Act of 1997 Congress has not conducted any hearings into BOP's management of DC prisoners.

My colleague, Delegate Eleanor Holmes Norton has been to Rivers Correctional Institution, in Winton, North Carolina, and the Federal Prison Institution in Cumberland, Maryland. She spoke to inmates and prison officials at both institutions. I commend her for her efforts to learn more about the educational and transitional services offered to DC inmates at BOP facilities.

Thank you and I look forward to hearing from today's witnesses.

Mr. DAVIS OF ILLINOIS. Now I will yield to the ranking member, Mr. Marchant, for any comments that he might have.

Mr. MARCHANT. Thank you, Chairman Davis. Thanks for holding this hearing today.

I was not yet elected to Congress when the Lorton Facility was shut down in 2001; however, from what I understand, a number of congressional leaders from both sides of the aisle worked together with both the Clinton and Bush administrations to facilitate the transfer of the D.C. prisoners to the newly built Rivers Correctional Facility in North Carolina. I understand this change was much needed and a high priority for the local congressional delegation because of the extremely sub-par conditions at the Lorton facility.

In transferring inmates to Rivers Correctional, the District of Columbia got a safe, new facility with no cost to the city coffers. Since the Federal Government absorbed the cost, I am anxious to hear of the conditions and programs in the Rivers Correctional Facility today and look forward to the testimony of the witnesses.

Mr. DAVIS OF ILLINOIS. Thank you very much, Mr. Marchant.

Delegate Norton, do you have anything?

Ms. NORTON. Thank you very much, Mr. Chairman. I want to thank Mr. Marchant for his work in cooperating with this hearing, but especially you, Chairman Davis, for holding the first oversight hearing concerning the conditions and circumstances of the District of Columbia felons since the Lorton, VA, facility was closed almost 10 years ago.

The Federal Bureau of Prisons [BOP], took jurisdiction over inmates from the District at the request of the District of Columbia during the city's financial crisis. This hearing parallels the chairman's own ground-breaking work as the lead sponsor of the pending Second Chance Act that I have been pleased to join in cosponsoring. Today's hearing will add to the national record that shows overwhelmingly the urgency of passing the Second Chance Act this year.

We welcome all of today's witnesses, and particularly thank Chairman Davis and his committee staff for the care with which this hearing has been put together, including their willingness to travel with me and my staff to the facilities controlled by BOP.

Today's witnesses, including the leader from Rivers and from the BOP, the agencies that are responsible for assisting the successful reentry of our inmates, and practitioners and experts who have had success in assisting inmates to reconstruct their lives upon release, all will help open the door to the fuller investigation that is required.

Among the additional urgent issues that will need attention is the affect of the Federal Parole System on D.C. inmates' length of sentence when they are on parole or when their parole is revoked. Despite efforts of the D.C. Council to clarify the issue under D.C. law, the time served on parole is not counted toward the length of an inmate's sentence upon returning to prison. That is quite exceptional and unusual.

Except for appropriations hearings related to annual funding, there has been no oversight of D.C. inmates in Federal prisons, where they have been housed since the District requested a Federal takeover of the costs of felon incarceration and several other

State functions for which cities in the United States are not responsible except for the District of Columbia. In turn, Congress enacted the 1997 Revitalization Act transferring responsibility for D.C. prisoners, among other costs, to the Federal Government.

The title of today's hearing, "Doing Time: Are D.C. Prisoners Being Adequately Prepared for Reentry with Equal Access to BOP Services," indicates our concern that legal and structural issues may have had the unintended result of providing unequal access for D.C. prisoners to BOP services even though once sentenced they become Federal inmates as much as any other BOP prisoners, notwithstanding the finding of guilt pursuant to the D.C. Code.

D.C. inmates and criminal aliens are the only Federal prisoners housed in private federally contracted facilities with services that do not mirror those available at BOP-run prisons. Although the Revitalization Act required some D.C. prisoners to be housed in private facilities, the statute did not contemplate a unique exception to uniform Federal policies concerning available services.

The fact that the BOP, itself, houses the vast majority of D.C. inmates and the abandonment of the private option by the Federal Government, as mentioned in the Revitalization Act, except for Rivers, constitutes strong evidence of congressional intent to treat D.C. prisoners like others in the BOP system. However, our investigation thus far shows that even in BOP-run facilities this is not always the case, apparently because of legal issues.

We are particularly concerned that, although almost 90 percent of D.C. inmates are in BOP facilities, 65 percent who have had their parole revoked were recommitted to prison for drug-related offenses. No serious effort to help these inmates or to reduce crime permanently here will be possible without the congressional oversight we begin today with today's hearing and without considerably greater attention by the District of Columbia government and our own residents to our prison population while they are incarcerated and after.

Often, thousands of miles away under Federal rather than the usual local jurisdictions, D.C. inmates have been left out of sight and out of mind. They and their families have few advocates and almost no visibility.

To its credit, Rivers provides a free bus each way Thursdays through Sundays, but this means 8 hours of travel time, which is particularly difficult for families, whose visits experts have long documented as important for successful reentry.

About 7,000 D.C. prisoners are housed in an incredible array of 75 different facilities in 33 States in groups of a few hundred and often far fewer. Rivers, with about 831 D.C. inmates, has the highest concentration of any single institution.

The services available at BOP-run facilities staffed by Federal employees are more extensive with higher standards than those available at Rivers, apparently because the same services are not required or funded by the BOP contract. The absence of comparable substance abuse services, particularly at Rivers, almost guarantees problems for the inmates and for our city when they return.

A limited non-certified program at Rivers is available to only 60 of the 800 or so inmates, although 50 to 80 percent have substance abuse problems. District residents even in BOP facilities do not

qualify for early release incentives upon completion of a highly regarded 500 hour drug treatment program which is altogether unavailable at Rivers.

The Rivers drug abuse program has little in common with the 500 hour program, but is available to so few inmates that it, nevertheless, has a waiting list.

The issues our investigation have thus far uncovered have less to do with BOP and Rivers as institutions than with the challenges Congress has not yet faced concerning what is necessary to integrate State felons into the life of a Federal prison system for the first time in U.S. history.

Both the Rivers private facility and Cumberland that we visited appeared well-kept and orderly, and Rivers Warden George Snyder and Cumberland Warden Lisa Hollingsworth are both highly qualified prison experts who rose to their present positions through the merit system at BOP.

As we toured every part of both facilities along with the wardens, we were impressed that D.C. inmates felt comfortable to walk right up to me at will and to speak freely about their concerns, without any fear or sense of intimidation. The most frequently mentioned concern related to drug abuse treatment.

Our oversight must be circumscribed by issues of law that Congress can correct or practices that we can help BOP revise. Until now, Congress has never looked to see how the absorption of State prisoners into a Federal prison system for the first time has even operated, whether spreading D.C. prisoners throughout the country in so many different institutions has served the purposes of the Revitalization Act and the interests of inmates and the D.C. government in successful reentry, or whether there are other options for housing.

The implications of placing residents, American citizens, in a facility with criminal aliens and the affect on services offered, and whether Congress, in allowing D.C. residents to be placed in private facilities, intended to reduce the level of services rendered by or through the Bureau of Prisons.

These and a litany of other questions deserve a full investigation and answers after an investment of billions of dollars in Federal funds without any accountability as to the effects and outcomes.

I appreciate the work of our subcommittee in beginning this effort today.

Once again, I thank all of today's witnesses for their assistance in helping us understand and think through the issues before us.

Thank you, Mr. Chairman.

Mr. DAVIS OF ILLINOIS. Thank you very much, Ms. Norton.

We will now proceed with our first panel of witnesses.

I would like to ask Mr. Douglas Robinson if you would come. And please continue to stand until we swear you in. It is the custom of this committee that all witnesses are sworn.

[Witness sworn.]

Mr. DAVIS OF ILLINOIS. The record will show that the witness answered in the affirmative.

Let me introduce Mr. Robinson. Mr. Robinson was incarcerated in prison for 16 years. He spent 11 years in State prison and the last 5 years in the Bureau of Prisons. He is currently employed as

a stock worker at Goodwill Industries, and he is the kind of person that I think is the epitome of what we hope to see, and that is individuals who are able to find employment, individuals who are able to move ahead and demonstrate that they are, in fact, contributing members of society.

Mr. Robinson, we thank you so much. You may proceed.

STATEMENT OF DOUGLAS ROBINSON, PREVIOUSLY INCARCERATED, BUREAU OF PRISONS FACILITY

Mr. ROBINSON. My name is Douglas Robinson, and this is my testimony concerning my experience and rehabilitation at the BOP.

While I was housed at McKean in Pennsylvania, they had the programs there, but the problem was it was such a long waiting list. A lot of programs were folding because of funds. So I was in there for about a year and a half, and I moved to Petersburg. At Petersburg, the same problem was going on. Staff was being laid off. Programs were folding. A lot of programs they had, the guys wanted to get, you couldn't get. And the waiting list was so long because they were telling us there was overcrowding in the prison system. So you might be waiting a year or two before you could get into a program. Like myself, I had other journeys, which was to enroll into a 500 hour drug program.

I left Petersburg and went to Butner. I think that was my best experience, because for so long I had ducked and dodged that I had a problem, and I learned that my behavior was causing my problem. It wasn't just the drugs or whatever.

While I was there it was pushed upon me to get my GED, which I did get. There they had college programs that were free. While I was at Petersburg, the college programs you had to pay for. Like myself, I couldn't afford it, because you are in there, you are making $9 a month, $12, $13, $15 a month, and everything was revolving around funds. They didn't have the funds to do this and do that.

I am not speaking bad about the BOP. They have a lot of things to offer. But the problem to me that I saw was the funds. That is what I was told.

Like myself and I think a lot of other inmates, there are a lot of us that do want to straighten out our lives, and it was a problem at first but I had to take it upon myself. It didn't stop there.

When I arrived home, I made a choice to move on with my life. I am working now at Goodwill, and I am out there. I just came out of the halfway house about a week ago. Now I can move on with my life. I have more free time now. I can enroll in some classes and try to do something else with my life.

Those are my concerns.

Mr. DAVIS OF ILLINOIS. Thank you very much. We certainly appreciate not only your being here, but we appreciate your testimony.

I will begin the questions. I have some questions I would like to ask you.

What got you in prison? I mean, why did you or why do you think that you ended up going to prison?

Mr. ROBINSON. I learned to me it was my behavior. It started from my behavior, my irrational thinking, you know, thinking that

what I was doing was right. It started from the streets and the lifestyle of drugs, fast lifestyle. For so long I was caught up in that cage. It took me a long time.

I don't blame anybody for that but myself. I had plenty of people to help me along the way, but I was a closed-minded person. Today I am a more open-minded person.

Mr. DAVIS OF ILLINOIS. Were you using drugs or selling drugs?

Mr. ROBINSON. I sold drugs. I used drugs.

Mr. DAVIS OF ILLINOIS. How far did you go in high school?

Mr. ROBINSON. Eleventh grade.

Mr. DAVIS OF ILLINOIS. And by then you had started to use drugs?

Mr. ROBINSON. I started about that time, yes, and dropped out of school.

Mr. DAVIS OF ILLINOIS. And so you dropped out because it just didn't appear to be the thing to do, or you needed to generate money to get the drugs, or——

Mr. ROBINSON. No. Money in my family too much wasn't the problem. I think I just drifted off. I wanted to be with the crowd. It was a stupid mistake I made.

Mr. DAVIS OF ILLINOIS. Were you a good student?

Mr. ROBINSON. Yes, I was a pretty good student. I played sports at Cardozo. I could have gotten a scholarship and go to college playing football, but I dropped out and went down the wrong path.

Mr. DAVIS OF ILLINOIS. And when you were arrested, it was finally for what?

Mr. ROBINSON. Distribution of heroin, armed robbery, and mayhem.

Mr. DAVIS OF ILLINOIS. I noticed that you did mention the facility that you thought you had your best time at, or the one that really helped you. Could you tell us again which facility really helped you, you felt really helped you get on the path?

Mr. ROBINSON. It was Butner. I took the 500 hour drug program, and a counselor that was working with me was a pretty good guy. Due to the death of my Mom while I was there, I was thinking about dropping out of the program until 1 day he took me in his office and talked to me. I thought about what he said and that is what really changed me.

Mr. DAVIS OF ILLINOIS. And so you feel that when you came to grips with your drug problem or recognized that you had a drug problem and needed some help with it, that is really what changed your approach to dealing with life, in a sense?

Mr. ROBINSON. That was my main problem, sir. Yes, sir. It was the lifestyle that I was living that was in my way, that kept me from moving forward.

Mr. DAVIS OF ILLINOIS. So if you had a recommendation to the Bureau of Prisons that said to them, here is what I think you can do better than or more than, or here is what I think would help more inmates, what would that recommendation be?

Mr. ROBINSON. It would be better programs, like reentry programs, and maybe I think make it mandatory or some way make it that a person can get help for their problems, because a lot of times your problems start with your behavior, and a lot of guys

don't realize that. I didn't realize it. That is basically where it starts.

Mr. DAVIS OF ILLINOIS. And so you think that more emphasis on helping inmates with their individual problem or finding out what their individual needs are, that this would in all likelihood help them more?

Mr. ROBINSON. Yes, sir.

Mr. DAVIS OF ILLINOIS. Well thank you very much. I certainly appreciate your testimony.

I would suspect that we have been joined by Mr. Kevin Barnes. Mr. Barnes, is that correct?

Mr. BARNES. I apologize for my lateness. Thank you, Mr. Chairman.

Mr. DAVIS OF ILLINOIS. We understand, especially if you are dependent upon transportation systems that sometimes you don't have control over.

What we would really like to do then is go back and give you the opportunity to make your statement, and then we will continue with the questions.

Before you do that, I need you to stand and get sworn in.

[Witness sworn.]

Mr. DAVIS OF ILLINOIS. The record will show that the witness answered in the affirmative.

Now you might just be seated and tell us your statement, and then we will pick back up with the questions.

STATEMENT OF KEVIN BARNES, PREVIOUSLY INCARCERATED, RIVERS CORRECTIONAL INSTITUTION

Mr. BARNES. Good afternoon ladies and gentlemen. It is truly an honor and a privilege to sit here before you today on behalf of the inmate population at Rivers Correctional Institution.

Today I will speak briefly about the pros and cons of the program structure at Rivers and attempt to shed a little light, and hopefully make the whole situation a little better.

As a whole, the program structure is lacking. There isn't enough effort placed education or tools to help the inmates educate themselves. The library is about the size of an average living room in the District of Columbia. Most of the books for inmate use are mostly novels, and the law library is grossly out of date. If you were to ask about the athletic programs, I would say that they get top priority over anything educational.

There is an HVAC course that deserves attention, but only for inmates 24 and under. Where does that leave the other 70 percent?

I truly believe that the staff at Rivers, as a collect whole, doesn't care if the inmates are educated, because the inmates return to D.C. The next time they have to see the inmate again is when they return, getting off the bus to come back.

I was a participant in the drug program at Rivers, and I can honestly say I learned a few things, but it could have been better.

First of all, the program isn't accredited. Second, most of the inmates from Rivers are from D.C., and no one is given any type of good time earned, like the rest of the country gets for the same type of program. The drug program is under-staffed and under-

equipped to deal with the overwhelming demand. The majority of inmates are either convicted of drug dealing or drug-related crimes.

I believe that better drug treatment at Rivers could possibly reduce the high recidivism rate. In my opinion, anger management, domestic violence, and parenting classes would also be of great importance to the inmate population.

I know Rivers, or any prison, for that matter, is not a college, but better programs could possibly make a big difference in whether someone stays out or returns back.

Once he leaves Rivers, the inmate is either placed in a halfway house or directly back into society. Maybe with some type of transitional housing or better vocational programs inside, ex-offenders might have better choices or be better equipped to succeed from turning from criminal behavior.

In my opinion, there is more to be done at Rivers, and I hope anything I said could help.

If we all work together we could make things more conducive on the inside so that our fathers, brothers, and sons will be more productive on the outside.

Thank you.

Mr. DAVIS OF ILLINOIS. Thank you very much. We really appreciate the effort that you made to get here, and we certainly appreciate your testimony.

We will go back to the questioning. I had just finished, and now I would yield to the ranking member for his round of questions.

Mr. MARCHANT. Thank you, Mr. Chairman.

Thank you for your testimony Messrs. Robinson and Barnes.

I think the main focus of the hearing today should be on is: what can be done to improve the facility at Rivers Correctional so that when the prisoners return to society they are better able to enter back into the city if they choose to and be productive citizens? Those are the main questions that I have, and I would ask each of you to make a statement of maybe the most important things that you think could be done at Rivers to make it the kind of facility that an inmate could get out of Rivers, come back to D.C., and be a productive person in society.

Mr. Robinson.

Mr. ROBINSON. Sir, I was never at Rivers, but just hearing Mr. Barnes speak and from other inmates that I have talked to, he spoke of better programs, because the majority of inmates in the prison system are using drugs or sold drugs or dealing in crime. Like I spoke before, what I learned is the behavior. Like I said, the drug program should be more. It is not the type of care. The staff, they are not interested. So if they are not interested, you have inmates there, and they really need somebody to push them.

And, like I said, funds is one of the problems, or better programs, because most of the programs that were going on were shut down because of the funds. That is what I was told as an inmate.

Mr. MARCHANT. Mr. Barnes.

Mr. BARNES. I believe, first, that some of the money, at least at Rivers, I know a lot of the money from Canteen, where the inmates are allowed to purchase things, I believe that the majority of that money goes to athletics and things of that nature. That is not going to help an inmate when he comes home, so I think they should di-

vert some of that money into vocational programs, because the programs that they do have at Rivers, as far as vocation, like HVAC things that will help someone when they get back to society be able to earn a living without turning back to criminal behavior, it should be directed at that, because the program that was at Rivers stopped at 24. You have to think, 70 percent of the whole compound, the place where the inmates are, is well over 24. Where does that leave them? There should be more programs directed at parenting skills, things of that nature, learning how to deal with the anger issues, because all of those play a big part in someone going back to their old criminal behavior.

If the money could be directed or just some type of program, period, that would just help someone deal with coming out of an institution into society, like the domino effect, you complete that, you complete this. I mean, the rest is up to the inmate, but if you at least put the tools there for them to use I think that would be a big help.

Mr. MARCHANT. Thank you, Mr. Chairman.

Mr. DAVIS OF ILLINOIS. Thank you very much, Mr. Marchant.

Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman.

Could I just first say to both of you thank you. I am proud of you. I appreciate your coming forward so we can have some idea from people who have served time. One of you has served time only in a BOP facility, Mr. Robinson. Mr. Barnes has served time in Rivers.

Have you also ever served time in a BOP facility?

Mr. BARNES. Not really, just the D.C. jail, CTF, and then Rivers.

Ms. NORTON. So you really do give us a picture of some of the differences just in what you have said already.

I also congratulate you both for kind of facing up to the responsibility you are taking for your own crimes. That, like everything, is the first step to moving forward.

Mr. Barnes, you are employed?

Mr. BARNES. Yes.

Ms. NORTON. Where?

Mr. BARNES. I work for Hunt Consulting. I am an electrician. I am an electrician by trade, and I am also in the process of trying to start my own nonprofit organization targeted to youth, at-risk youth. It is going to take a little work, but right now I am just an electrician.

Ms. NORTON. How did you learn to be an electrician, Mr. Barnes?

Mr. BARNES. On-the-job training. I just picked it up. I used to be the guy that cleaned up behind the electricians; now I am the top electrician at my job.

Ms. NORTON. Did you know how to be an electrician, as it were, before you went to prison?

Mr. BARNES. I wasn't as good as I am now, but there was a foundation, but I came out and did more.

Ms. NORTON. Well, the most-voiced complaint from inmates, former inmates I meet in my job fairs and as I go around the city, is the difficulty in finding any employment. How were you able to find employment, Mr. Barnes?

Mr. BARNES. I wanted it. I worked hard for it and it came. A lot of times people make excuses but they don't make an effort. If you make more of an effort as opposed to an excuse, you probably would get what you wanted. I mean, I can't speak for everybody, but I just wouldn't take no for an answer.

Ms. NORTON. How old are you, Mr. Barnes?

Mr. BARNES. I am 30.

Ms. NORTON. How long have you been incarcerated?

Mr. BARNES. Three years.

Ms. NORTON. All right. Let's go to Mr. Robinson. Mr. Robinson, you are also employed. Where are you employed?

Mr. ROBINSON. I am employed at Goodwill.

Ms. NORTON. Where?

Mr. ROBINSON. Goodwill.

Ms. NORTON. How were you able to obtain employment, Mr. Robinson?

Mr. ROBINSON. Well, I was out looking for a job at the time I was in the halfway house, and I came back 1 day and they sent me out. The halfway house sent me out to Goodwill. While I was there, I told the guy that I had a serious violent crime.

Ms. NORTON. You had what?

Mr. ROBINSON. A serious violent crime.

Ms. NORTON. You told him that right off?

Mr. ROBINSON. Yes, right off the break. And he said, Man, don't even worry about it. He said, I am going to give you a chance. So I filled out the application and started the job and I have been there ever since.

Ms. NORTON. Now long is that you have been there, Mr. Robinson?

Mr. ROBINSON. I have been there about 5 months. I have been home 6 months. I have been there 5 months.

Ms. NORTON. How long did you look for work before you were able to obtain this position?

Mr. ROBINSON. About 3 weeks. I was turned down because of my record.

Ms. NORTON. How long have you been incarcerated?

Mr. ROBINSON. Sixteen years.

Ms. NORTON. Well, I consider it very important that both of you have jobs. This is the main issue. I want to get on to the next issue.

Mr. Robinson talked in his testimony about the HVAC program. Mr. Barnes indicates that at Rivers the HVAC program—now this is a program having to do with heaTing and air conditioning; is that correct?

Mr. BARNES. Yes, ma'am.

Ms. NORTON. That was limited to people 24 to what? Under?

Mr. BARNES. Twenty-four and under.

Ms. NORTON. That was not the case, or was the case, Mr. Robinson, where you had access?

Mr. ROBINSON. That was not the case. In the BOP there was no age limit.

Ms. NORTON. So there is a difference I don't understand and we will have to find out. It may have to do with apprenticeships and what you have to do once you get out, but, Mr. Barnes, I am impressed that you said 70 percent of the people couldn't even begin

to qualify because of the age limit. We will have to ask why the age limit was there.

What do you do at Goodwill, Mr. Robinson?

Mr. ROBINSON. Right now I work on the docks. I load up tractor trailers right now. This is something temporary until another job comes up, and I am waiting on another job position to come through pretty soon.

Ms. NORTON. So you applied for another position?

Mr. ROBINSON. No. I talked to a friend of mine, and I have a trade refinishing tubs and tiles.

Ms. NORTON. Because Goodwill Industries has a record of hiring people with records throughout the United States.

Mr. ROBINSON. Yes, ma'am.

Ms. NORTON. And you figure that, having worked there and attained a good record, you will be able to go to other employment?

Mr. ROBINSON. Yes, ma'am.

Ms. NORTON. They are going to testify here, as well, so we would be very interested in that.

Now, you mentioned that there were long waiting lists at McKean and programs were limited. What services did you have in mind that were limited?

Mr. ROBINSON. That were limited?

Ms. NORTON. You said the services were limited and the waiting lists were long.

Mr. ROBINSON. They had very few vocational programs there. They had just opened up an agriculture class, plants and stuff, and I had enrolled in it. The problem was that you had guys that might be at the prison 5 or 6 years. I had just arrived, so their names are already on the list. The wait list was so long, by the time—I never got a chance to enroll into the class, basically.

Ms. NORTON. And part of this, of course, is that Congress has not fully funded or has not funded perhaps all of the BOP facilities as much as we would like, and that is something we were interested in, as well, in talking about cuts and the rest, and you seem to understand that had to do with availability of funds.

The HVAC or heating and air conditioning training, how much of that did you have?

Mr. ROBINSON. Well, I did it before when I was at Lorton, and I was doing it while I was there, but, like I said, I was moving around so much, I was there for about a year and then I had enrolled into the 500 hour drug program, and my time came that I had to leave to go to Butner, so I was there for about a year and they took me into the program.

Ms. NORTON. Now, you were fortunate. You did get access to the 500 hour program?

Mr. ROBINSON. Yes, ma'am.

Ms. NORTON. And you spoke highly of the 500 hour program. Do you believe that it was instrumental, was helpful to you in overcoming the use of drugs when you got out?

Mr. ROBINSON. I think it was very helpful. But, like I said, before I was pretty closed-minded to the fact about my problem, and I was the type of person I wouldn't open up and talk to just anybody about my problems, so they had a thing in the class that you had to open up and share with others. I think that helped a lot. Basi-

cally, I think just being open-minded, learning that my way wasn't the way.

Ms. NORTON. Mr. Robinson, I must tell you, when we went to Cumberland I got to see the 500 hour program in operation. I have never seen anything like it. There was no authority figure, as it were, intervening. The inmate spoke about what he had done, where he was, and the other inmates got up and criticized him, and he had to respond. All I can say is I wish the whole world out here to go through a 500 hour program, particularly all of us who are used to making excuses, because the honesty that wrung out of inmates was extraordinary to behold. I got some sense of the program.

Are you free from drugs now? Do you feel confident that you will be free and remain free from drugs?

Mr. ROBINSON. I am doing my best to stay free. I know it is going to be a struggle. It is a lifetime thing, you know. I deal with the demons every day, but I am determined to beat it. I am tired of living that type of life. I am through.

Ms. NORTON. As a D.C. resident—we will get into this later as to the reasons—but you did not get any time off, did you, for participating in this program?

Mr. ROBINSON. No, I didn't get any time off.

Ms. NORTON. This, of course, is an important ingredient of this program. In addition to the candid back-and-forth——

Mr. ROBINSON. Yes, I know.

Ms. NORTON [continuing]. Kind of talk among peers. Completion of the program could qualify an inmate for time off, unavailable to D.C. residents, and yet D.C. residents try their best to get in the program, and you did.

Mr. ROBINSON. Yes.

Ms. NORTON. Even without the incentive, you sought to get in the program. Why?

Mr. ROBINSON. Why?

Ms. NORTON. Even without the incentive of knowing you would get some time perhaps deducted from your sentence, you, nevertheless, wanted to get in the 500 hour program?

Mr. ROBINSON. I knew I wasn't going to get any time off before I even enrolled into the program. It was basically I had determined that I needed it. I knew, talking to other positive inmates had told me about the program, and a lot of guys were, like, Why are you taking the program when you are not getting a year off? So I basically needed help. That is why I enrolled into it.

Ms. NORTON. Mr. Robinson, do you mind telling us your age?

Mr. ROBINSON. My age? I am 52.

Ms. NORTON. Mr. Barnes, your testimony about the HVAC program is important to us, and your testimony about good time, as it were, and the absence of any such time related to the Rivers program. Did you have any contact with the Rivers' drug program?

Mr. BARNES. Yes. I completed the 500 hour program.

Ms. NORTON. Tell us about that program.

Mr. BARNES. Well, the program is fairly new, so that is why in my testimony I said it was under-staffed, because the staff that was working the program, they weren't working as a team. I got a lot out of the program because I put a lot into the program. I

really wanted to really understand why I thought certain ways or why I saw things a certain way to participate in such behaviors. But that was majority of me. The program could have been a lot better.

D.C. inmates, we don't get time off. I already knew that going into the program, that we didn't get a year off or any time off. I knew that, but I wanted to look into myself. But as a whole it could be more done into the program, like programs such as in the BOP, those programs are sectioned off from other inmates. Our program was right there, like our drug program block was right here, and then you have all the other right there.

Ms. NORTON. What you are referring to is what is in BOP called a residential program——

Mr. BARNES. Right.

Ms. NORTON [continuing]. For those in the 500 hour program. You are calling this a 500 hour program. it is a different program.

Mr. BARNES. No, it is the same thing. It was supposed to be the same thing. The therapeutic community, that is what they called it, the TC, the therapeutic community, but it wasn't.

Ms. NORTON. Yes. I am saying that the BOP program is a certified program that is different from the program offered at Rivers, but Rivers does offer this program. We understand that very few inmates get to take the program, to be a part of the program. Is that your experience?

Mr. BARNES. To some extent.

Ms. NORTON. Now, what most interested me in going to these two institutions—and I finally got to understand the difference in a way that seems to me is central—at the Cumberland institution, a BOP-run institution, the life of the inmate was structured, not unlike the way our lives out here are structured. We get up, we go to work, we do certain things in the morning. So the BOP at that institution essentially sent inmates from activity to activity. Sometimes there was not enough work but they still had them out there doing some work. That was part of what they were to do. But what we saw at the BOP facility was a structure so that one's life imitated life out here in the sense that you don't simply sit around and "serve your time" or wait for your time to be over.

Do you recall your time being structured, your BOP time, which is the only time, of course, that we are asking you about, your time in Federal prison being structured where you went from one activity to the other activity, etc.?

Mr. ROBINSON. Yes, ma'am.

Ms. NORTON. Did you have any work to do there?

Mr. ROBINSON. Yes. We worked, but, like you said, it was due to the overcrowdedness, but they did. Instead of working 8 hours, they worked us 4 hours, like half a day, so other inmates could work. From there, on to school, to school, work, and taking up other little classes and stuff. To me, that is the only way I could do my time. I just can't lay around, because I just had to do something to keep going, you know. Most of the time when you lay around doing nothing, most of the time you are going to get involved in something.

Mr. DAVIS OF ILLINOIS. We are going to have to go and vote in a minute, and I have a question that I wanted to ask also.

Ms. NORTON. I am almost through.

The contrasts between these two, you, on the other hand, Mr. Barnes, testified that the athletic program was there, but you did not testify about activities of the kind that Mr. Robinson has just described.

Mr. ROBINSON. I wasn't here to hear what he described, but, like I said earlier in my testimony, at Rivers it was more about athletics. It was about the baseball tournament or the football tournament or flag football tournament, and that was the extent.

Ms. NORTON. So you could spend all day kind of hanging out in the athletic facility?

Mr. ROBINSON. Yes. The gym is open from the time that they serve breakfast. Right after they serve breakfast, the gym is open. The school is open, but that is just for GED for the most part, GED and light computer skills. The library is extremely small, like the size of a living room in a D.C. apartment. That is one of the biggest gripes I had with the institution, because if you don't give somebody to put their mind on, they are going to put their mind on anything. I mean me, personally, I ordered all my own books from outside the institution because I was very upset with the lack of reading material. I didn't want to do my time reading novels.

Ms. NORTON. Mr. Chairman, this is a very important point, the real difference between the institutions. I yield back the rest of my time.

Mr. DAVIS OF ILLINOIS. All right. Thank you very much.

The question that I had, Mr. Robinson, you mentioned staff relative to the substance abuse program or the drug program, that you didn't get the impression that staff were as interested.

Mr. ROBINSON. Right.

Mr. DAVIS OF ILLINOIS. What made you think that?

Mr. ROBINSON. What made me think that?

Mr. DAVIS OF ILLINOIS. Yes.

Mr. ROBINSON. Because like what she was saying, being at Cumberland, because a lot of the programs that inmates went to besides Butner, they are just riding the time away. When I left to go to Butner, everybody said, You are going to one of the strictest programs in the BOP, so it speaks for itself.

Mr. DAVIS OF ILLINOIS. And, Mr. Barnes, do you feel that if there had been more direction toward the educational programs, that inmates may have pursued those more than just the pursuit of the athletic programs; that seemingly people would go in the athletic programs of their own volition, but not necessarily pursue the educational programs as much on their own?

Mr. BARNES. Yes. I believe, given more opportunity for education, I believe a lot of inmates would choose education, at least some of the time, as opposed to just sports all the time.

Mr. DAVIS OF ILLINOIS. So you are recommending in a sense that the institution place more emphases on educational program spending?

Mr. BARNES. Yes.

Mr. DAVIS OF ILLINOIS. Well, thank you both very much. There is a vote, and I am going to have to go and vote. We appreciate your testimony. We appreciate your coming. I think you have been very helpful.

I will recess until I get back from voting.

[Recess.]

Mr. DAVIS OF ILLINOIS. The subcommittee will come to order.

We will now hear from our second panel. I will introduce them first, and then swear them in.

The Honorable Harley G. Lappin joined the Bureau of Prisons in 1985 as a correctional treatment specialist at the Federal correctional institution in Texarkana, TX. He held a variety of positions at eight Bureau of Prisons institutions across the country and several correctional institutions in Butner, NC, in 1996. On April 4, 2003, he became the Bureau of Prisons' seventh Director. He is responsible for the oversight and management of the Bureau of Prisons' 114 institutions and for the safety and security of more than 200,000 inmates under the agency's jurisdiction.

We welcome you, Mr. Lappin, and thank you very much for being here.

Mr. George E. Snyder has held a variety of positions in the criminal justice system. He has served as warden of various prison facilities for over 15 years. He became warden of Rivers Correctional Institution in 2003. He is responsible for the administration, operation, and correctional training of offenders at Rivers. And I must confess that he is a man after my own heart because he has also functioned as a school teacher, and I happen to believe that teachers in many instances and in many ways are the salt of the earth in our society.

Let me welcome both of you gentlemen. Please stand and raise your right hands and be sworn in.

[Witnesses sworn.]

Mr. DAVIS OF ILLINOIS. The record will show that the witnesses answered in the affirmative.

Gentlemen, we are, indeed, again delighted to have you, and we will begin with Mr. Lappin.

STATEMENTS OF HARLEY G. LAPPIN, DIRECTOR, FEDERAL BUREAU OF PRISONS; AND GEORGE E. SNYDER, WARDEN, RIVERS CORRECTIONAL INSTITUTION

STATEMENT OF HARLEY G. LAPPIN

Mr. LAPPIN. Good afternoon. It is a pleasure to be here. Good afternoon, Congressman Davis and members of the subcommittee. I appreciate the opportunity to appear before you today to discuss the role of the Bureau of Prisons in the confinement, care, and treatment of offenders from the District of Columbia.

The Bureau of Prisons is responsible for the care and custody of more than 200,000 inmates in 114 Federal institutions and a number of contract facilities throughout the United States. We are responsible for the incarceration of inmates who have been sentenced to imprisonment for Federal crimes and the detention of individuals awaiting trial for sentencing in Federal court.

In addition, based on a 1997 Federal law, our agency is also responsible for the District of Columbia's sentenced felon inmate population. The National Capital Revitalization and Self-Government Improvement Act of 1997 required the Bureau of Prisons to assume responsibility for the incarceration of the District of Columbia's

sentenced felons by December 31, 2001. Immediately after passage of the act, we began working with the Department of Corrections in Washington, DC, to ensure that the transfer of inmates would be orderly and efficient. Our ambitious construction schedule and our use of some State correctional institutions and some privately operated facilities allowed us to meet the actual requirement prior to the deadline. The transfer was completed in November 2001.

After the Revitalization Act passed, we initiated a process to procure private contract beds as required by the statute. We divided the procurement into two phases for two separate contract facilities. The first phase of the procurement resulted in a 1999 contract award for a facility in Philipsburg, PA. The second phase of the procurement resulted in a contract with the Rivers Correctional Institution in Winton, NC.

In February of this year, we transferred all of the D.C. inmates out of the Moshannon Valley Correctional Center in Philipsburg. The vast majority of these D.C. inmates were redesignated to Rivers Correctional Institution.

Currently, Rivers Correctional Institution confines approximately 1,300 inmates, approximately 700 D.C. inmates and 600 criminal aliens.

The mission of the Bureau is to provide safe, secure, humane, and cost-effective confinement of inmates and to provide opportunities for offenders to gain the skills they will need to return to society as productive and law-abiding citizens.

Our programs stress the development of work skills and life skills needed to enhance employment upon release and to help inmates maintain a crime-free lifestyle.

Our inmate programs include work, education, vocational training, substance abuse treatment, opportunities for religious observance, psychological services, and counseling, release preparation, and other programs that impact essential life skills and social values.

We also provide a variety of other structured activities that are designed to teach inmates productive ways to use their time.

Preparation for reentry begins in the first days of an inmate's incarceration. The vast majority of our inmate programs and services are geared toward helping inmates prepare for their eventual release.

We also continue to implement our inmate skills development initiative. This is a strategy the BOP has undertaken to unify our inmate programs and services into a comprehensive reentry strategy.

D.C. inmates confined to the Rivers Correctional Institution are offered the opportunity to participate in a variety of programs. Based on some recent reviews, we intend to enhance the vocational training programs and to enhance and certify the residential drug abuse treatment program to be consistent with our residential treatment program.

In addition, we have composed a final rule to implement the law that allows non-violent D.C. co-defenders to receive a reduction of up to 1 year off their term of imprisonment upon successful completion of the residential substance abuse treatment program. We will

publish the rule in conjunction with issuing our own updated policy, which is currently in the final review and clearance process.

Mr. Chairman, this concludes my formal statement. I would be pleased to answer any questions you or other members of the subcommittee may have.

[The prepared statement of Mr. Lappin follows:]

Department of Justice

STATEMENT
OF
HARLEY G. LAPPIN
DIRECTOR
FEDERAL BUREAU OF PRISONS

BEFORE THE
FEDERAL WORKFORCE, POSTAL SERVICE, AND
THE DISTRICT OF COLUMBIA SUBCOMMITTEE
OF THE
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

CONCERNING

INMATE PROGRAMS AT RIVERS CORRECTIONAL INSTITUTION

PRESENTED ON

OCTOBER 16, 2007

Statement of Harley G. Lappin
Director, Federal Bureau of Prisons
Before the Federal Workforce, Postal Service, and
the District of Columbia Subcommittee
of the
Committee on Oversight and Government Reform
U.S. House of Representatives
October 16, 2007

Good Morning Chairman Davis and Members of the Subcommittee.

I appreciate the opportunity to appear before you today to discuss the role of the Bureau of Prisons in the confinement, care, and treatment of offenders from the District of Columbia.

The Bureau of Prisons (BOP) is responsible for the care and custody of more than 200,000 inmates in 114 Federal institutions and a number of contract facilities throughout the United States. We are responsible for the incarceration of inmates who have been sentenced to imprisonment for Federal crimes and the detention of individuals awaiting trial or sentencing in Federal court. In addition, based on a 1997 Federal law, our agency is also responsible for the District of Columbia's sentenced felon inmate population.

The National Capital Revitalization and Self-Government Improvement Act of 1997 (Title XI of the Balanced Budget Act of 1997 (P.L. 105-33)) required the BOP to assume responsibility for the incarceration of District of Columbia (D.C.) sentenced felons

by December 31, 2001. The law also requires us to treat D.C. Superior Court inmates as much like Federal inmates as possible, stating: "Such persons shall be subject to any law or regulation applicable to persons committed for violations of laws of the United States consistent with the sentence imposed."

Immediately after passage of the Act, the BOP began working with the D.C. Department of Corrections to ensure that the transfer of inmates would be orderly and efficient. Our ambitious construction schedule and our use of some State correctional institutions and some privately-operated facilities allowed us to meet the Act's requirement prior to the deadline; the transfer was completed in November 2001.

The Act further required the BOP to house at least 2,000 D.C. sentenced felons in privately-operated facilities by December 31, 1999, and to confine 50 percent of D.C. sentenced felons in private facilities by September 30, 2003.

The privatization requirements of this Act were superceded by a provision in Public Law 106-553 (enacted on December 21, 2000) which provides that, beginning in fiscal year 2001 and thereafter, the BOP may confine in privately-operated prisons only those D.C. inmates who are determined to be appropriate for

such placement based on Federal classification standards and any threat they may pose to public safety.

After the Revitalization Act passed in 1997, we initiated a process to procure private contract beds as required by the statute. We divided the procurement into two phases for two separate contract facilities. The first phase of the procurement resulted in a 1999 contract award for a facility in Philipsburg, Pennsylvania. Originally, the facility was slated to confine and manage 300 female D.C. inmates of various security levels, 350 minimum-security male D.C. inmates, and 350 D.C. Youth Reform Act inmates of various security levels. The contract experienced some delays due to environmental and legal challenges. We reassessed our needs and our decision regarding the population that would be confined at the Philipsburg facility. We determined that the population should consist of 1,300 low-security male inmates -- primarily low-security Federal criminal aliens and D.C. inmates. Construction of the Moshannon Valley Correctional Center began in October 2004, and the facility opened in April 2006.

The second phase of the procurement resulted in a contract with the Rivers Correctional Institution in Winton, North Carolina. The original contract for this facility called for the

confinement and management of approximately 1,200 low-security D.C. inmates. The Statement of Work for the Rivers facility allows for the designation to this institution of other low-security inmates. The contract was awarded in March 2000, and the facility opened in March 2001. Rivers Correctional Institution began receiving inmates in April 2001.

In February of this year, based partly on tensions between the criminal aliens and D.C. inmates at the Moshannon Valley Correctional Center, we transferred all of the D.C. inmates out of that facility. The vast majority of these D.C. inmates were redesignated to Rivers Correctional Institution.

Currently, Rivers Correctional Institution confines approximately 1,300 inmates -- approximately 700 D.C. inmates and approximately 600 criminal aliens. The Moshannon Valley Correctional Center now confines approximately 1,500 low-security Federal criminal aliens.

Inmate Programs

The mission of the Bureau is to provide safe, secure, humane, and cost-effective confinement of inmates, and to provide opportunities for offenders to gain the skills that they will need to return to society as productive and law-abiding citizens.

Our programs stress the development of the work skills and life skills needed to enhance employment upon release and to help inmates maintain a crime-free lifestyle.

Our inmate programs include work, education, vocational training, substance abuse treatment, opportunities for religious observance, counseling, and other programs that impart essential life skills and pro-social values. We also provide a variety of other structured activities that are designed to teach inmates productive ways to use their time. Preparation for reentry begins in the first days of an inmate's incarceration. The vast majority of our inmate programs and services are geared toward helping inmates prepare for their eventual release.

The core inmate programs at all BOP facilities include:

- Work Programs -- which includes work in institution jobs and in the Federal Prison Industries Program.
- Education -- including literacy classes (to obtain a General Educational Development certificate), English as a Second Language, adult continuing education, parenting classes, recreation activities, wellness education, and library services.
- Occupational Training
- Vocational Training (VT)

- Substance Abuse Treatment -- including drug education, nonresidential treatment, residential treatment, and community transition treatment.
- Observance of Faith and Religion
- Psychology Services and Counseling
- Visiting, Telephone, and Correspondence Privileges
- Release Preparation -- which includes institution-based programs and use of residential reentry centers.

In addition, many institutions offer additional pro-social values programs to address a variety of needs among certain segments of the inmate population (including younger offenders and high-security inmates). These programs focus on inmates' emotional and behavioral responses to difficult situations and emphasize life skills and the development of pro-social values, respect for self and others, responsibility for personal actions, and tolerance.

We also continue the implementation of our Inmate Skills Development initiative. This is a strategy the BOP has undertaken to unify our inmate programs and services into a comprehensive reentry strategy. The three principles of the Inmate Skills Development strategy are: (1) inmate participation in programs must be linked to the development of relevant inmate

reentry skills; (2) inmates should acquire or improve a skill identified through a comprehensive assessment, rather than simply completing a program; and (3) resources are allocated to target inmates with a high risk for reentry failure.

D.C. inmates confined in the Rivers Correctional Institution are offered the opportunity to participate in programs; however, we now believe that the vocational training and residential drug abuse treatment programs are inadequate. We have identified a need to expand vocational training programs, and we intend to enhance and certify the residential substance abuse treatment program so that more low-security D.C. inmates can receive such treatment at a location that is closer to the District.

In November 2006, we evaluated the range of programs at Rivers Correctional Institution and identified a specific need for enhanced vocational training. In December, we asked the GEO Group Inc., the company that operates the facility, to submit proposals to increase programming that these facilities.

We received three proposals from the GEO Group to implement a plumbing vocational training program, a carpentry VT program, and an electrical VT program; and in February 2007 we focused our efforts on these proposals. In March, we sent the three

proposals to the Court Services and Offender Supervision Agency (CSOSA) for their review. CSOSA's review is to help to ensure the programs will meet appropriate national curriculum standards and will provide D.C. offenders with marketable skills. CSOSA will also help ensure that links to continuing vocational, apprenticeship, or on-the-job training will be in place for inmates who do not complete the program during incarceration.

Residential Drug Abuse Treatment and Reduction in Term of Imprisonment

The BOP has provided some form of substance abuse treatment to inmates for decades. The Violent Crime Control and Law Enforcement Act of 1994 mandates that the BOP provide residential substance abuse treatment to all eligible prisoners with priority based on proximity to release date and allows the BOP to reduce the term of imprisonment for nonviolent offenders who successfully complete the residential program.

While the statute applies only to inmates convicted in Federal court, in our effort to treat D.C. Superior Court inmates as much like Federal inmates as possible, we offer residential drug abuse treatment to D.C. Superior Court inmates as well. These offenders have participated in residential treatment, and they have been eligible for many of the incentives we offer -- the exception is the possible reduction in their term of

imprisonment. However, changes to that exception are forthcoming.

On May 24, 2005, the D.C. City Council passed the Omnibus Public Safety Ex-Offender Sufficiency Reform Amendment Act of 2004. Among its several provisions, this law allows non-violent, D.C. Code offenders to receive a reduction of up to 1 year off their term of imprisonment upon successful completion of the residential substance abuse treatment program. We published a proposed rule to implement this law on November 2, 2006. We have composed a final rule and will publish the rule in conjunction with issuing our own updated policy, which is currently in the final review and clearance process.

Conclusion

Mr. Chairman, this concludes my formal statement. I would be pleased to answer any questions you or other Members of the Subcommittee may have.

Mr. DAVIS OF ILLINOIS. Thank you very much, Mr. Lappin.

We will proceed now to Mr. Snyder.

STATEMENT OF GEORGE E. SNYDER

Mr. SNYDER. Chairman Davis and distinguished members of the subcommittee, my name is George Snyder, warden of Rivers Correctional Institution located in Winton, NC. On behalf of the GEO Group, Inc., I thank you for the opportunity to testify today regarding the various programs offered to inmates housed in our facility.

I would like to briefly introduce my wife, Jeannie, who is here with me today, as well as David Farmer, the Assistant Warden for Programs at Rivers Correctional Institution.

The GEO Group, Inc., is a world leader in the delivery of correctional, detention, and residential treatment services to Federal, State, and local governmental agencies around the globe, including 68 correctional and residential treatment facilities with a total design capacity of approximately 59,000 beds.

Rivers Correctional Institution is accredited by the American Correctional Association and by the Joint Commission on Accreditation of Health Care Organizations.

A little bit about my background. I have roughly 27 years of experience in public safety and correctional services. I have a bachelor's degree in law enforcement, a master's degree in criminal justice, and a certificate in public administration. I was proud to be named the 2006 Warden of the Year by the GEO Group. I have taught courses on correctional services at four different universities. I have dedicated the bulk of my adult life to administering correctional services in the most effective manner possible for the public good.

Mr. Chairman, I share the subcommittee's interest in ensuring that inmates at Rivers Correctional Institution have access to the most effective programs possible under the resources available. In my long career, I have come to recognize the important role such programs can plan in the lives of inmates who take advantage of them.

Rivers Correctional Institution offers inmates several substance abuse, educational, and vocational programs designed to help participants become productive and responsible members of their community. Let me highlight just a few.

Under the direction of a licensed doctoral-level psychologist, the Rivers Correctional Institution Psychology Department oversees the substance abuse program and a residential drug treatment program. The 40 hour substance abuse program is conducted in a classroom setting and provides inmates with information on alcohol and drugs and the physical, social, and psychological impact of these substances.

The program challenges inmates to honestly look at consequences of alcohol and other drug use in their life. The course is considered a prerequisite for the New Beginning drug treatment program.

The New Beginning drug treatment program is a 9-month residential drug treatment program that provides a continuum of treatment services to inmates with a documented history of substance abuse problems. This comprehensive program is conducted

within a highly structured regimen of a modified therapeutic community composed of inmates with similar problems living and working together, elements critical to building a sense of community and cohesiveness among participants and staff.

After completing the program, inmates are provided with an opportunity to continue their involvement in treatment through the after-care program. Participation in weekly after-care meetings provides a forum for inmates to practice skills acquired during treatment and prevents inmates from slowly returning back to old behavior patterns.

Participation in the RCI residential drug treatment program does not preclude transfer to the Federal Bureau of Prisons for participation in their 500 hour drug treatment program.

Our education and vocational programs are also designed to help participating inmates be responsible citizens upon returning to their communities. Education programs include English as a second language, adult basic education, pre-general equivalency degree, general equivalency degree, and life skills/parenting.

Our vocational programs include computer technology I and II; wood working; heating, ventilation, and air conditioning; and one of our newest programs that we are real excited about that we are working in conjunction with the University of the District of Columbia, CSOSA is a work force transition program.

Mr. Chairman, that concludes my summation of a few of the programs offered at Rivers. I look forward to answering any questions the subcommittee members may have on this very important subject.

[The prepared statement of Mr. Snyder follows:]

Written Testimony Of

George E. Snyder, Warden

Rivers Correctional Institution

Before

The House Committee On Oversight And Government Reform

Subcommittee On The Federal Workforce, Postal Service, And The District of Columbia

Regarding

Program Offerings At Rivers Correctional Institution

Chairman Davis and Distinguished Members of the Subcommittee:

My name is George Snyder, Warden of Rivers Correctional Institution, Winton, North Carolina. On behalf of The GEO Group, Inc., I thank you for the opportunity to testify today regarding the various programs offered to inmates housed in our facility.

Let me first, though, provide you with an overview of our company and the history of how Rivers Correctional Institution came into existence.

The GEO Group, Inc. is a world leader in the delivery of correctional, detention, and residential treatment services to federal, state, and local governmental agencies around the globe. GEO offers a turnkey approach that includes design, construction, financing, and operations. GEO represents government clients in the United States, Australia, South Africa, Canada, and the United Kingdom. GEO's worldwide operations include 68 correctional and residential treatment facilities with a total design capacity of approximately 59,000 beds.

The National Capital Revitalization Act of 1997 mandated that the Bureau of Prisons house a portion of District of Columbia, sentenced felons in private contract facilities. The BOP subsequently adopted a course of action that included soliciting bids for contract facilities, closing the existing Lorton, Virginia facility, and transferring inmates to contracted facilities.

On March 7, 2000, the BOP signed a contract with The GEO Group, Inc. to design, build, finance, own, operate and manage a low security, adult male facility in Winton, North Carolina. We received our first DC inmates in March of 2001. Located on a 257-acre tract in rural Hertford County, the facility is a campus design with four housing buildings, indoor and outdoor recreational areas, a central programs building, a prison industries building, and an administrative building. The design enables cost-effective utilization of security staff supplemented by modern electronic surveillance, which in turn allows enhanced programmatic activities without significant budgetary implications. Our average inmate population is 1350, with approximately 54 percent of the inmates coming from the District of Columbia. Rivers Correctional Institution is 226 miles from Washington, D.C.

The facility is accredited by the American Correctional Association and the Joint Commission on Accreditation of Healthcare Organizations.

RIVERS CORRECTIONAL INSTITUTION PROGRAMS

Psychology Department:

All inmates admitted to the institution are provided an initial assessment by psychology staff. During this assessment, it is determined if an inmate is in need of additional psychological services, to include individual counseling, group counseling, substance abuse counseling, and/or psychiatric services. Currently, approximately 55 inmates are prescribed psychotropic

medication for a variety of mental illnesses from depression to schizophrenia.

At any given time, approximately sixty inmates are receiving regular bi-weekly to monthly individual counseling sessions, focusing on topics including problem-solving, conflict resolution, parenting skills, bereavement, victim empathy, relationship difficulties, and sex offender treatment.

A variety of staff and inmate-facilitated groups are offered, including Anger Management, Stress Management, and Doing Time with the Right Mind (DTRM), a Therapeutic Film Group, and a Fathers Support Group. DTRM is a 9-week, inmate-facilitated program that emphasizes improving communication between staff and inmates. It also helps inmates to use their time in prison wisely to better prepare themselves for release. The Therapeutic Film Group uses the themes of contemporary films as a therapeutic tool to illicit emotions and provide a foundation on which to discuss these emotions and other related issues. The Fathers Support Group is an ongoing self-help group that focuses on improving parenting skills.

Over the course of the past six months, 42 inmates have participated in the Anger Management Group, 6 inmates have successfully completed the Stress Management Group, and 32 inmates have participated in the Therapeutic Film Group. In April and August 2007, graduations for the DTRM Program were held with a combined total of 108 inmates graduating and receiving certificates of completion. Currently, 60 inmates are participating in DTRM, and 13 in the Fathers Support Group.

Additional services provided by psychology staff include, but are not limited to, crisis intervention, suicide assessments, psychiatric referrals, ongoing mental status assessments in the Special Housing Unit (SHU), psychological evaluations for US Parole Commission, and marriage evaluations.

New Beginning Drug Treatment Program:

RCI offers a nine-month residential drug treatment program that provides a continuum of treatment services to inmates with a documented history of substance abuse problems. The philosophy of the program holds that both substance abuse and recovery have a cause, a course, and a predictable outcome. This comprehensive program is conducted within a highly structured regimen of a modified therapeutic community composed of inmates with similar problems living and working together, elements critical to building a sense of community and cohesiveness among participants and staff, and promoting conformity and compliance with program rules and philosophy. Drug treatment staff are also based in the inmate housing unit in order to further the sense of community and cohesiveness.

The program has three phases of treatment:

Phase I – Orientation: Designed to acquaint the new inmate with the basic concepts of the therapeutic community and chemical dependency treatment. The inmate begins to participate in the development of an individual treatment plan, setting goals and accepting responsibility for his own behavior.

Phase II – Main Treatment: Focuses on the exploration of chemical dependency and associated recovery issues. The inmate continues the process of self-examination and works toward developing positive attitudes and behaviors.

Phase III – Re-entry: Provides a period for solidifying new behaviors and attitudes into lasting habits, which will support this lifelong process of recovery. The inmate develops relapse prevention and aftercare plans, addressing all areas of his life, i.e., family, employment, housing, individual recovery, and use of community resources.

Throughout participation in the program, inmates are required to participate in weekly NA/AA meetings. These meetings may be facilitated by staff, inmates, or outside volunteers.

After completing the program, inmates are provided with an opportunity to continue their involvement in treatment through the Aftercare Program. Participation in weekly aftercare meetings provides a forum for inmates to practice skills acquired during treatment and prevents inmates from slowly returning back to old behavior patterns.

The program can accommodate 57 inmates in active treatment, with three additional inmates serving in the role as "cadre." Cadre inmates have completed treatment and are assigned as counselor aides, performing duties such as lectures and group facilitation. Since the program's inception in 2003, 155 inmates have completed the nine-month program.

Participation in the RCI residential drug treatment program does not preclude transfer of an inmate to a BOP facility for participation in the BOP 500-hour drug treatment program.

40-Hour Substance Abuse Education: This program provides inmates with information on alcohol and drugs as well as the physical, social and psychological impact of these substances. The course is considered a prerequisite for the therapeutic drug program.

Participation in the program is mandatory if: there is evidence in the Pre-Sentence Investigation that alcohol or other drug use contributed to the commission of the instance offense; alcohol or other drug use was a reason for violation of supervised release, including parole or Residential Re-entry Center placement for which the inmate is now incarcerated; or the inmate was recommended for drug programming during incarceration by the sentencing judge.

Inmates who are not required to participate in the program may request to participate voluntarily. Unit and psychology staff also recommends participation.

Community Resource Day:

Court Services and Offender Supervision Agency (CSOSA) is a federal agency providing supervision of adults on probation, parole and supervised release in the District of Columbia. Once a quarter CSOSA joins RCI in presenting a Community Resource Day in an effort to assist inmates with release preparation and transition planning via videoconference or in person.

Groups of over 200 D.C. inmates due to be released within 90 days participate in each resource day.

There are two basic elements of the program: During the morning segment the U.S. Parole Commission staff cover conditions of parole and supervised release; a representative from Hope Village Residential Reentry Center covers rules and responsibilities tied to halfway house residency; CSOSA's Community Supervision Officers explain how they conduct home plan investigations as well as the requirements of community supervision. A representative from Child Support Services Division of the Office of the D.C. Attorney General explains their enforcement policies and the benefits of compliance. The afternoon segment focuses on the critical areas of employment, education, health care and housing.

Hope House DC Programs:

Hope House DC was founded to serve the needs of DC inmates by offering programs to keep inmates and their families connected.

Father-to-Child Reading Program: Inmate fathers participating in this program are provided a children's book and audio or videotape; the inmate then records the book for his children. The book and the tape are mailed to the child. Parents and caregivers report that children not only enthusiastically listen to the recording, but do so repeatedly, reliving the experience of their father telling them a story.

Father-to-Child Teleconference Program: Children are brought to the D.C. Hope House where they may visit with their fathers face-to-face through a live teleconference hookup.

Father to Child Summer Camp: One week each summer, children from the D.C. area attend day camp with their fathers at RCI. Hope House staff and camp counselors guide the campers through crafts, drama, games, creative writing and other activities designed to help parent and child reconnect and strengthen the parent-child relationship. In the evening the children and counselors retreat to a local campground where they participate in crafts and recreation.

Video Mentoring Program:

A 1997 study showed that in the District of Columbia, one in two African American men ages 18 to 35 were under some form of correctional supervision. Given those statistics, and with an estimated 2,500 inmates returning to the District this year alone, law enforcement and church groups have set up a pilot mentoring program that involves church volunteers. The program pairs inmates with personal mentors to help them navigate the first difficult months out of incarceration, where everything from applying for a driver's license to navigating the Metro can be a frustrating challenge.

Run by the Court Services and Offender Supervision Agency (CSOSA), and a faith-based advisory committee chaired by the Rev. Donald Isaac, Associate Pastor of Southeast Tabernacle Baptist Church, Washington, D.C., this year-old program has so far matched about 100 inmates

and mentors. The idea is to focus intense attention on each inmate in the hope that none returns to drug use or other criminal habits once released.

Agency officers screen inmates still in prison who have volunteered for the program. The inmate/mentor pairs then meet and talk, in person or on the phone, developing a relationship that might last into the future.

Education Programs: Approximately 32 percent of the inmate population participates in either vocational or academic programs. Average monthly enrollment for academic education is 261, vocational education 101, and Life Skills 85.

Academic Programs include: English as a second language, adult basic education, pre-GED, and GED, and life skills/parenting. In 2007, 49 students received their General Equivalent Diploma and five students graduated from the English as a Second Language program.

> **English as a Second Language (ESL)**: Instruction is provided to non-English speaking and English speaking persons who are not fluent in the English language. Classes focus on survival language skills. The program is designed to enable inmates to function at the equivalent of an eighth grade level of education.
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> **Adult Basic Education (ABE):** Designed primarily for adults whose basic skills are below the ninth grade level, ABE classes focus on helping adults function more effectively in today's technological world by improving their reading, writing and math skills. Graduates of this program are encouraged to continue studies in the Pre-General Education Development program.
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> **Pre-General Equivalent Diploma (GED):** This course is designed for students who comprehend on or at least a fifth grade level. Students are guided through an individualized process by the instructor and given a six-part examination comprised of all core curriculum courses (Science, Social Studies, Mathematics, Literature and Arts, and Writing Skills). Graduates are encouraged to continue studies in the GED program.
>
> **General Equivalent Diploma (GED):** This course is offered as a means for adults with educational skills at the high school level to earn the equivalent of a high school diploma. In preparation for the GED Exam, students are guided through an individualized study process and given GED practice tests. Roanoke Chowan Community College, Ahoskie, North Carolina, administers the official GED examination. If he passes, the graduate receives a High School Diploma Equivalency Certificate from the North Carolina Community College System.
>
> **Life Skills/Parenting:** The Life Skills program focuses on providing students with direction in dealing with many everyday life situations that they may encounter upon release. Students are taught to understand and build their self-esteem while learning to understand other people. They learn procedures for securing a driver's license, how to write checks, financial budgeting, the importance of maintaining a job, how to submit

resumes and apply for jobs. Parenting focuses on providing parent education in the areas of positive relationships, family values, mutual support and nurturing.

Vocational Programs includes computer technology, woodworking, heating and air conditioning, workforce transition, workforce transition, Corrections Learning Network, and Wheels for the World.

Keyboarding: This course is designed to teach basic keying skills and procedures. Emphasis is placed on the daily use of a computer system to develop skills with concentrated application of these skills to the production of business correspondence.

Computer Technology I and II: These programs are designed to teach students more than just document preparation. Desktop publishing is a component of this course that teaches the students to produce documents that are more creative, fun and effective in communicating messages. The student learns skills necessary for writing newsletters, creating styles, outlines, tables and tables of content. Students learn desktop features and design tips that help them to use art and color and use the drawing toolbar to create original artwork for their documents. Students are taught how to prepare basic worksheets, and to design, create, retrieve and enhance slides.

Woodworking: In a woodshop setting, the woodworking program focuses on transferable skills and stresses understanding and demonstration of the following elements of woodworking: planning, technical and product skills, health and safety and environmental issues, concepts of residential framing, residential planning and design and building code requirements. The student has hands-on instruction in the use of hand tools, operating portable power tools and stationary power woodworking machines.

Heating, Ventilation and Air Conditioning (HVAC): In this course students are introduced to the basic refrigeration process used in mechanical refrigeration and air conditioning systems. It covers the requirements for EPA certification and examinations and introduces common business and customer relation practices that may be encountered in HVAC. Some topics include terminology, safety, identification and function of components, refrigeration cycle, tools, instrumentation used in mechanical refrigeration systems, small appliances, and high and low pressure systems. Upon completion students should be able to identify refrigeration systems and components, explain the refrigeration process, use the tools and instrumentation of the trade, demonstrate knowledge of refrigerants, and be prepared for the EPA certification examination, present themselves to customers in a professional manner, understand how the business operates, complete invoices, and handle complaints.

Workforce Transition: A joint program conducted by the University of the District of Columbia, the Court Services and Offenders Agency and Rivers Correctional Institution staff, the program is a work-readiness program that prepares the individual inmates for resources and actions dedicated to addressing workforce needs and marketable skills. The training workshops include resume assistance, certifications, professional development, interview techniques, educational referrals and the basic job-hunting skills.

Corrections Learning Network (CLN): The CLN program is a distance learning initiative administered by the Educational Service District 101 and funded through a Star School Grant from the U.S. Department of Education. The Education Service District provides the RCI Educational Department with DVD's to enhance our Life Skills/Parenting, Release Preparation Program, and our Literacy programs. DVD Resource topics include, but are not limited to:

Work Performance	GED Math
Problem Solving	Science
Workplace Communication	Language Arts, Writing and Reading
Lifestyle & Wellness	

Wheels for the World: Wheels for the world Program, founded by Joni and Friends, is a nonprofit organization located in Agoura Hills, California. Wheels for the world collects donated wheelchairs from across the United States through an organization called Chair Corps Organization. Volunteers collect, store and transport wheelchairs to and from various prisons participating in the program.

Rivers Correctional Institution began participating in the Wheels for the World Program in August of 2007. The program assists inmates in developing the necessary skills to master the basic concepts of wheelchair repair, including wheelchair identification, design, purpose and tool identification. 15 inmates are currently assigned to refurbish and repair wheelchairs. A total of 63 chairs have been repaired and ready for distribution.

Conclusion: Mr. Chairman, let me conclude by emphasizing that we at Rivers Correctional Institute are committed to providing inmates in our care with treatment and training programs that help them become productive and responsible members of their community upon release. I appreciate the subcommittee's interest in this important issue, and I am happy to answer any questions the subcommittee members may have.

Mr. DAVIS OF ILLINOIS. Thank you very much, Mr. Snyder. I want to thank both of you gentlemen for your statements. Please know that your full statements will be included in the record, and we appreciate your summations.

Let me begin, Director Lappin, trying to understand the contract and the provisions of the contract with the GEO Group.

The contract requires the Bureau of Prisons to conduct reviews for contract compliance and quality assurance based on performance requirements outlined in the contract. In fact, the GEO Group may earn up to 5 percent of their contract amount based on contract performance. The Bureau of Prisons' contracting office may also reduce payments for non-compliance. Let me ask, How often has the Bureau of Prisons conducted performance reviews?

Mr. LAPPIN. Congressman, our contracts with all private contract organizations are performance based, so let me just make sure we understand. This is not a contract that lays out specifically line-by-line exactly what the contractor will provide. It is performance based. We give general guidance and we oversee the implementation of that contract through a number of ways.

No. 1, we have staff full time at each of our contract facilities, so of the 200,000 inmates at the Bureau of Prisons there are about 22,000 in private contract facilities, 13 private contracts, one of which is Rivers. We have staff full time at those institutions—that is 5 days a week. They will go in on the weekends if necessary—monitoring the general oversight of the contract.

We then also have contract folks coming in addressing specific issues with the contract yearly, and then we have an "audit process" by which a team of our staff go into each of the contract facilities twice a year and evaluate the programs, the contract, and so on, and determine their compliance.

So there is a combination of ways that we monitor the contract through the Bureau of Prisons.

Mr. DAVIS OF ILLINOIS. Has the GEO Group received any performance-based awarded fees?

Mr. LAPPIN. You know, I don't have it with me. We could provide for the record what award fees occurred. I don't have that specific information, but early on in the process I know there were some deductions. Practice makes perfect. Whenever something is new, it takes a little time to work through the procedures. But we have been in there. I checked the last four performance monitoring assessments, of which they received good ratings. I am not sure if they received an award or not or were subject to some deduction, but we can certainly provide that.

Mr. DAVIS OF ILLINOIS. So there were some areas where they were probably up and maybe some areas that may have needed some correction or additional conversation?

Mr. LAPPIN. Let me be a little more specific. When we go in there, a team goes in there twice a year. They look at correctional programs that are provided specifically, they look at the correctional services operation—that is the oversight of safety and security—the correctional staff, education, recruitment, food service, health services, human resources, inmate services, inmate systems, safety and environmental health facilities, and then there are some

areas that are monitored more remotely, like education, recruitment, so on and so forth.

They received good or above reviews in each of those prior two monitoring visits. There were some deficiencies in a few of the areas, which is not uncommon. We have an audit process in the Bureau of Prisons, as well, and we go out and review programs routinely, and on occasions we find deficiencies which are provided to the institution and they are instructed to make up corrections and provide to us a plan by which those corrections will occur. So there were a few areas that had some deficiencies, but nothing significant.

Mr. DAVIS OF ILLINOIS. Have you or any members of your staff noted or seen anything that would suggest that there might be some differential between the way that inmates from the District of Columbia are handled, treated, and inmates from other places may be handled or treated?

Mr. LAPPIN. About a year, year and a half ago, we began dealing directly with you, sir, on some of the reentry issues. I asked my staff to go back and reevaluate the contract with Rivers specifically, because it is the only contract that houses U.S. citizens in their population, compared to the contracts that had been let for the other facilities which housed illegal aliens, the majority of which were going to be deported.

At that time we realized that the contract wasn't specific enough applicable to vocational training and the drug treatment program, and so we have been working with the GEO Group in rewriting, revising, as well as the CSOSA, applicable to vocational training to identify which vocational trainings would be most appropriate, and then we will be working with the GEO Group to build that into a revised contract to add some of those programs.

I was more concerned about the whole drug treatment process, so just a few weeks ago I sent some of our staff to Rivers to evaluate—that is our drug treatment staff who oversee our program—sent them to Rivers to evaluate the drug treatment program at Rivers and this issue of certification. We found many similarities, although there were some areas that weren't quite at the level of our program, and we are going to set about taking corrective action to get that program to the same level as the Bureau of Prisons' programs, consistent with our expectations and guidelines.

Again, practice makes perfect. We have been in the drug treatment business now for 15, 16 years, and today, to kind of put it in perspective, we have 200,000 inmates. About 52 percent of those inmates we believe we know are in for drug-related offenses. Of that 52 percent, we believe that about 35 percent should have drug treatment, drug or alcohol treatment. As of today, 92 percent of those offenders are volunteering for treatment.

So over the course of a year, we are running about 15,000 inmates a year through drug treatment programs, so we get a lot of practice. That has allowed our staff to develop and evolve into the programs that Congresswoman Norton saw at Cumberland, which we think are exceptional. In fact, we are seeing our research applicable to the inmates who complete drug treatment is very positive. We are seeing fewer offenders come back to prison who participate in and successfully complete our 500 hour drug treatment program,

and this recidivism research has been ongoing for 10, 12, 15 years now, so it has enormous credibility.

We certainly have an interest in getting the program at Rivers up to the same level so that not only will it be certified, but when we put offenders there they can qualify, those that would qualify, the non-violent offenders that qualify could also be offered some time off of their sentence based on their participation and successful completion in that program.

Mr. DAVIS OF ILLINOIS. Mr. Snyder, let me ask you, the contract with Bureau of Prisons requires Jail to develop a specific release plan, which includes a community-based program for each inmate no later than 11 months before the inmate's projected release. Would you share with us what might be the specific components of a typical release plan by Rivers?

Mr. SNYDER. Well, as the Director mentioned, we start preparing for an inmate's release the day that they walk in the door in looking at what types of programs we may be able to enroll them in for that. As we get later on closer to the release, we have sessions with them concerning and in conjunction with CSOSA who, by the way, as Mr. Quander is going to testify later, has been a wonderful partner with us in helping develop these plans of release for these inmates.

So whether it be, for example, our work force transition program or helping find jobs through CSOSA or through community initiatives that they have, we work in partnership actually from day one.

Mr. DAVIS OF ILLINOIS. And so the development of your plans are actually done in concert with other external agencies?

Mr. SNYDER. Partly with external agencies and partly internal. We say that the inmate does not have a high school diploma. We encourage them to enroll in the GED program, for example. That would be something that is not in conjunction with another program. But we do work in conjunction with other programs, also.

Mr. DAVIS OF ILLINOIS. Before I go to Representative Norton, let me just ask you, both of you are experts. Obviously, you have had long careers and would be considered experts in this area. In spite of whatever it is that we are doing, we are still experiencing extremely high rates of recidivism across the board. If you were to say, in your estimation, what really could help more to get at this question of recidivism? What would that be?

Mr. LAPPIN. First and foremost, I don't care where you are, you have to have a willing participant. It is just not a one-sided formula here. We certainly see those offenders that come to prison, just like the young man you heard earlier who realized that he had some problems in his past that he decided it was time to change. It certainly helps our success when we have someone who is willing to participate in programs that are offered. It is unfortunate sometimes that more of them do not.

I am not sure about the GEO Group, but we do not force inmates into programs other than one program, and that is all offenders who are medically cleared will work. If they fail to accept a work assignment, they can be disciplined for that.

We encourage, we leverage, we nudge, we counsel, we push them to get involved in GED, secondary education, vocational training,

and other pro-social value programs. We are quite successful with many of them. Some offenders just don't see the light.

It has been helpful, in my opinion, when you all or someone has asserted some leverage on them, as well. I will give you a couple of examples.

A few years ago some folks said if offenders don't pursue a GED you are not going to get all of your good time. Well, that wasn't us leveraging; that was somebody else saying, hey, folks, this is so important that you should pursue this, and if you don't there are some consequences. So the inmates began to see the consequences of decisions they would or would not make. That helped.

Let's go back to the time off for non-violent offenders. That certainly encouraged more offenders who were kind of on the fence to get involved in drug treatment. Once we get them into the program, then it is our responsibility to provide a program that meets their needs, addresses those issues, but no matter what we do here, if we don't have a willing participant our programs will be less successful. Any way to leverage those folks into those programs, in my opinion, is helpful.

Again, I told you just a couple of examples I think that are positive.

Do we have waiting lists? We have waiting lists. I assure you today that even though one of our longest waiting lists is the RDAP 500 hour, we can still get everyone who needs treatment, treatment before they are released. It is probably going to occur toward the end of their sentence, because an offender comes in and has less time, their name goes above that person so that we can get them through the program before the end of their sentence. But we can still get every offender currently coming into the Bureau through the program. We would like to have a shorter waiting list. Certainly, some additional resources in that regard would help us get more offenders through the process earlier in their sentence than the end of their sentence.

Just a few things.

Mr. DAVIS OF ILLINOIS. Mr. Snyder.

Mr. SNYDER. Actually, I concur with about everything that Director Lappin said. There has to be some individual commitment from the inmates, and we need to encourage that programs happen there for them to participate in.

I think there is one other thing we are getting ready to roll out. I am not sure we have done the best job. This will affect Jail some time down the road. I mentioned our inmate skills development program, and basically what we are doing is getting ready to ramp up a particular where, when the offender comes into the institution they will be assessed, and that assessment will determine what skills that offender lacks, and every facility will be required to have programs available that address those deficiencies we identify in the offender.

We have not done as good a job in the past as we should have, I believe, trying programs to the legitimate needs of the inmates. Sometimes it was a little big of guesswork there. What do you like to do, what do you want to do, rather than what do you need to do. And so in the not-too-distant future when we roll this program out, we will do a better job of identifying the deficiencies an of-

fender comes to prison with and having programs available for them to improve in those areas.

Again, it requires a willing participant. We don't force them into those programs. But we will certainly carry that over to our contract with GAO at Rivers if, in fact, we still have U.S. citizens at that facility.

Mr. DAVIS OF ILLINOIS. Gentlemen, thank you very much.

I will go to Ms. Norton.

Ms. NORTON. Well, thank you very much, Mr. Chairman.

I suppose I should begin with Mr. Lappin.

Mr. Lappin, there are about 7,000 or so, give or take, inmates, of course, from the District of Columbia, and facilities you control. You heard me open saying that they were in, according to all the figures we have access to, they were in 75 institutions in 33 States. Now, we have some of the figures here. For example, there were about 252 or so at Cumberland. There are about 800 some at Rivers. That is the largest number. There are 314 at Gilmer, about 300 at Coleman, 309 at Beach Sandy; 100 at Butner, 80 at Cleary; 50 at Lexington. These are all over the United States, of course. There are 12 at Ashland.

Now, what I have just detailed, just nine institutions, that accounts for 1,728 D.C. inmates, plus the 831 at Rivers or 2,559 inmates.

These are where most of them apparently are. That means the great bulk of the mare in dips and dabs somewhere out in the United States. So few that, when you look for where they are, they don't even register.

You are world class prison experts. Do you believe this is the best way to house prisoners from a State prison system, spreading them far and wide this way out of the reach of family or anyone else you they know?

Mr. LAPPIN. Actually, we can provide you a list specific to which institutions house D.C. offenders and how many. It is going to vary.

Ms. NORTON. We have been provided with that list, and I have gone through where the bulk of them are, and most of them are still scattered in smaller numbers here and there. I want to know how you decide where to place D.C. residents.

Mr. LAPPIN. Not unlike other residents, we try to put the offender as close to home as we possibly can, with a couple of priorities. No. 1, the appropriate security level is No. 1. The first issue is what is the security level of the offender, and we try to put them as close to home based on that, if we can, we space available. Because you can imagine, at the hose institutions there are also offenders at those locations in close proximity to that facility, as well.

So in reality there are many, many offenders in the Federal prison system who are further from home than what you are going to find in State facilities, given the fact that we have some States and some geographic areas with no Federal prisons, and those offenders are going to go to prison in some location.

Ms. NORTON. Although they would seldom be halfway across the country. They are located in most regions of the United States.

Mr. LAPPIN. Of the D.C. offenders, 83 percent are within 500 miles, which is kind of our target, 500 miles or less. The exceptions

to those would be offenders who have medical or psychiatric illnesses that must be provided for in a hospital, and those folks are going to go to one of our medical centers.

We then have offenders who have separate issues; that is, they have either testified or have some conflict with other offenders in the Bureau of Prisons, and therefore we have to put them at other locations as a safety security issue.

And then we have offenders who misbehave, and oftentimes when they misbehave it results in them being moved further from Washington, DC.

Again, I think hopefully you will understand that many of the Federal offenders, when you look at how far away they are from home, are further from home than what most State offenders would be.

Ms. NORTON. I understand that, Mr. Lappin.

Mr. Lappin, Congress has given the Bureau of Prisons a big challenge and didn't give you all that you were entitled to, but it asked you to do what has never been done before, and that is absorb a State prison system. Whatever is the case, it said integrate them but remember who they are. As a result, essentially what you have had to do is to deal with your existing resources to try to place them accordingly.

Quite apart from what you were left to do, would it not be your opinion that the inmates from a State prison system would be better off if they could be housed in a facility, since there are 7,000 of them, enough to fill a facility, that was closer to the District of Columbia, quite apart from what is possible? You are not in charge of what is possible and I am not in charge of what is possible. A lot of that has to do with money. I am asking you and I am going to ask Mr. Snyder as corrections experts to say, if you are dealing with a State prison system and you know how State prison systems operate and you know where prisoners are placed in States, so I am asking you would it be, if all things were equal, better for these prisoners to be housed in a facility closer to their home base?

Mr. LAPPIN. In my opinion, I am not sure that it would be. Maybe this is just a difference philosophically on how to safely run prisons, but we believe we run safer prisons when we have a balanced population of offenders racially, as geographically as we can, but primarily racially, so we have found ourselves——

Ms. NORTON. Who are you fooling, Mr. Lappin? Mr. Lappin, almost 50 percent of those in prison today are African Americans. Good luck for your balance. You just said that you have to look at the features having to do with the nature of the offense, etc. Moreover, everybody knows that what happens in schools—which is kids bunched together based on race—happens much more so in the prison environment. So this notion about racial notion when you have a prison system in the United States largely controlled people of color it is not going to wash with this Member. I am not even asking you that.

I am saying, considering that these are State prisoners, and again, you know, if you want to tell me what the Federal Government does, fine. I have asked you to speak as a correction expert, and I am not asking you to contradict administration policy or any

such thing. If you can't take your hat off as a corrections expert and answer my question, I will just go on to the next one.

Mr. LAPPIN. I can answer your question.

Ms. NORTON. Yes, sir.

Mr. LAPPIN. Of our inmates, 56 percent are White, 40 percent of our inmates are African American, 27 percent of our offenders are Hispanic. We can create balance in our institutions. From my position and for my 22 years in the Federal prison system, I have found us running safer——

Ms. NORTON. What is the racial——

Mr. LAPPIN [continuing]. And more secure prisons——

Ms. NORTON. What is the racial composition——

Mr. LAPPIN [continuing]. When we have a balanced institution.

Ms. NORTON. What is the racial composition at Cumberland and what is the racial——

Mr. LAPPIN. I don't know exactly what it is, but we certainly try to monitor that as best we can to have a more balanced population of offenders racially——

Ms. NORTON. I am going to move on.

Mr. LAPPIN [continuing]. At the institution.

Ms. NORTON. I am really going to move on, because I tell you one thing: one of the things that hurts most for somebody like me who comes from a majority African American city and sees the waste of Black men in jail is the notion of the kind of imbalance that neither you nor anybody else could do anything about until we do something about the march of African American manhood into State and Federal prisons.

I am looking at the characteristics here, and this is Cumberland: 72.2 percent Black, 1.5 percent other, and 26.3 percent White. That is not your fault, but the notion to tell me that therefore what we are trying to do is racial balance, when I ask you as a corrections expert and not what you do within the Federal prisons, does not respond to my question. But if you cannot speak as a correction expert, I am holding the hammer at that point and I just want to get to some facts here.

I am not going to ask Mr. Snyder, who has a contract, and therefore may feel that he had better watch himself.

Let me just say that this Member has looked at prison systems around the world and I happen to believe that the Bureau of Prisons is the best prison system in the world. When was the BOP started as a system?

Mr. LAPPIN. In 1930.

Ms. NORTON. It was started perhaps in the Depression when people were willing to build prisons and there was a kind of rehabilitation view of corrections. You know, you are talking to somebody who has great respect for BOP, particularly when compared to State prison systems, like Lorton was for the most part. So when the District asked the Federal Government to take some State functions and it turned out the BOP and we knew they were going to be scattered, the good news at least was, well, at least they have access to services they never could have gotten at Lorton.

You have described at pages 5 and 6 some very good what you call core inmate programs, and they are really exceptional work programs, occupational training, vocational training, substance

abuse. I think I am looking at yours. Yes, substance abuse, observance of faith, psychology services, etc. When you let the contract initially for District of Columbia residents, did you follow this core set of services in putting out the contract and funding the contract for the private contractor?

Mr. LAPPIN. You are asking me?

Ms. NORTON. Yes.

Mr. LAPPIN. I don't know what occurred at the time this contract was let specifically. What I did was compared the contract to what we were providing in our institutions. My sense is this contract for Rivers was more consistent with contracts we had been offering at our other private contract facilities that primarily house illegal aliens. So in my evaluation——

Ms. NORTON. Do you think illegal aliens are entitled to the same services as American citizens?

Mr. LAPPIN. Obviously, our contracts at the private contract facilities do not offer the same level of services that we are providing in our own institutions that primarily house U.S. citizens.

Ms. NORTON. I am talking now about the Rivers contract.

Mr. LAPPIN. I think it was more consistent with those contracts rather than one that would specifically address these issues.

Ms. NORTON. Well, why wasn't it, since most of the inmates are American citizens, why wasn't it based on the BOP model as opposed to the criminal alien model?

Mr. LAPPIN. I don't know for sure why. That is why I mentioned in my opening testimony that we had gone back——

Ms. NORTON. You are aware that the statute does not say, in prescribing what has now been abandoned by BOP and the Federal Government, that is that some residents would go into private facilities, it says nothing about those facilities being of a lesser quality or different in any way from BOP services. That is not in the statute, is it?

Mr. LAPPIN. No, it is not.

Ms. NORTON. You say, indeed—and I was pleased in your testimony—that you have recently asked GEO Group to increase programming at these facilities. Will that programming reflect your own model, the BOP model that you tout around the country with good reason, indeed around the world, as a model for how corrections should be done?

Mr. LAPPIN. As I indicated, yes, we are working with Jail, who is working with CSOSA, on identifying what vocational trainings would be appropriate, and we will be working——

Ms. NORTON. No, I am asking you whether you will mirror what you do.

Mr. LAPPIN. As closely as possible, but, again, we don't tell the contractor exactly how to do——

Ms. NORTON. I am not asking you how to do. If you have—and I am using your words—a core set of programs, these are American citizens. Are they not entitled to the same core set of programs as other American citizens? And is there anything in the statute that would exempt them from what other American citizens in prisons are entitled to, in BOP prisons are entitled to?

Mr. LAPPIN. Again, we will try to mirror as closely as we can the programs we offer in the Bureau.

Ms. NORTON. When you put the contract out, the contract was not funded for these services.

Mr. LAPPIN. I think many of the things that are listed here the GEO Group already does at Rivers.

Ms. NORTON. What? I am sorry.

Mr. LAPPIN. I believe many of the things we have listed here the GEO Group already provides in the current contract. The areas that we found were lacking was vocational training and the certification of the drug treatment, but many of the programs you have mentioned here—observance of faith and religion, psychological services, visiting, telephone, correspondence—many of those things are already in the contract and, according to our monitoring, the GEO Group is already providing.

Ms. NORTON. Yes, we are aware of the ones that are in the contract and we are aware that some of them have been added on in time, and we are very grateful for that, but you are testifying that you intend, to the greatest extent possible, to mirror the core program of the BOP for the American citizens who are confined in private facilities; is that your testimony?

Mr. LAPPIN. Yes, ma'am.

Mr. DAVIS OF ILLINOIS. Ms. Norton, let me do this. Let me go to Mr. Clay, who has some questions, and then we can certainly come back to you.

Ms. NORTON. Thank you, sir. Glad to yield.

Mr. CLAY. Thank you, Mr. Chair. It is always interesting to follow my colleague, the gentlewoman from the District of Columbia. She always has intriguing questions.

Mr. Lappin, let me ask you your followup to one of her questions. In regard to BOP, are there any plans on the drawing board to build a facility or to contract out and have a facility built in the D.C. metropolitan area for D.C. prisoners?

Mr. LAPPIN. There are no plans at the present time.

Mr. CLAY. Do you plan on having a 10-year plan, 5 year plan to increase capacity?

Mr. LAPPIN. We do have a plan for increasing capacity. To be quite honest with you, we don't get a lot of say in where prisons are built, so it oftentimes takes a lot of partnership with the Congress, the administration. So we have a construction plan to keep up with the growing population. As you know as well as I do, there are a lot of priorities right now and it is not easy to come up with funding to build prisons, but certainly there is a plan. There are issues being addressed at the appropriate times with the appropriators about our needs for the future. But certainly there is a building plan based on our population projections over the next 3 or 4 years which we believe will, if things stay as they currently are today, will add about 15,000 inmates over the next 3 years to the Bureau of Prisons.

Mr. CLAY. I really hope you are wrong about that.

Mr. LAPPIN. I do, too.

Mr. CLAY. What region has the most need? Is it east, west, north, south?

Mr. LAPPIN. The east, the west, and the southeast probably we see our greatest need, but it varies from time to time, but those typically are the areas that we have the greatest need, because we

prefer to put institutions in close proximity to where the inmates are coming from, which increases our ability to keep them closer to home.

Mr. CLAY. Yes. In the area of reentry, the 8th Circuit, which is based in St. Louis, their Office of Probation and Parole, in conjunction with the U.S. Attorney's Office, has a unique program as far as matching up those recently released and future employers. They hold a career fair for those recently released and match them into jobs. How successful has BOP been in matching up recently released inmates? And do you do programs like that in this region?

Mr. LAPPIN. Actually, we partner with the folks in St. Louis nationally on offender work force development. That is the initiative you are referencing.

Mr. CLAY. Yes.

Mr. LAPPIN. So yearly there is a conference that we participate with the probations staff, with parole staff, with our staff in developing programs at all of our institutions that assist in transition from prison to the community, one of which is work force development initiatives.

All of our institutions have job fairs so employers can come in and inmates can be interviewed and resumes can be reviewed, more in the way of a practice because, again, many of our offenders are not releasing locally. So the difficult challenge here is reaching out from a distance to find providers in certain areas. We have community corrections centers in many locations that help us with the transition from prison to the community through halfway houses. The young man that was here was in a halfway house here in the District of Columbia. They suggested he go to Goodwill and apply for a job. That occurs in that fashion more so than from the individual institution, given the fact that oftentimes the offender is some distance from their home.

But, again, there is a correction between the staff in our institutions and what the inmates' needs are, what their accomplishments are, and the transition to halfway houses.

Our preference is to send all eligible offenders out through halfway houses, so this past year, of the eligible offenders, about 84 percent of the offenders did transition out through a halfway house, which helped facilitate that transition from prison to the community to secure two real important aspects: a place to live, and a job.

Mr. CLAY. Yes.

Mr. LAPPIN. Critically important.

So, again, the Bureau, given its size, geographically uses these transition halfway house centers to assist us with that.

Mr. CLAY. And all halfway house residents have to be employed? Is that right?

Mr. LAPPIN. Well, we certainly do our best. As you can imagine, when unemployment rates are high, it is more difficult, but we certainly, as part of that period of time in a halfway house, a primary component of that halfway house is to try and secure employment prior to release.

Mr. CLAY. Thank you for that.

Mr. Snyder, real quickly, how successful is jail in placing inmates into employment opportunities?

Mr. SNYDER. Actually, our facility is not responsible. We work in conjunction with CSOSA and they handle the placement.

Mr. CLAY. Who is CSOSA?

Mr. SNYDER. Court Services and Offender Supervision Agency.

Mr. CLAY. I see.

Mr. SNYDER. And they will be testifying later.

Mr. CLAY. Let me ask you about your drug treatment program. How often do you find inmates that test positive for drug use in the institution?

Mr. SNYDER. We do random drug testing, and we have less than 1 percent positive drug testing rate. In comparison, that is very good.

Mr. CLAY. What is your testing matrix?

Mr. SNYDER. Last year in 2006 we did 100,945 random tests. We had 1,088 positive tests for a percentage of 1.1 percent of our population. We did 21,097 suspect tests; that is, something led us to believe the offender was using drugs, the inmate. Of those, 900 were tested positive, which is a 4.3 percent positive test rate. So a 1 to 2 percent rate is very good.

Mr. CLAY. I see.

Mr. SNYDER. Very low.

Mr. CLAY. All right. I thank you both for your answers.

I yield back, Mr. Chairman.

Mr. DAVIS OF ILLINOIS. Thank you, Mr. Clay.

Let me just ask Director Lappin, did I understand that you are working on a good time policy for individuals who may be involved in or who complete the drug program?

Mr. LAPPIN. The time off?

Mr. DAVIS OF ILLINOIS. Yes.

Mr. LAPPIN. Yes. On May 24, 2005, the D.C. City Council passed the Omnibus Public Safety Ex-Offender Sufficiency Reform Amendment Act of 2004, which granted the authority for non-violent D.C. offenders who successfully complete 500 hour D.C. treatment program eligibility for time off their sentence. We have now taken that through the rules process. We have drafted the final rules. The final rule, in fact, is at OMB for review. They should decide by October 20, 2007, next week or this week, at which time, assuming no concern on their part, we would then publish the final rule, we would finalize our program statement and we would begin the implementation of that law for D.C. offenders.

Mr. DAVIS OF ILLINOIS. Does that mean that there are other kinds of good time policies within the Bureau? I am saying are there other incentives for individuals who have gone through any kind of special program or special training or anything else?

Mr. LAPPIN. To my knowledge, this is the only program that offers a reduction in their sentence other than the authority of the Director of the Bureau of Prisons to allow or propose to the sentencing court a reduction of sentence typically based on terminal illnesses or some significant health concern or issue, which we do utilize. To my knowledge, those are the only two that allow a "reduction in sentence." Most all offenders are eligible for good time. That is typically driven by the statute under which they are sentenced, so it would be different for D.C. offenders possibly than offenders from Federal correct. I don't know the specifics of those,

but as far as something similar to the reduction of sentence consistent with the 500 hour drug program, I am not sure. I am not aware of any other programs that offer some reduction in sentence other than the two I mentioned.

Mr. DAVIS OF ILLINOIS. Is any crime committed in D.C. a Federal crime?

Mr. LAPPIN. I am sorry?

Mr. DAVIS OF ILLINOIS. Is any crime committed in the District of Columbia a Federal crime?

Mr. LAPPIN. Yes. I have the number here, I believe. I could give you the exact number of offenders who are sentenced out of District Court, but I believe there are about 1,100. I think there are about 1,100 offenders who come out of District court. Of the 7,816 D.C. offenders, as of August, 6,698 were sentenced in D.C. Superior Court, 1,118 were sentenced as a result of Federal crimes out of U.S. District Court.

Mr. DAVIS OF ILLINOIS. Thank you.

Ms. Norton.

Ms. NORTON. Mr. Lappin, how many Federal facilities, BOP facilities, have been built since 1997, approximately?

Mr. LAPPIN. I hate to guess. I will get it for the record and submit it to you in writing.

I hate to even guess. Probably 30 or 40.

Ms. NORTON. Has the BOP ever, given its corrections background, suggested to OMB that one of those prisons might be built to house D.C. residents? That is a lot of prisons.

Mr. LAPPIN. We have tried to place institutions closer to Washington, DC.

Ms. NORTON. That is not my question.

Mr. LAPPIN. We have not asked or pursued an initiative to build a prison to house just D.C. offenders. We have not.

Ms. NORTON. That was really my question.

You see, the figures I laid out before when you tried to tell me they were all about balance, where we had 2,559 inmates in 10 institutions, understand they are in 75, sir. If there are 2,559 in 10 institutions, that means that there are 5,441 in 65 institutions. You have to understand what my point is, sir. Whatever the balance point is, since the figures that I called out were where you will find them in any numbers, it really means sprinklings of men around the United States. I just want you to know that is my concern, and that is why I asked how many prisons since 1997.

How many prisons have been built since 1986 when the mandatory minimums which have incarcerated an entire generation of Black men, how many prisons since then have been built?

Mr. LAPPIN. Again, I could submit that for the record. I know that in 1980 we had about 26,000 inmates in the Federal prison system. We operated about 35 institutions. Today we have 200,000 inmates. We operate 114 Federal prisons that we own and operate, and we contract out for 13 other private facilities.

Ms. NORTON. Now, for criminal aliens—and yet District of Columbia residents are the only American citizens in such private facilities.

Mr. LAPPIN. Again, as you know, the law that passed in 1997 mandated——

Ms. NORTON. It did not mandate and it was not necessary to put D.C. residents in a prison with criminal aliens where you know you do not have to provide the same services. It said private facility. It said Bureau of Prisons. It says these are inmates.

The fact that you have 800 in a private facility means it was in your discretion to fill it up with D.C. residents, but you did not do so, and that raises the problem. If you are an American citizen living in the District of Columbia, you get tired of not having rights even when you go to jail, sir, particularly when it was in your discretion, your, BOP at large, discretion to do something about it, and particularly since these men have to come home to the District of Columbia.

I am here trying to divide what we have to do, sir. I know I have a lot of work to do to convince my colleagues, and what you, it seems to me, had at least some discretion to recommend.

Again, this is a grand experiment. The Congress has said, look, BOP, you are a great prison system. We are going to ask you to do something that has never been done before. Therefore, Congress looks to you to say, can this be done? Can it be done better? That is what I am impressing upon you that we need to have happen.

I want to ask you about the testimony you heard from the prisons, the ex-prisoners. It was important in reinforcing what we saw when we went to the two prisons. I said they were both well-kept. Everybody felt free to come up and talk to me. There was a marked difference in the activities available. Let's leave aside the services for a moment. The BOP prisoners had not only structure but had times when they went from one place to the next place, and it looks like the BOP has a theory of corrections that says that you let a man lie around doing what we would all like to do—what would you like to do today? Sit in a hearing, or would you like to hang out? Sir, I would hang out, and I have been working all my life.

Do you say to somebody, hey, here's a nice facility, here is a gym. They hang out in your private facility, but Mr. Robinson, I believe it was, testified that he was in a very structured environment, that he had to work, and of course he has work now. You saw Mr. Barnes, a young man, obviously very self-motivated early in life, very intelligent, already could pick up a craft, talk about what it was like to be in an unstructured environment.

Why, given the fact that the BOP model is tried, has been tested, is seen as one of the most effective in the world, why would you not try to replicate at least the structure, which you could have done even if you didn't have the money, at least the structured environment that leaves a man or woman to have some sense of what is going to be expected of him out here. Why was that model abandoned in the private facility at Rivers?

Mr. LAPPIN. I don't think that model was abandoned. I am very pleased that you had a good visit to the institution in Cumberland and you left there pleased that the inmates were productively occupied. That certainly is a mainstay in our safely running prisons.

Again, I don't think the contract at Rivers didn't take that into consideration. I think it did. Other than——

Ms. NORTON. I really don't want to argue the facts here. I don't have a lot of time. The facts are that most of the inmates—and you heard testimony here, we saw it ourselves—spend most of their

time on weights and in the yard, and we don't blame them. Men will not engage in structured activities, even when they are available, unless you draw the incentives such that they really think that this is what we are supposed to do. Of course, men have to work in BOP facilities. You don't have to work there, so please don't make me lay out not what I saw but what I have documented as to the difference between the unstructured environment at the private facility which is 180 degrees unlike what the inmate will find out here and the very structured way in which he must live his life in a BOP facility, because I saw it. We documented it. I didn't just go there. I asked questions—how many hours they have to work, what if they decide not to do this, then what do they do. I got very specific answers from the warden.

Now I am asking one question only: if structure works in a BOP facility, why would you, in putting out a contract, not say do it the way you want to do, but the structured life is necessary to prepare these men that you are going to get to enter the real world.

Mr. LAPPIN. Again, I think our contract that was let at Rivers has that framework. Our contract oversight folks who are there routinely throughout the course of the contract observe that behavior. Granted, there can be improvements, but I beg to differ that we have completely abandoned that theory or philosophy in the contract.

Again, the warden here can address probably those day-to-day issues that——

Ms. NORTON. You know, I really don't want to keep us here.

Mr. Snyder, does a man, besides the GED program, is he compelled to work, for example?

Mr. SNYDER. Yes, ma'am. They are required to work in our facility.

Ms. NORTON. What are their work assignments for how many hours a day?

Mr. SNYDER. Again, like many BOP facilities, it may be a short period of time, 4 hours. They may work 4 hours and may be enrolled in some other program for 4 hours.

Ms. NORTON. You know what, Mr. Snyder, I talked to lots of men down there. None told us that he had any assignment whatsoever. Now you are telling me that every man at Rivers has a work assignment?

Mr. SNYDER. Yes, ma'am, the majority do.

Ms. NORTON. I am going to ask you to submit to the committee what my own eyes contradicted, what you heard the prisoner, the ex-offender testify. I want you to submit to me the work day of prisoners. I want you to submit to me how your program is structured on paper. I would like to see that.

Mr. SNYDER. I can submit to you the number of inmates that we have working in the facility.

Ms. NORTON. You just said these people have every inmate working.

Mr. SNYDER. Well, the majority——

Ms. NORTON. Now, we saw some people working.

Mr. SNYDER. Yes.

Ms. NORTON. We know that there are some people who work. Everybody at the BOP facility we saw. In fact, if you want to know

the truth, Mr. Lappin, the warden told us that it sometimes gets to be difficult because the facility has so many people coming in and so much work to do, but they still say you have to put 4 hours in to work. That is what you told me. You have to put 4 hours in to work, every last man at Rivers?

Mr. SNYDER. The vast majority. Yes, ma'am.

Ms. NORTON. Four hours of work a day?

Mr. SNYDER. Yes, ma'am.

Ms. NORTON. Forgive my skepticism, but you are under oath.

Mr. SNYDER. Yes, ma'am.

Ms. NORTON. Let me quickly go through the rest of this, because we have just heard testimony that this is just like BOP, which contradicts what we saw with our naked eyes. How in the world are we going to improve things if we get this kind of testimony?

Now, you have programs in carpentry, HVAC. We are glad to see the air conditioning and the heating. But then you heard testimony from a prisoner that it was limited by age. Why is it limited by age? Indeed, Mr. Robinson said it was not limited by age at BOP, but of course these programs are exactly the same. Why was it not limited by age at the BOP prison where he also had that training and it was limited by age at Rivers?

Mr. SNYDER. I can only speak to the program at Rivers. I am not familiar with——

Ms. NORTON. That is all I am asking you for.

Mr. SNYDER. Yes, ma'am. The program at Rivers is a grant program through the D.C. State Department of Education, and through that grant the ages of participants must be in the age range of 18 to 25.

Ms. NORTON. But that is not true, Mr. Lappin, at the BOP HVAC program?

Mr. LAPPIN. I am not aware of a limitation on age; however, we provide programs located at institutions that sometimes have some limitations. That is, we contract out at some locations for those services. Although I have not seen an age limitation, there are sometimes some limitations based on what is agreed to within that local contract. If it is a Bureau-provided program by Bureau staff, we do not limit age.

Ms. NORTON. Almost all your programs are Bureau provided, though.

Mr. LAPPIN. We have a number of locations where we contract out vocational training programs because there is a community college or some service locally that really offers a great deal for us. That is how you heard testimony that some locations we still can offer college programs. It is only because we can get those programs locally.

Ms. NORTON. College programs I understand, because Congress has put some limitations on you there.

Mr. LAPPIN. Right.

Ms. NORTON. Mr. Snyder, do the criminal aliens have access to the same programs?

Mr. SNYDER. Yes, they do.

Ms. NORTON. I have nothing against criminal aliens, God bless them, but I hope I made my point. I would not like to see any discrimination against them. Who has been discriminated against?

The D.C. residents who are American citizens who would get different levels of services if they were in BOP facilities.

We were very disappointed to find out all the time it has taken for D.C. to be qualified for the incentive, and now that processes you are assuring me is well under way, so when you are going through that program, that 500 hour program, that incentive, which has apparently been useful to making the program so effective, would be available then.

Since we have composed a final rule, you say on page none of your testimony, and will publish the rule in conjunction with issuing our own updated policy, which is currently in the final review and clearance process, in light of the fact that we think this should have been the case from the beginning, and if not it should certainly, given the effectiveness of the program, should by now be operative, in light of the fact that the proposed rule to implement the law was published a year ago in November, or almost a year ago, November 2006, that the Council made the necessary changes in 2004, I have to ask you, given the vagueness of the language, to testify when this policy will finally be operative.

Mr. LAPPIN. Again, we will implement it as soon as we hear from OMB and we can finalize the—I don't have the date this will go into effect until I get the information back from OMB.

Ms. NORTON. So you have done all you can do?

Mr. LAPPIN. We have done all that we can do until we hear back from OMB. At this point——

Ms. NORTON. One thing we would like you to do is to urge OMB, and we will back you up on that, sir.

Mr. LAPPIN. And I will report to you as soon as I hear back from them the status. Once I have that back, I can better give you a time line for when we will implement this Bureau-wide.

Ms. NORTON. We are particularly concerned to get the 500 hour program, the certified program, at Rivers. Can we anticipate that program will be available at Rivers?

Mr. LAPPIN. Yes.

Ms. NORTON. The one with the incentive?

Mr. LAPPIN. The vocational training, as I mentioned, and the drug treatment program, we are going to address at Rivers through the contract. Again, we will keep you informed as to how that progresses.

Ms. NORTON. That is so important, and I thank you for the, Mr. Lappin. You speak it is about 50 to 80 percent having drug abuse problems, a great concern to us. Particularly of concern to us was that 65 percent of those whose parole is revoked are revoked on drug abuse problems, so the effectiveness of that program could not be more important.

I am concerned about some of the HVAC programs, the carpentry programs, not because they aren't excellent programs, but if they are certified through the Department of Labor, then a man or woman can perhaps expect to be at least recognized because he will be able to say I have been through this program. I am concerned whether or not persons are able to say something, to have a piece of paper to show that Prison Industries has a very good reputation, has certified them as being able to do X, Y, or Z, whether it is HVAC, carpentry, or any of the rest of it. Is that available?

Mr. LAPPIN. We make a point that those vocational programs we provide, to have some type of certification. I want to be careful on this, because there are varying types of certifications. Let's take the DOL apprenticeship program. There are many locations we don't offer that, not because we don't think it is a good program, it just takes thousands of hours for the offender to become certified in that program.

Ms. NORTON. Yes.

Mr. LAPPIN. Like at Rivers, the offenders on average spend about 2 years. Most of them, if they began that program, probably wouldn't be able to finish it, so we look for other programs that are shorter in nature that give them some type of certificate so that when they leave prison and they go to apply for a job they have a document that says yes, I have had this training in this program to this level of proficiency. So we try to gear those programs and the length of those programs based on the amount of time we believe the offenders at a given institution on average are going to spend at that facility so that we can get more people through and have them with the certificate upon release.

In your medium- and high-security institutions where offenders are serving a longer time, you will find a greater array of the DOL apprenticeship programs, because many of those offenders are spending a long enough time in prison that if they begin the program they can finish it before they are released.

Ms. NORTON. Makes sense.

Our figures show that for BOP low-security inmates, it costs the BOP $52.57 per day. At the Rivers low-security program it costs $67.36 per day. Is that approximately correct?

Mr. LAPPIN. I didn't hear the last figure.

Ms. NORTON. It is $52.57 for low-security BOP, $67.36 per day for Rivers low-security. Is that the case?

Mr. LAPPIN. Let me give you the number that I use publicly, because there is sometimes two numbers floating around. Our average cost per day for low-security inmates in the Federal prison system is $57.08. That is all-inclusive. That is overhead, training, administrative staff, everything that goes into housing that inmate, including central office costs, everything—$57.08. I believe the contract at Rivers is $72.

Ms. NORTON. OK, because obviously the private contractor——

Mr. LAPPIN. It is $72.23 per inmate per day.

Ms. NORTON. So $72.23, so if we could get past the capital cost and we were just looking at the efficiency of the BOP operation, you have a more efficient operation than private contractors have, because he has to build in the cost, the capital cost, and he's got to have a profit and the rest of it.

Mr. LAPPIN. But I think you have to realize, I mean, I am averaging thousands of inmates in this average.

Ms. NORTON. I certainly do recognize that. That is one of the reasons you are more efficient. The more you have, the more you are able to have the efficiencies that come with the large numbers.

Mr. LAPPIN. There are some variations geographically, though, that we have to acknowledge, some higher-cost of living areas where it is more expensive to run prisons than other locations.

Ms. NORTON. I understand. If you want to play down your own efficiency, you are welcome. I am talking about efficiencies of scale, and that is all I am talking about. That is something that you don't have any control over. That is why I read you the raw statistics.

Finally, let me ask you what is the profit margin for the Jail Corp., which is the corporation that, of course, built Rivers?

Mr. LAPPIN. Are you asking me?

Ms. NORTON. You or Mr. Snyder. You ought to know it as much as Mr. Snyder knows.

Mr. LAPPIN. What their profit margin is?

Ms. NORTON. Yes.

Mr. LAPPIN. I have no idea.

Ms. NORTON. That is not built into the contract?

Mr. LAPPIN. I have no idea.

Ms. NORTON. So they can make any amount of profit they want to?

Mr. LAPPIN. Again, I have no idea what their profit margin is.

Ms. NORTON. Mr. Snyder.

Mr. SNYDER. I am unaware of our profit margin at this point.

Ms. NORTON. Could I ask you, Mr. Lappin, to get that information to me? I don't think that contracts let out by the Federal Government say you can make whatever profit you want to from housing these Federal prisoners. If they are, then the Congress needs to know if that is the case.

Mr. LAPPIN. If that information is available to us, we will certainly provide it to you.

Ms. NORTON. Well, it has to be available to somebody in the BOP.

Mr. LAPPIN. I am not sure that it is. I am not sure it is stipulated in our contract what the profit margin is.

Ms. NORTON. So you are therefore testifying that profit doesn't matter to you and you can make any profit you desire so long as you give us a facility?

Mr. LAPPIN. It is competitive bid.

Ms. NORTON. I understand that. I am talking about profit. I am talking about profit.

Mr. LAPPIN. If there is a profit margin available, we will provide it to you.

Ms. NORTON. Mr. Snyder, you know more. You are closer to the profit margin than even Mr. Lappin. These are 100 percent Federal dollars. Within 30 days we want to know what the profit margin is.

One final question. It has to do with phone calls. How much does it cost in a Federal prison to make a phone call, or how do you calculate those costs?

Mr. LAPPIN. I don't have the exact numbers. I will provide them on the record, what our charges are nationally for phone calls throughout the Bureau to the inmates.

Ms. NORTON. If phones are to be used in a private facility, would there be a profit available to the facility for allowing the calls to be made, or would that facility have phone calls available in the same way and for the same cost to the prisoner as a BOP facility?

Mr. LAPPIN. Again, I would have to go back and look at the contract, what it says specific to phone calls. My guess is it is pretty

broad and says phones will be made available to the inmates. How those costs are determined, I am not sure. If it is in our contract I will provide to you specifically what the contract indicates regarding their applying that aspect of the contract to housing those offenders there, and I will provide to you our charges to offenders for phone calls in the Bureau of Prisons.

Ms. NORTON. It is very important to have that within 30 days.

Mr. Chairman, I appreciate the latitude you have given me in examining these witnesses. They have really been very helpful. The testimony we have heard seems to me, to summarize, to say that the BOP is now trying to bring the same services to the private facility where D.C. residents are housed as they would have if they just happened to be in a low-security, for example, public facility. Sir, subject to what we learn about structure, we will take that to mean that the same kind of structure imitation of the way life is in the real world we will obtain at Rivers, as well.

Thank you very much, Mr. Chairman.

Mr. DAVIS OF ILLINOIS. Thank you very much, Ms. Norton.

I see we have been joined by Mr. Cummings.

Mr. Cummings, do you have any questions of this panel?

Mr. CUMMINGS. Just a few. Just a few, Mr. Chairman. I am sorry. I was in another hearing.

I just am curious. I was just sitting here just thinking how we have folks who go to prison and it is like they go in and in many instances they come out worse off. I am just wondering, at your facility, Mr. Snyder, and to you, Mr. Lappin, is there any followup on say, for example, they get this training, and is there any followup on how they do in life? I mean, it may have been answered earlier. I don't know. Is there any followup on that, because it seems to me that if we are going to be paying for these various courses that I see listed here, that we would want computer classes, woodworking, heating and air conditioning. It seems as if we would want to see how our money is being spent, so when you followup on it what do you come up with?

Mr. LAPPIN. The Bureau of Prisons does recidivism research on all of the programs we offer, not specifically every VT, but VT programs in general, as well as GED, inmates who work in Federal prison industry, inmates who we do recidivism research to determine if, in fact, the programs we are offering are having the intended outcome—that is, reducing recidivism.

Mr. CUMMINGS. Right.

Mr. LAPPIN. Nationally the Federal recidivism rate, our Federal recidivism rate is 40 percent within the Federal system, which in the last 10 years came down from 44 percent, so we went from 44 percent to 40 percent in about the last 10 years. We see that certainly as very favorable.

I couldn't agree with you more: when we invest money in programs, we want to be assured that those programs are having the intended outcome. So in groups like this—vocational training, prison industry, GED—we do long-term recidivism research assessment. And if we find a program is not having the intended outcome, we discontinue that program.

I will give you an example. For 10 or 15 years we operated boot camps. Our research for 10 of those years reflected no impact on

recidivism for the offenders identified who participate in that program. We brought those types of programs to an end. We were not getting the intended value, the outcome we desired based on the investment. That is the way we continue to assess our programs. So today, besides these programs, we have faith-based residential programs, we have other pro-social value programs. I have the acronyms. You don't know what they mean, but basically the residential programs that target anger management, stress management, getting a GED. We are doing recidivism research on those programs, as well.

They have not been around quite long enough for us to come out and say yes, this works. We are close. But as soon as that is available we will be able to make that public, as well.

Mr. CUMMINGS. Well, let me be very specific. I am impressed that there are computer classes, because that makes sense. I don't see how one can operate in this society. The janitor in my church, everything is run by a computer. If he didn't know how to run a computer, he has a problem.

I am just wondering, if you look at something like computer classes, do you say 3 years after the person is out did he get a job operating computers? do you follow what I am saying? In other words, I don't see how you can even make the determination whether something is working unless you can kind of see whether it led to somebody having an occupation in that area. Do you follow me?

Mr. LAPPIN. Yes, I do, but we don't do it on a case-by-case basis, given the volume. We release 61,000 inmates a year, and so we don't have a system that tracks each and every one of those individuals. Again, if you would like more detail, I am not a researcher, but my staff could come by and provide the research that we have done on this and explain to you how we go about determining whether or not these programs work and how we track the offenders and do the assessment. I would prefer, if you have the time, that I bring some folks along that better understand that process and can further explain to you or other committee members how that research occurs and the outcome.

Mr. CUMMINGS. Going back to a statement you made, you said there has been a reduction in recidivism; is that right?

Mr. LAPPIN. In the Federal offenders.

Mr. CUMMINGS. All right. I am glad you clarified that. Why don't we talk about the Rivers Correctional Institution, since that is the subject matter of our hearing. What has been the recidivism—and you may have answered this earlier. What has been the recidivism rate with regard to this institution?

Mr. SNYDER. We don't have those figures.

Mr. CUMMINGS. You should. It seems like you would. If you can quote the recidivism rate for the system and you come here before Congress and it seems like you would. I kind of think that if I were trying to get another contract, one of the things I would want to be able to say is that we were able to put together a program that had this effect to this Government or the D.C. government or anybody else. I am just wondering, Are we concerned, Mr. Snyder, about just warehousing? Or are we concerned about actually reha-

bilitating and helping people to go out and try to make something of their life? I mean, I am just wondering.

Mr. SNYDER. We are very concerned at their rehabilitation. That is why the emphasis on our progress. We are willing to do more.

Mr. CUMMINGS. Well, why don't you tell me what you are willing to do, because maybe we can make that happen. What are you willing to do? Because I want to and I am sure Ms. Norton wants to hold you to what it is you want to do. I don't hear too many people coming in here talking about what they want to do, so what would you like to do?

Mr. SNYDER. As Director Lappin stated previously, we will be able to enhance our substance abuse program and enhance the vocational training programs we offer at our facilities in conjunction with the Bureau.

Mr. CUMMINGS. And how do you plan to do that?

Mr. LAPPIN. The Bureau is going to revise the contract to require those types of programs be provided in the Rivers contract.

Mr. CUMMINGS. All right.

Mr. LAPPIN. We spoke about that earlier.

Mr. CUMMINGS. All right. I understand.

I wish I had gotten here a little earlier, because I would have loved to have just heard all this testimony.

Were you about to say something? You look like you are getting ready to jump over the table.

Mr. LAPPIN. I was just going to say if you would like us to come up there and meet with you privately on the issues we discussed, we would be more than happy to.

Mr. CUMMINGS. Yes. What we will do is I will submit some questions.

This whole concept of warehousing human beings——

Mr. LAPPIN. We agree.

Mr. CUMMINGS. I think at some point we have to figure out how to help people move on with their lives, and living in Baltimore where we have a significant number of people coming back and literally saying to me—I mean, I have heard this so many times, Mr Cummings, I have no way to make a living. I don't know what to do. I can't get a job. And if I cannot find a job, I am going to have to do the very things that sent me to prison. I have heard that many times.

It just seems to me at some point, if we are going to be using taxpayers' dollars, we ought to be making sure that we have effective programs that have the effect that we intend, as opposed to a situation where we are warehousing people only to come out to be placed in the situation that I just stated.

Mr. LAPPIN. Can I respond to that?

Mr. CUMMINGS. Sure.

Mr. LAPPIN. We are in complete agreement. We are opposed to warehousing offenders. Our job is not only to provide a safe, secure environment, but provide opportunities for offenders to improve skills and ability where there is vocational, literacy, work skills during their period of incarceration.

Again, I think we do help many of the inmates, but we have to have willing participants. We had a long conversation earlier that addressed some of those issues. Again, we would be more than

happy to sit down with you personally and discuss what we do in the Bureau of Prisons to accomplish that. We certainly want that for the offenders that are at Rivers, as well.

Mr. CUMMINGS. Thank you, Mr. Chairman.

Mr. DAVIS OF ILLINOIS. Thank you very much, Mr. Cummings.

Of course we have a vote on, so we are going to go and vote, but Ms. Norton is going to remain and will continue.

Gentlemen, let me thank both of you. I think this will end this panel and we will go right into the next panel. We certainly want to thank all of you for your patience and for your indulgence. We appreciate it very much.

Ms. NORTON [presiding]. This is very important testimony for us. It was important to spend the time we did.

Please stand and be sworn.

[Witnesses sworn.]

Ms. NORTON. The record will show that each witness answered in the affirmative.

The green light indicates you have 5 minutes to summarize your statement; the yellow light means your time is running down. We recognize that we have spent much more time with the first witnesses who have the immediate power to do something about the situation. We are very pleased that we believe we have a commitment here under oath to equalize services between Rivers, for example, and BOP facilities for the first time. It was important to get that and to document that. But it is equally important to us to document what you will have to say.

I am going to begin with Mr. Quander, Paul Quander, Jr., who is the Director of Court Services and Offender Supervision, a Federal agency responsible for 15,500 convicted felons who are on probation, parole, or supervised release in Washington, DC.

Mr. Quander.

STATEMENTS OF PAUL A. QUANDER, JR., DIRECTOR, COURT SERVICES AND OFFENDER SUPERVISION AGENCY; STANLEY JACKSON, ACTING PRESIDENT, UNIVERSITY OF DISTRICT OF COLUMBIA; CHARLES JONES, DIRECTOR, EMPLOYMENT SERVICES, D.C. DEPARTMENT OF EMPLOYMENT SERVICES; PHIL HOLMES, VICE PRESIDENT, CAREER DEVELOPMENT, GOODWILL INDUSTRIES; DENNIS TORBETT, VICE PRESIDENT, WORKFORCE TRAINING AND EMPLOYMENT, HOME BUILDERS INSTITUTE; AND JAMES AUSTIN, PH.D., PRESIDENT, THE JFA INSTITUTE

STATEMENT OF PAUL A. QUANDER, JR.

Mr. QUANDER. Good afternoon, Congresswoman Norton and members of the subcommittee. Thank you for the opportunity to appear before you today.

As Director of the Federal agency that supervises over 15,000 men and women on community supervision in the District of Columbia, nearly 6,000 of whom are in post-release supervision, I know first-hand that the foundation of successful reentry can be laid during a period of incarceration.

It is now 10 years since the Revitalization Act transferred responsibility for housing D.C. co-defenders to the Federal Board of

Prisons and created the Court Services and Offender Supervision Agency. In that decade, CSOSA has transformed community supervision by lowering case loads, implementing stringent contract standards and other close supervision strategies, increasing drug testing, opening multiple field offices, and automating the case management system.

In addition, CSOSA provides limited substance abuse treatment and operates a learning and vocational assistance program to supplement the city's over-burdened service capacity.

Last year we opened a Reentry and Sanctions Center to provide intensive assessment and treatment readiness programming for high-risk offenders entering supervision or at risk for revocation.

These services are sorely needed. Most of the offenders under our supervision have long histories of substance abuse, educational under-achievement, and under-employment. Of our population, 70 percent has a documented history of drug use; 39 percent are under supervision for drug offenses; and 20 percent have sought substance abuse treatment within the past 6 months. Only 56 percent have been employed during the past 6 months, and only 41 percent possess a GED or high school diploma.

Given this profile, we believe that substance abuse treatment, vocational training, and release preparations are the most critical programmatic needs. Almost half of the D.C. offender population at Rivers is incarcerated for a drug-related offense. Most parole revocations also involve substance abuse violations. Research has established beyond question that crime escalates in severity and frequency as drug use increases.

If more returning D.C. offenders completed the BOP 500 hour residential treatment program, which is certified, if it was at Rivers or elsewhere, CSOSA could then use its resources to continue services either through outpatient treatment or through the Reentry and Sanctions Center. This coordinated approach would enable a greater proportion of offenders to receive a clinically appropriate course of treatment. This, in turn, would reduce drug use and drug-related crime among the supervised population.

Residential treatment programs must be delivered by qualified staff with appropriate experience, training, and certification. We support the Board of Prisons's efforts to ensure that treatment programs at Rivers and other facilities that house D.C. co-defenders will meet these requirements.

Vocational training is another critical need. CSOSA has been a partner with the GEO Group and the Board of Prisons to develop programs that equip inmates with the skills needed in the D.C. job market and to link these programs with local employers and trade unions. Such linkages will provide returning inmates with better training and long-term career prospects.

We hope the carpentry program that is currently being developed will be the first of multiple BOP and GEO efforts to bring vocational training to Rivers. We also appreciate the dedicated efforts of our other partners, the Office of the D.C. State Superintendent of Education and the University of the District of Columbia, to implement vocational programs at Rivers. CSOSA has provided valuable support to both of these endeavors.

According to the District of Columbia Workforce Investment Council, approximately 70 percent of D.C. area employment is in the business services and information technology sector. Those D.C. offenders who are adequately prepared have the opportunity for training in these areas where they are most likely to find a job. As of June 2007, the Board of Prisons reported that 43 percent of the Rivers population was serving 59 months or less. While it is difficult to define the capacity, duration, and content of programs that should be developed at Rivers, any new programs should take into account the length of sentence served by Rivers inmates.

The BOP utilizes full-time staff, adjunct instructors under contract, and cooperative agreements with local universities and trade schools to deliver programs. Each of these service delivery models should be considered for Rivers, which is located in a relatively isolated area.

Finally, we must recognize that offenders need skills to manage stress and overcome ingrained areas of thinking. Understanding and behavior adjustments must be as much a part of this treatment as the drug treatment and job training. A recent Pennsylvania Department of Corrections study cited unrealistic expectations by inmates, anti-social attitudes and belief, and poor coping skills as the three most important factors in parole violation.

CSOSA has collaborate with Rivers' staff since the summer of 2003 to augment their release preparation programs through two videoconference programs. The CSOSA faith community partnership implemented video mentoring to link inmates nearing release from Rivers with faith-based mentors who provide pre-release encouragement and post-release support. We have also developed community resource date, a quarterly videoconference to provide inmates nearing release with information from local government and nonprofit service providers in the critical areas of housing, health care, education, and employment. Response to these programs has been very positive; however, they are just one element of a comprehensive release program.

I look forward to continuing to work with the Board of Prisons and Rivers and our other partners as we try to improve the programs available to the men at Rivers, because as the men return to the District they are coming to our community and they need to be prepared.

Thank you, Congresswoman Norton.

[The prepared statement of Mr. Quander follows:]

STATEMENT

OF

PAUL A. QUANDER, JR.,
DIRECTOR,
COURT SERVICES AND OFFENDER SUPERVISION AGENCY
FOR THE DISTRICT OF COLUMBIA

BEFORE THE

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
SUBCOMMITTEE ON THE FEDERAL WORKFORCE,
THE POSTAL SERVICE, AND THE DISTRICT OF COLUMBIA

OCTOBER 16, 2007

Chairman Davis, Congressman Marchant, Congresswoman Norton,
and Members of the Subcommittee:

I am pleased to appear before you today. Let me begin by thanking the subcommittee for this opportunity to discuss the reintegration of men and women returning to the District of Columbia from prison. As the Director of the federal agency that supervises approximately 15,200 men and women on community supervision in Washington, D.C., I know firsthand that the foundation of an individual's successful reentry can be laid during his or her time in prison. Incarceration provides an opportunity for the treatment, training, and mental preparation that can determine whether community supervision is a brief interlude between prison sentences or the beginning of a new way of life. The National Research Council's Committee on Community Supervision and Desistance from Crime puts it very succinctly in a new study of parole practices: "[A]

person should not leave prison without an immediately available...plan for postrelease life."[1]

In 1997, the United States Congress passed legislation transferring responsibility for housing long-term prisoners sentenced under the District of Columbia Code to the Federal Bureau of Prisons (BOP). The transfer was completed in 2000.[2] Over 6,600 District of Columbia inmates now serve their sentences in BOP facilities around the country.[3] The largest concentration, about 700 inmates, is housed in a BOP contract facility, the Rivers Correctional Institution in Winton, NC, operated by The GEO Group.

The Court Services and Offender Supervision Agency (CSOSA) was created under the same legislation that transferred D.C. inmates to the BOP, and for much the same reason: to provide financial relief for the District of Columbia by shifting responsibility for a significant criminal justice function to the federal government. CSOSA encompasses the D.C. Pretrial Services Agency, as well as the adult probation and parole supervision functions.

Most of the offenders under CSOSA supervision have long histories of substance abuse, educational underachievement, and underemployment. Their initial risk assessments indicate that 42 percent feel they need substance abuse treatment (and 70 percent have a documented history of drug use); 39 percent are under supervision for drug offenses, and 20 percent have sought substance abuse treatment within the past six months. Only 56 percent have been employed during the past six months, and only 41 percent possess a GED or high school diploma.

With the resources it has received, CSOSA has improved community supervision by lowering caseloads, implementing stringent contact standards and other close supervision strategies, increasing drug testing, opening multiple field offices and

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[1] "National Research Council, Committee on Community Supervision and Desistance from Crime. "Parole, Desistance from Crime, and Community Integration." Washington, DC: National Academies Press, 2007. (Advance copy cited.)

[2] A Corrections Information Council (CIC) was established within the D.C. Mayor's Office in FY 2003. The CIC's mission was to "represent the District's interest in the well-being of its prisoners in U.S. Bureau of Prisons facilities." To that end, the CIC proposed conducting regular inspections of BOP facilities housing D.C. inmates. The CIC, which might have played a useful role in monitoring services available to D.C. Code offenders and coordinating post-release services delivery, has not met since February 2005.

[3] As of May 31, 2007, according to the Court Services and Offender Supervision Agency's Office of Research and Evaluation.

automating the case management system. In addition, CSOSA has been resourced to provide substance abuse treatment to a fraction of the offenders that need it and to operate a modest learning and vocational service program that supplements the city's overburdened public treatment and employment services capacity. In 2006, CSOSA opened a Reentry and Sanctions Center to provide intensive assessment and treatment readiness programming to both high-risk offenders entering community supervision and those at risk for revocation due to substance abuse. While CSOSA is still implementing some aspects of its program and only beginning to evaluate others, it is clear that community supervision has been transformed in the District of Columbia.

On any given day, about 5,800 of the men and women under CSOSA's supervision are on parole or supervised release. Upon their return to the community, these individuals choose a path leading either back to criminality or to stability and productivity. Recent research on offender reentry stresses that successful reintegration into society begins during incarceration. As BOP Director Harley G. Lappin stated in March, 2006 testimony before the United States Sentencing Commission:

> ...[R]esearch has demonstrated conclusively that Bureau programs such as Federal Prison Industries, vocational training, education, and residential drug treatment have a positive effect on post-release recidivism. Specifically, these core inmate programs have been proven to substantially reduce recidivism, for as long as 12 years following release from prison....[F]or each dollar spent on inmate programs, taxpayers save substantial amounts of money through lower rates of recidivism: as much as $6.23 for prison industries programs, $7.13 for prison vocational training programs, $5.65 for prison education programs, and even $2.69 for prison drug treatment programs.

Clearly, the BOP recognizes that correctional programs can impact post-release success and provide taxpayer benefits.

In planning how best to improve programs and services available to incarcerated men and women from the District of Columbia, several points need to be considered:

- Resources should be dedicated to relevant educational and vocational training programs at a specific facility, and then D.C. Code offenders should be designated to, or transitioned through, that facility.

- Qualified staff must be hired and trained to deliver the programs, and program curricula must conform to BOP standards of quality and comprehensiveness.
- CSOSA should be involved in planning for post-release services, so that programming or treatment begun during incarceration can be continued in the community.

With this in mind, if Rivers is to be the institution housing the most D.C. Code offenders, CSOSA recommends the following program enhancements:

- **Substance Abuse Treatment.** CSOSA defines a clinically appropriate course of treatment as including residential, transitional housing, and outpatient care, often with medical detox services as well. If more returning D.C. offenders completed the BOP's 500-hour residential treatment program, and if completion of the program could coincide with the inmate's release to community supervision, CSOSA could then "pick up" services for most inmates with post-incarceration outpatient treatment and aftercare. For those offenders with the highest risk levels, services could be continued through the Reentry and Sanctions Center.

  This level of coordination is consistent with best practices in reentry programming and addresses the most significant public safety threat posed by offenders in the community. Researchers have established beyond question that drug use and crime are related, and that crime escalates in severity and frequency as drug use increases.[4] To coordinate prison-based and community-based treatment might enable a greater proportion of high-risk offenders to receive effective treatment and reduce the substantial numbers of offenders who are subsequently returned to incarceration due to drug use or drug-related crime. This could have a substantial impact on public safety.

[4] See in particular the research of James A. Inciardi of the University of Delaware, who has published extensively on the relationship between drug use and crime since the 1970s.

The BOP treatment model has demonstrated results. The three-year outcome report found that inmates who receive treatment are more likely to avoid new arrest or revocation and maintain employment.[5]

- **Vocational Training.** The Office of the D.C. State Superintendent of Education provides an HVAC training program funded with a Department of Education grant; however, the grant program limits participation to 18- to 24-year-olds. The University of the District of Columbia (UDC) recently launched a pilot program to provide vocational skills assessment and enhancement. Program participants are expected to continue their training at UDC after release. CSOSA worked with both UDC and Rivers to negotiate the Memorandum of Understanding that governs this program. These are very promising programs, but more training opportunities are needed.

While employment is clearly an important part of successful reentry, recent research indicates that getting and keeping a job are complex problems. The Urban Institute's longitudinal study of reentry, *Returning Home*, interviewed 400 Illinois prisoners before and up to three times after their release. The study identified a cluster of issues that had a negative impact on employment: negative peer influences, prior revocations, lack of intimate relationships, drug or alcohol use, and neighborhood drug selling. The ability to maintain employment was related to overall life success and stability. Although most employed respondents were satisfied with their jobs a year after release, their wages averaged only $9.60 per hour.[6]

In order to be as useful as possible to the offender preparing to re-enter the work force, vocational training should be linked to real job opportunities, equip the inmate with skills that are in demand, and incorporate training in techniques the offender can use to combat negative influences, attitudes, and habits. As with substance abuse treatment, the training experience should span the entire reentry experience, beginning in prison and following the offender into the community.

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[5] Federal Bureau of Prisons. "BOP Triad Drug Treatment Evaluation Three-Year Outcome Report," 2005.
[6] Kachnowski, Vera. "Returning Home Illinois Policy Brief: Employment and Prisoner Reentry." Washington, DC: The Urban Institute, 2005.

CSOSA has been working with the GEO Group and the BOP to develop programs that provide the skills needed in the D.C. job market and to link these programs with local employers and trade unions. Such linkages will provide returning inmates with the opportunity for continued training and, with it, better long-term career prospects. At this time, we are working with the Carpenters Union to develop a union-approved carpentry training program modeled on the recently implemented program at California's Folsom State Prison. As in California, such a program could connect prison-based training with real post-release jobs. We hope this program will be the first of multiple successful efforts to bring vocational training to Rivers.

The Washington, D.C. area economy is primarily knowledge- and information-based. The D.C. Workforce Investment Council reported in 2005 that approximately 70 percent of area employment is in the Business Services sector (which encompasses information systems). Many D.C. offenders possess significant educational deficits; only about half of the offenders under supervision have a high school diploma or GED. However, those that do should have training opportunities in the areas where they are most likely to find a job.

BOP vocational programs range from under 100 hours to thousands of hours in duration and provide credentials ranging from a BOP certificate to Department of Labor-certified "apprentice" status. While it is difficult to define the capacity, duration, and content of programs that should be developed at Rivers, any development effort should take into account the average sentence served by Rivers inmates, which is 60 months. Based on the BOP's March 2005 "Occupational Training Programs Directory," a range of programs, including Business Technology (500 hours), Culinary Arts (1500 hours), and the Computer Technology apprenticeship (4,000 hours) might be considered in addition to an apprenticeship program in the building trades.

The BOP has developed a wide range of programs taught by full-time staff, adjunct instructors under contract, and through cooperative agreements with local colleges and trade schools. Each of these methods of program delivery should be considered for Rivers, which is located in a relatively isolated area.

- **Counseling and Life Skills Programs.** In addition to substance abuse, most inmates face significant behavior-based obstacles to successful reentry. Thirty-seven percent of offenders under CSOSA supervision self-report a mental health issue ranging from recurrent depression and anxiety to a serious personality disorder. In addition, inmates need help preparing for the stresses of reentry. Programs that help offenders manage situational stress and overcome ingrained errors of thinking, understanding, and behavior are just as necessary as job training or GED preparation; a recent Pennsylvania Department of Corrections study cites unrealistic expectations, anti-social attitudes and beliefs, and poor coping skills as the three most important underlying factors of parole violation.[7] Inmates often lack the social and behavioral skills necessary to maintain a job. They may have significant problems with anger, motivation, or communication. The offender is much less likely to succeed upon release if he carries with him the same flawed belief system and coping mechanisms that have served him so poorly in the past.

  CSOSA has collaborated with Rivers staff since the summer of 2003 to augment their release preparation program through two video conference programs. The CSOSA/Faith Community Partnership implemented video mentoring to link inmates nearing release from Rivers with faith-based mentors who provide pre-release encouragement and post-release support. We have also developed Community Resource Day, a quarterly video conference to provide inmates nearing release with information from local government and non-profit service providers in the critical areas of housing, health care, education, and employment. Response to these programs has been very positive; however, they are just one element of a comprehensive release preparation program.

The Revitalization Act launched a new era in the administration of justice in Washington, DC. By assuming the cost of housing and post-release supervision for

[7] Pennsylvania Department of Corrections, "Research in Review, Special Issue: PA DOC's Parole Violator Study (Phase 2)." Harrisburg, PA: Pennsylvania Department of Corrections, December 2006.

D.C.'s inmate population, Congress also invested in their post-release success. To realize a return on that investment, we must ensure that D.C. inmates have access to the resources they need, both before and after their return to our city. I look forward to continuing to work with the BOP and our other partners to improve the programs available at Rivers and other institutions.

Mr. DAVIS OF ILLINOIS. Thank you very much, Mr. Quander.

I am introducing people as we go along, so people don't have to remember who I said this witness was. The next witness is the acting president, Stanley Jackson, University of the District of Columbia. He was chief of staff and senior vice president for operations at the University before.

Mr. Jackson, please summarize your testimony.

STATEMENT OF STANLEY JACKSON

Mr. JACKSON. Let me again say good evening, Congresswoman Norton and members of the subcommittee. I am Stanley Jackson, and it is truly a pleasure and an honor to be before you today to speak to the subcommittee on the role the University has played extensively in helping ex-offenders reenter society and what it means when we do it right.

As you have heard and read numerous articles, when ex-offenders return to the District of Columbia, they often return to the same challenging social environments that led to them committing the crimes in the first place. Many of these individuals often lack necessary education and skills to obtain real, meaningful employment. Those that have received the education and our skill training and are able to compete often face additional barriers and challenges. Typically they find that their criminal records make it harder for them to obtain employment opportunities.

In a recent article in the Washington Post that appeared in August of this year, there were some sobering statistics cited in that article supporting the challenges of our ex-offenders. The article indicated that approximately 2,000 ex-offenders are returning to our community every year. That is in excess of five a day.

Also, it says that as many as 10 percent of our population, or 60,000 residents, are, in fact, felons.

It also goes on further to say that you have approximately 15,000 returning ex-offenders who are fellows who are under some court supervision. These ex-offenders arrive at the homes of relatives, at halfway houses, and at shelters. One out of three end up homeless or very close to it. Seven out of 10 have or have had substance abuse problems. Half of these ex-offenders do not have high school diplomas, and they need additional support ant training.

The picture facing these ex-offenders is not pretty. Without proper training, educational support that would lead to employment opportunities, many of them will be rearrested within a period of 3 years.

The University, through our work force development program, has a long history of working with the ex-offender community to assist with their transition back into our communities. Beginning about 30 years ago, the UDC Lorton Vo-Tech program consisted of an array of courses which we offered to our residents who were confined at the D.C. Department of Correction at Lorton facility. These courses ranged from areas of automotive technology, barbering, brick masonry, carpentry, cosmetology, dentistry, facility maintenance, landscaping, plumbing, printing, and wood work, just to name a few.

Since June 2001, the UDC Vo-Tech program began phasing out based on a mandate to terminate the facility at Lorton. Since that

time, the University has continued to work very closely with our ex-offender population through the Office of Apprenticeship, Technical, and Industrial Trade, and has served as a constant contact for individuals who previously were incarcerated in the Lorton complex, and either started or completed programming at the Vo-Tech program.

Many of these individuals continue using the University as a sounding board or as a resource to assist them in various areas, such as verification of their prior training, certificate of self-completion of training, request for continuation of training, request for refresher training, and request for placement.

Recently we have renewed and re-energized our efforts to assist in the transition of ex-offenders back into our communities. We are active team members on the District of Columbia's Just Us Transition from Prison to Community initiative, which we refer to as the TPC initiative. The TPC initiative is a model that identifies and promotes what we believe are evidence-based best practice that we believe should be implemented in the following stages of transition process.

One is certainly assessing and classifying new prison inmates, developing and implementing transition plans for each inmate, releasing offenders from prison in a timely manner, providing community supervision and continuous support, responding to violations of release conditions, and discharging successful offenders from supervision in a timely manner.

The University will continue to focus on ways in which it is possible to match our D.C. offenders with educational opportunity. We are very much interested in working with the educational component of the reentry process and training process.

Additionally, in June of this year we were very fortunate to enter into a partnership with the Justice Grants Administration with the GEO Group at Rivers, Court Services and Offenders Agency, and the Criminal Justice Council to implement what we believe is a good program we refer to as the UDC or University of District of Columbia Rivers Correctional Institution Reentry Program, a pilot project that we refer to as D.C. REP.

The program is specifically focused on occupational skills enhancement and educational opportunities for ex-offenders returning to the District of Columbia.

The D.C. REP program will provide pre-release occupational and literacy assessments, skills enhancement exercise, and job readiness training to soon-to-be-released offenders serving at the Rivers Correctional Institution and expecting to return back to our community here in Washington, DC. These continuous services will enable the offenders, upon release, to move directly into a certifiable occupational training program, hopefully gain meaningful employability skills, and prepare them to become gainfully employed and self-sufficient, which is our mutual goal.

The University, in cooperation with the American College Testing, Inc., Learning Centers and guided by the Department of Labor Industry Standards, has developed a comprehensive pre-release program that will enable returning offenders to acquire requisite skills and attitudes for today's job market, so that with the proper occupational training they may enter the job market——

Ms. NORTON. Mr. Jackson, I have a Town Meeting, and it is supposed to begin at 6. I want to be sure we hear from everyone and be able to ask just a question or two. Could I ask you to summarizes the rest of your testimony?

Mr. JACKSON. Yes.

In summary, let me say that we are prepared to work very aggressively with the community and all our partners to make sure that our residents who are soon to be returning back to the community have the required support, whether it is training, job skills readiness training, whether it is educational training, and whether it is continuous wrap-around service so they can come back into our society and become meaningful participants in our great city.

I think where we are right now, we believe that education is truly a gap-filler, and what we want to do is to be that breach filler. We want to be able to work with our partners, which is CSOSA, DOES, and other agencies to make sure that we provide our residents the greatest opportunity to succeed as they return from incarceration back to their communities, and also become meaningful participants and meaningful family members incorporated back into the global market of Washington, DC.

Thank you.

[The prepared statement of Mr. Jackson follows:]

Before the

Subcommittee on the Federal Workforce,

Postal Service and the District of Columbia

Hearing on

University of the District of Columbia/Rivers Correctional Institute Program
Winton, North Carolina

Testimony of Stanley Jackson, Acting President

University of the District of Columbia

October 16, 2007

TESTIMONY BEFORE THE SUBCOMMITTEE ON THE FEDERAL WORKFORCE, POSTAL SERVICE AND THE DISTRICT OF COLUMBIA

University of the District of Columbia/Rivers Correctional Institute Program

October 16, 2007

Testimony of Stanley Jackson, Acting President,
University of the District of Columbia

Good morning Chairman Davis and other members of the subcommittee. I am Stanley Jackson, Acting President of the University of the District of Columbia. I am honored to appear before you today to speak to the Subcommittee of Federal Workforce, the Postal Service and the District of Columbia concerning the University of the District of Columbia's efforts to assist the transition of ex-offenders back into the community. The University has an extensive history of helping ex-offenders re-enter society, and we are pleased to have been asked to share our views with this Subcommittee.

As you have heard and read, when ex-offenders return to the District of Columbia, they often return to the same dysfunctional social environments that led them to commit crimes in the first place. Many of these individuals often lack the necessary education and skills to obtain gainful employment. Those that have received the education and/or skills training and are able to compete often face discrimination. Typically they find that their criminal records make it harder for them to obtain employment.

A Washington Post article dated August 10, 2007 cited sobering statistics supporting this assertion. The article indicated that approximately 2,000 prisoners come back to the District every year -- an average of five every day. As many as 60,000 D.C. residents -- one in ten -- are felons. There are 15,000 of the returning felons who are under court supervision.

These ex-offenders arrive at the homes of relatives, at halfway houses and shelters. One-third end up homeless or close to it. Seven out of ten have or have once had substance abuse problems. Half of these ex-offenders do not have high school diplomas. They tend to be ostracized and avoided by potential employers, landlords and even family members.

The picture facing these ex-offenders is grim. Without the proper training and educational support that will lead to gainful employment, many of them will be re-arrested within three years of release.

Looking Back

The University, through our workforce development programs, has a long history of working with inmates and ex-offenders to assist with their transition back into society.

Beginning in 1976, The UDC Lorton Vo-Tech Programs consisted of an array of course offerings (many leading to entry-level apprenticeship employment) to District residents who were confined to the DC Department of Corrections Lorton facilities in Lorton, Virginia.

On June 30, 2001 the UDC Lorton Vo-Tech programs began phasing out after many years of vocational and skills development training due to a Federal mandate to close the facility and transfer residents to Federal facilities across the United States.

Vocational training was offered in the areas of:

- Automotive Technician
- Barber Science
- Brick Masonry
- Carpentry
- Cosmetology
- Culinary Arts
- Dentistry Technician
- Facility Maintenance
- Furniture Repair/Maintenance
- Garment Manufacturing
- Landscaping
- Plumbing
- Printing and Graphic Arts
- Skills Development/Job Readiness
- Tags Manufacturing
- Woodwork

Since August of 2001, The University has worked indirectly with many ex-offenders through our Office of Apprenticeship, Technical and Industrial Trades and has served as the contact unit for individuals who were previously incarcerated at the Lorton complex and either started or completed programming in the Voc-Tech programs. Many of the individuals the University has served during this time requested our assistance and support in the following areas:

- Verification of training
- Copies of completion certificate
- Request continuum of training
- Request refresher training
- Request placement assistance

Unfortunately, due to the limited (or at times, no) resources, there was no formal infrastructure in place to house/archive records for these individuals.

Today's Efforts

Recently, we have renewed and reenergized our efforts to assist the transition of ex-offenders back into their DC communities. We are active team members on the District of Columbia "Just Us" - Transition from Prison to Community (TPC) Initiative.

The TPC model identifies and promotes adoption of evidence-based best practices that states should implement in the following stages of the transition process:

- Assessing and classifying new prison inmate
- Developing and implementing transition plans for each inmate
- Releasing offenders from prison
- Providing community supervision and services
- Responding to violation of release conditions
- Discharging successful offenders from supervision

Specifically, the University will focus on the ways in which it is possible to match DC offenders with education. We are very interested in working on the educational component of reentry and training.

Additionally, in June of this year, the University entered into a partnership with the Justice Grants Administration, the GEO Group at Rivers Court Services and Offender Supervision Agency (CSOSA) and the Criminal Justice Council (CJC) to implement the University of the District of Columbia/Rivers Correctional Institute Reentry Initiative Pilot (DCRIP) Program. This program is specifically focused on occupational skills enhancement, and educational opportunities for ex-offenders to the District of Columbia.

This is a pilot program with the purpose of establishing a cooperative and mutually beneficial relationship among the parties and to set forth the relative responsibilities of the parties insofar as they relate to the provision of services to the returning Ex-Offenders to the District of Columbia.

The DCRIP Program will provide pre-release occupational and literacy assessments, skills enhancement exercises and job readiness training to soon-to-be-released offenders serving at the Rivers Correctional Institute and expected to return to Washington, DC. These continuous services will enable the offender, upon release, to move directly into a certifiable occupational training program, gain meaningful employability skills and prepare them to fulfill their responsibilities of becoming gainfully employed and self-sufficient.

The University, in cooperation with American College Testing, Inc. (ACT) Learning Centers and guided by the Department of Labor Industry Standards, has developed a comprehensive pre-release program that will enable the returning offender to acquire the

requisite skills and attitudes for today's job market so that with the proper occupational training, they may enter the job market in a reasonable amount of time following release. Acquiring a meaningful job and receiving a livable wage in a timely manner will likely reduce the recidivism rate among returning offenders.

Occupational assessment is an effective, measurable and viable approach that will result in the focus and refinement of the University's individually customized efforts to meet the goals and objectives of skills enhancement for this special needs population. In order to do this we have begun to build and maintain a robust continuum of workforce responsive assessment tools, certification programs, academic courses and degree programs along with support services networks that allow ex-offenders to enter and/or reenter the continuum at various points to improve their employment options.

Currently, there are 34 participants in The DCRIP. Initially, there were 38 participants; however one was released prior to completion of the program and three participants dropped out of the program.

There is a Project Director and Program Facilitator assigned to this project. They travel to Rivers once a month and spend two days each month at the correctional facility. While there, they conduct skills assessments and training and provide core skills training workshops for the participants. The Project Director will collaborate with the Rivers' Education Director to determine each participant's Individual Development Plan (IDP). The DCRIP partners will seek to establish a year-long schedule that allows the maximum number of clients to participate in the program beyond the initial 40 pilot participants for 2007. All information on the placement activities of these participants will be documented, tracked and reported to the other partnering agencies as they are collected.

Additionally, the Project Director will establish relationships with employers that are willing to hire these qualified participants. One facet of the program is to educate employers about the benefits of the Bonding Programs that protect their businesses from liability, the positive social economic impact of hiring the participants in this program and the Tax breaks that are available for their participation. The program, in partnership with employers, will determine whether or not graduates from the DCRIP meet their "new hire" requirements, and whether or not they are in a position to hire graduates as Interns or permanent employees.

Future Activities

The University, the only public land grant institution in the nation's capital, became the sole fiscal agent for the DC Tech Prep Consortium and Community Outreach and Extension Services Office of Apprenticeship Technical and Industrial Trades (OES/OATIT), with primary responsibility for leadership and oversight of the Tech Prep Education Program in 2007.

The enactment of the School to Work Opportunities Act of 1994 enshrined in Federal law the idea that all students should be prepared for both college and career. Under Perkins IV all Career Technical Education (CTE) programs should constitute Tech Prep Education programs from the standpoint of policy and practice.

One of the critical targets addressed under Perkins is special populations, including ex-offenders. DC Standards of Service for Students with Special Needs were enacted to ensure that individuals who are members of special populations are provided with full and equal access to CTE programs, services and activities, and are successfully prepared for postsecondary education and high skills, high wage, and high demand careers. The District of Columbia has adopted comprehensive DC State Standards of Service for students with special needs and the University, as a current CTE provider accepts and abides by the State Standards as a precondition of the receipt of Perkins funds.

The University, not only as a requirement of Perkins and the State Operated Career and Technical Education (SOCTE), but also as a part of its continuing history of service to the ex-offender community includes ex-offenders within the classification of special populations. Under Perkins IV funds for CTE programs and services for inmates in State-operated correctional institutions for FY 2008 includes plans for support for a prison-to-school-college-or apprenticeship transition program at Oak Hill Youth Correctional Facility, operated in partnership with the University and Justice Assistance Grants for the District of Columbia (JAG-DC).

Recommendations & Conclusion

There is a dire need for full participation, strong coordination and funding assistance from The Department of Employment Services (DOES), The Department of Health and Human Services (DHS) and Community Based Organizations such as Marshal Heights Community Development Organization (MHCDO) and United Planning Organization (UPO) as service providers. With the assistance of these partners, we can create opportunities for ex-offenders to utilize UDC Workforce Transition Centers that are co-located in public agencies in Wards 5, 7 and 8 and that combine assessment, certificates and degree programs along with literacy centers and student support assistance.

The mandate has become crystallized in the past few years. Returning ex-offenders to the District of Columbia must become more literate, more educated, and more skilled in order to benefit from the strong regional economy. Welfare-to-Work and Way-to-Work programs helped more individuals than ever before find employment, but labor market challenges have moved to another level. The focus now must be on ensuring that re-integrating residents can remain in employment once secured, and advance through additional career opportunities based on more advanced skill sets acquired and educating employers to the benefits of hiring through this reservoir of talent.

Leadership of various local agencies and organizations responsible for workforce, economic, and education policy and programs must be willing to work together, and

develop common objectives and strategic plans to effect real, systemic change, including a willingness to pool financial resources when necessary. It is important to get economic, workforce, and education and training organizations "on the same page" including the provision of a common language, and understanding of basic roles, responsibilities, and programs. The sustainable funding for training must come from WIA (Workforce Investment Act) Individual Training Accounts (ITA) and TANF (Temporary Assistance for Needy Families) funds. Commitment of certain funding for this effort should help improve workforce services for ex-offenders who are eligible and have dependent children. These agencies provide funds for training and provide "wraparound" services to help program participants with child care and transportation issues.

Helping to transition ex-offenders into meaningful employment and self-sufficient wages has received a lot of energy and attention in recent years. There are numerous examples of noteworthy programs and practices. Common traits of training for the incarcerated include literacy, basic and soft skills, career exploration, job searching, and job coaching. Unfortunately, none of these programs focus on identifying sustainable funding for returning ex-offenders such as those housed through the D.C. correctional system. Partnering with DOES and DHS and this influential body would be a major part of the solution to identifying those funds.

The University of the District of Columbia continues to look at areas whereby we can better serve our ex-offenders clientele with a user-friendly system, confidentiality, and a strong network with other agencies to ensure that we serve the whole individual as he or she continues to pursue educational advancement.

I thank you for the opportunity to testify before you today. My staff and I are available to answer any questions that you may have.

Ms. NORTON. Thank you, Mr. Jackson.

Mr. Charles Jones, program director for Project Empowerment Program at the D.C. Department of Employment Services.

Mr. Jones, would you summarizes your testimony in 5 minutes or less, please? I am sorry to have to rush us this way, but, as you can perhaps understand, it was necessary to lay out on the record, particularly given the commitments we got from the second panel, what was required of those who had the ability to move this circumstance forward for our residents, but your testimony is very important to us. We have your written testimony. Please summarize that testimony for us, Mr. Jones.

STATEMENT OF CHARLES JONES

Mr. JONES. First of all I would like to begin by thanking the members of the subcommittee for giving me the opportunity to present my assessment of transition employment services and programs for the District of Columbia ex-offenders.

I am Charles Jones, and I am the program director of the Project Empowerment at the Department of Employment Services. My office currently oversees the transitional employment program [TEP], an initiative that is helping District residents, 80 percent of them who are ex-offenders, rebuild their lives and become productive citizens.

The Department of Employment Service Project Empowerment office over the last 3 years has worked with offenders and have partnered with CSOSA and UDC to assist in the successful transition of our participants, and we like to consider the ex-offenders in our program as participants.

To summarize this, I would like to also say that at the Department of Employment Services we feel that we have achieved a great deal of success in the face of the daunting challenges that many of our participants are faced with; nevertheless, a journey toward success for the ex-offender is never easy.

Immediately upon release, most ex-offenders face the very real obstacle of navigating a new environment complicated by significant economic, technological, and social changes. Just obtaining basic necessities such as valid identification and access to health care, employment, work clothing, and housing is usually quite overwhelming for our participants, yet all are essential for leading functional lives and sustaining economic self-sufficiency.

If ex-offenders do not receive systemic rehabilitation services that lead to social reintegration, employment, education, and housing, then communities will be left vulnerable to the cost of recidivist criminal activity.

A major factor in this challenge is adequate funding. Clearly the prison system is not doing enough to prepare ex-offenders for survival in the outside world; consequently, many ex-offenders are left unemployed, jobless, homeless, hopeless, even after going through reentry programs.

We believe that prisons are positioned to successfully take on these challenges. Prior to release, ex-offenders must be afforded access to the community and allowed access to prospective employers. They must be afforded simulated workplace scenarios and mock interviews to increase workplace familiarity. They must be pro-

vided with intensive life skills development, relationship building, anger management, and parenting skills.

Public or privately funded ex-offender reentry programs should provide a continuation of those services, as well as access to an expanded network of community partnerships that provide support in such areas as education, clothing, as well as financial. These type of programs and services will give the ex-offender an excellent chance at successful community reintegration.

Numerous research studies have suggested that pre-release reentry programs that involve transitional community services, such as job training, job placement, and job retention services, as well as supportive services such as substance abuse treatment, housing assistance, will discourage recidivism and promote community reintegration.

I am convinced of this. Absent of a comprehensive, systematic, and proven process to comprehensively address the needs of our ex-offender population, which must begin prior to an ex-offender's release from prison, the Washington, DC, metropolitan area must be prepared to continue to deal with the human and financial costs of recidivism and an ongoing threat to public safety.

Congresswoman Holmes Norton and members of the Subcommittee on the Federal Workplace, Postal Service, and District of Columbia, it has been an honor to appear before you today as an advocate for ex-offenders who want to lead productive lives and provide for their families.

I am pleased to answer any questions you may have.

[The prepared statement of Mr. Jones follows:]

Let me begin by thanking the members of the Subcommittee on the Federal Workplace, Postal Service, and the District of Columbia for giving me the opportunity to present my assessment of transitional employment services and programs for District of Columbia ex-offenders.

My name is Charles Jones. I am the Program Director of the Office of Project Empowerment of the D.C. Department of Employment Services. My office currently oversees the Transitional Employment Program, also known as TEP, an initiative that is helping District residents, many of whom are ex-offenders, rebuild their lives and become productive citizens. Prior to this, I served as the Director of the Project Empowerment Plus program, which, like the Transitional Employment Program, addressed the lack of social and economic anchors available to at-risk youth and ex-offenders transitioning from incarceration to becoming law-abiding, contributing members of society.

To date, the Office of Project Empowerment has assisted 1039 ex-offenders to secure employment. Of the 724 active ex-offenders in the Project Empowerment program, 420 are currently employed; the others are involved in work-related activities.

Our program is demanding. To ensure a successful transition from prison to payroll, ex-offenders served by our program undergo an aggressive and comprehensive process that incorporates life skills and educational and vocational training, as well as work experience, job placement, and job retention assistance. All participants are required to attend an **Orientation Module** to get an overview of the program's expectations as well as a description of the services offered. Our staff works with the ex-offender to identify and analyze his or her skills sets, abilities, and interests during a **Case Management and Pre-Employment Assessment.** This information is used to develop a tailored employment plan for each ex-offender. Once an employment plan has been developed, the ex-offender is ready for our **Job Readiness component,** an intensive four-week pre-employment module that helps him or her acquire both professional and life skills that are

necessary to thrive in today's workforce. We focus on promptness, planning, professional demeanor, proper diction and other work ethic areas. These professional workshops are facilitated by business managers and range from videotaped mock interviews to occupational skills training sessions and mobile job coaching.

Following the Job Readiness instruction, most ex-offenders are placed at subsidized, or transitional worksites. Program Job Coaches conduct worksite visits to assess whether supplementary assistance may be necessary. Through this **Job Coaching** approach, our staff is better able to monitor progress, offer support to both the participant and employer, and ensure continued success of the employer-employee partnership. In many cases, vocational education, adult education classes, or occupational skills training are offered to the ex-offender to further enhance educational achievement or employment skills.

The Department of Employment Services' Office of Project Empowerment has achieved a great deal of success in the face of daunting challenges. Nevertheless, the journey toward success for the ex-offender is never easy. Immediately upon release, most ex-offenders face the very real obstacle of navigating a new environment, complicated by significant economic, technological, and social changes. Just obtaining basic necessities, such as valid identification, access to healthcare, employment, appropriate work clothing, and housing can be quite overwhelming. Yet all are essential for leading functional lives and sustaining economic self-sufficiency.

If ex-offenders do not receive systemic rehabilitation services that lead to social reintegration, employment, education, and housing, then communities will be left vulnerable to the costs and violence of recidivist criminal activity. A major factor in this challenge is adequate funding. Currently, the prison system is not doing enough to prepare ex-offenders for survival in the outside world. Consequently, many ex-offenders are left underemployed or jobless, homeless and hopeless, even after going through re-entry programs. Ultimately, they are recycled back into the prison system, becoming repeat offenders rather than productive citizens.

We believe that prisons are positioned to successfully take on these challenges. Prior to release, ex-offenders must be afforded access to the community and allowed access to prospective employers. They must be afforded simulated workplace scenarios and mock interviews to increase workplace familiarity. They must be provided with intensive life skills development, relationship building, anger management, and parenting skills. Public or privately-funded ex-offender re-entry programs should provide a continuation of those services, as well as access to an expanded network of community partnerships, that provide support in such areas as education, health, transportation, clothing, and access to academic financial aid or entrepreneurial assistance. These types of programs and services will give the ex-offender an excellent chance at successful community reintegration.

Numerous research studies have suggested that pre-release re-entry programs that involve transitional community services such as job training, job placement, and job retention services, as well as supportive services such as substance abuse treatment and housing assistance, discourage recidivism and promote community reintegration. I am convinced of this. Absent a comprehensive, systematic, and proven process to comprehensively address the needs of the ex-offender population - which must begin prior to an ex-offender's release from prison - the Washington, D.C. metropolitan area must be prepared to continue to deal with the human and financial costs of recidivism and an ongoing threat to public safety.

Congresswoman Holmes-Norton and members of the Subcommittee on the Federal Workplace, Postal Service, and the District of Columbia, it has been an honor to appear before you today as an advocate for ex-offenders who want to lead productive lives and provide for their families. I am pleased to answer any questions you may have at this time.

Ms. NORTON. Thank you, Mr. Jones.

Our next witness is Phillip C. Holmes, vice president for program development and public policy for Goodwill Industries for Central Maryland and Eastern Shore.

Would you summarize your testimony in 5 minutes or less, Mr. Holmes?

STATEMENT OF PHILLIP C. HOLMES

Mr. HOLMES. Thank you, Madam Chair.

I am Phil Holmes. I work for Goodwill Industries of the Chesapeake out of Baltimore. I am vice president for program development and public policy. I am here today on behalf of Goodwill Industries International and, in particular, our Task Force on Reentry.

I have submitted my written testimony, and I just want to very briefly stress three points.

One, there are effective, efficient, cost beneficial ways to return men and women from prison back to our communities.

I want to, second, briefly talk to you about a reentry program we have been operating since 2001 called our seats program.

And the third point I would like to make is something that has happened throughout this hearing, and that is the stress on the recidivism rate and noting what these recidivism rates are.

My first point is that we have moved, thankfully, away from the belief in our country that nothing works in rehabilitation of offenders, and we are finally back to recognizing that some things work. We know from the literature that paid employment—and I want to stress paid as opposed to forced employment through Prison Use Industries—works in reducing recidivism. We know that you have heard throughout today's testimony that education classes work and that pre-GED and GED classes work to reduce recidivism. We know that vocational training works.

According to Edward Latessa, who has done meta research on what works in reentry, he argues that cognitive restructuring counseling is the most effective thing we can do to prepare men and women for release.

Moving to my second point, I would like to point out that we have been, as a business, essentially running a reentry program in Baltimore for the past 7 years, and the fact of the matter is fully half of the men who come to us to help navigate the employment system have some criminal justice system involvement, and fully 25 percent of the women. Sadly, this rate is increasing.

Our SETTS Program, Supporting Ex-Offenders in Training and Transitional Services, has two components, and I haven't heard them discussed today. One is an in-reach component, where we go inside the prisons and we recruit participants to get into a 4-week readiness program. It is an intensive readiness program, and the goal is to engage offenders in their last 3 to 6 months of incarceration.

We also assign a case manager, who literally is a guide to help men and women when they leave prison navigate and make these community connections that are so essential.

The contribution we are trying to make at Goodwill Industries is helping people successfully navigate the labor market, get a job, and keep a job.

We have, in the last 12 months ended June 30th, we helped 176 successfully complete this inside-the-fence component, and after their release we helped 73 to gain employment, and an additional 27 individuals to gain subsidized employment. I stress that subsidy, because sometimes you need subsidized employment as an initial way of getting people employed.

We also served 488 men and women who came to us from the community who were released without our being able to work with them inside the prison, and we helped 309 of those individuals to gain unsubsidized, competitive employment, and an additional 30 others to gain subsidized employment.

We are striving to scale this program up because the State of Maryland releases 13,000 men and women back to our communities every year, 9,000 to Baltimore City where I live.

My third and final point, Madam Chair, is simply that we need to start asking our prison officials to report on their recidivism rates. Until this is part of our public policy discussion, it is our belief that prison administrators won't take the affirmative steps to apply what really works in reducing recidivism.

Thank you so much for this opportunity to testify.

Ms. NORTON. Thank you, Mr. Holmes.

Dennis Torbett has experience in the employment and work force fields and with construction. I am going to ask him to summarize your statement, Mr. Torbett, in 5 minutes or less.

Mr. Torbett is the vice president for workforce training and employment at the Home Builders Institute.

STATEMENT OF DENNIS TORBETT

Mr. TORBETT. Thank you, Congresswoman Norton and members of the subcommittee for this opportunity to testify on the work of the Home Builders Institute to train offenders and ex-offenders for successful careers in our industry. I am the vice president for workforce training and employment with the Home Builders Institute, and we are the work force development arm for the National Association of Home Builders.

One of the most pressing problems facing our industry for many years has been the shortage of skilled workers. Factors contributing to this shortage include increasing and record demand for workers to build, remodel, renovate, and maintain our homes, retirements in our industry, and dwindling interest in the building trades.

Compounding the problem has been insufficient training opportunities for those considering a career in the industry. The number of construction career programs offered by high schools, post-secondary vocational schools, and community colleges has declined dramatically over the past 25 years, and training through the public work force development investment system is very limited.

Well, according to BLS and our industry estimates, our Nation will need to construct 18 million new homes to meet demand over the next decade. That equates to creating more than 1 million new jobs in our industry.

HBI has been training our industry's labor force for more than 30 years, serving targeted populations, including adjudicated and at-risk youth and adults, dislocated workers, and homeless veterans. Our programs put thousands to work in our industry, while helping to rebuild lives.

Over the years, our programs and methodologies for offenders and ex-offenders have been evaluated and shown to contribute to lower recidivism and higher employment outcomes.

HBI has two main programs targeted for offenders and ex-offenders: a youth-oriented project craft and an adult-oriented project trade. Both programs emphasize training and job placement in residential construction. They also work to promote successful transition into the community through education, employment, and social services that promote reintegration and reduce recidivism.

The core of HBI's training is the integration of work-base learning, combined with the program of vocational and academic skills. Our curriculum combines work-based learning with workplace literacy and employability development. It also provides career advancement and increased wage earnings through a progression of vocational training and learning programs. We provide 240 to 480 hours of instruction, coordinated with other treatment and education that includes trade skills, safety training, life skills, work habits, and math and communication skills.

Intensive, hands-on training takes place at building sites made available by community-based organizations, municipalities, and home building and remodeling sites. There, trainees apply skills introduced in the classroom while working alongside professionals. This type of learning has been very successful for our adult offender and ex-offender populations, increasing the likelihood of them completing their training and gaining important life skills.

The program builds self-esteem and it provides opportunities for students to help their communities through these projects.

Home Building Industry representatives helped us develop our curriculum and they are also actively involved in planning, community work-based learning, training. job placement, support services, and followup.

The collaboration addresses two critical barrier issues to prisoner reentry: access to employment, and comprehensive wrap-around services such as family reunification and housing.

Industry members also act as guest lecturers, offer job try-outs, conduct information on mock interviews, and provide work-based job readiness and employability training.

I would like to touch briefly on a couple of our active programs.

Project Craft in Nashville, which serves students from 18 to 24 years old, includes both a facility-based construction program as well as a community-based construction training program. It is funded by the Department of Labor's Responsible Reintegration of Youthful Offender program, and the numbers speak for themselves. Over a 5-year period, 215 offenders enrolled in the program. Of those, 85 percent were repeat offenders, yet 99 percent of those graduating with a pre-apprenticeship certificate training certificate were placed in jobs. More than 2 years after graduation, 25 were still employed with their placement employer, and only 5 have been newly convicted.

More than half, over 60 percent of those students, experienced at least one grade level improvement or gain in reading and math. Although many may no longer be at their original place of post-training employment, we know that they have not returned to the judicial system, which is a significant achievement not to be overlooked.

Unfortunately, due to funding delays and government bureaucracy, HBI is in the process of closing down this very successful program.

Project Trade in Sheridan, IL, operated by the State Department of Corrections, has implemented an innovative treatment approach which includes vocational training. Since Project Trade Sheridan opened its doors in 2004, 247 inmates have gone through their program, with 171, or 70 percent, receiving certificate in the building trades.

In conclusion, these programs are specifically designed to serve the offender population. It is not uncommon to have ex-offenders enroll in other HBI training programs serving veterans or the homeless. HBI works aggressively with all available resources to provide information, programming, and educational opportunities to those interested in starting a career in our industry.

We know that if you are a hard worker, have a skill, and a pathway to a good, long-term career in an industry full of opportunities, you are less likely to return to criminal behavior.

We know that if you give someone a job he may quit tomorrow; if you teach them a skill, they will have it for a lifetime.

Together, industry and government must ensure that there continue to be training programs available to these communities that can train the needed workers to enter our industry. Programs such as the ones I have described are key contributors to this goal, and, much more, they build self-esteem. They empower the participants and they can fundamentally change lives.

As you review the training and education programs that have made a difference, I hope you will consider those that I have shared with you today.

HBI and its partners in the residential construction industry and the correctional systems that we work are convinced that our programs are making a difference in people's lives.

Thank you, Congresswoman Norton, and to the subcommittee.

[The prepared statement of Mr. Torbett follows:]

Home Builders Institute's Offender Training Programs

Testimony Presented
by
Dennis Torbett,
Vice President, Workforce Training and Employment
Home Builders Institute,
the workforce development arm
of the National Association of Home Builders

Before the
House Subcommittee on Federal Workforce,
Postal Service, and the District of Columbia
Danny K. Davis, Chairman

Tuesday, October 16, 2007

Affiliated with
NAHB
NATIONAL ASSOCIATION OF HOME BUILDERS

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Testimony Presented by Dennis Torbett,
Vice President for Workforce Training and Employment
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of the National Association of Home Builders

Mr. Chairman, Ranking Member, and members of the Committee, thank you for this opportunity to testify.

Home Builders Institute is the workforce development arm of the National Association of Home Builders' (NAHB). NAHB is a trade association whose 235,000 members are involved in home building, remodeling, multifamily construction, property management, subcontracting, design, housing finance, building product manufacturing and other aspects of residential and light commercial construction. Known as "the voice of the housing industry," NAHB is affiliated with more than 800 state and local home builder associations (HBAs) around the country. NAHB's builder members will construct about 80 percent of the more than 1.4 million new housing units projected for 2007, making the housing industry one of the largest engines of economic growth in the country, even despite recent market adjustments and challenges.

One of the most pressing problems facing our industry for many years has been the shortage of skilled workers. Factors contributing to this shortage include increasing and record demand for workers to build, remodel and maintain our homes, retirements in our industry, and dwindling interest in the skilled trades among America's younger generations.

Compounding the problem has been insufficient training opportunities for those considering a career in the industry. As you know, the number of construction career programs offered by high schools, post-secondary vocational schools and community colleges has declined dramatically over the past twenty-five years, and training through the public workforce development system is limited.

According to the Bureau of Labor Statistics, more than 240,000 new workers are needed each year to meet the nation's demand for housing, and construction is consistently cited as a high growth industry. Estimates indicate that within the next decade, our nation will need to construct 18 million new homes to meet demand requiring the addition of more than a million new skilled workers to the industry.

Home Builders Institute (HBI) has been involved in developing our industry's labor force for more than 30 years through ongoing and aggressive training partnerships with Federal and state agencies. HBI's customized skilled trades training programs serve targeted populations including adjudicated and at-risk youth, dislocated workers, homeless veterans as well as offenders and ex-offenders, and they have successfully worked to put thousands to work in our industry, while helping many students rebuild their lives.

In 1994, the U.S. Department of Labor/Employment and Training Administration awarded HBI a Youth Opportunity Demonstration Grant to train and place adjudicated juveniles in the skilled trades. The initiative became known as Project CRAFT (Community, Restitution, Apprenticeship-Focused Training) and brought together multiple systems to benefit the young trainees - employers, the justice system, workforce development, education, the faith-based community, and health and social services. Its essential components remain today and are shared by HBI programs for adult populations, including offenders. These "best" practices are:

- Partnership Building and Linkages
- Comprehensive Service Delivery
- Community Involvement
- Industry-Driven Training
- Leadership Development
- Job Placement
- Follow-up Services

An independent evaluation of the demonstration grant completed in February 1999 by the Resource Development Group, Inc., concluded that the implementation of these "best practices" as part of HBI's vocational skills training programs contribute to lower recidivism and higher employment outcomes.

HBI's Offender Programs

HBI's youthful offenders (ages 18-24) program Project CRAFT (Community, Restitution, Apprenticeship-Focused Training) and its adult offender employment program, Project TRADE Training, Restitution, Apprenticeship Development and Employment, both emphasize training and placement in residential construction-related careers. In addition, they also work to increase the students' successful transition into the community through education, employment, treatment and social services to promote reintegration and reduce recidivism.

While the traditional skilled trades are essential to the production of quality homes, it should also be noted that they have changed dramatically over the last decade in response to the introduction of new materials, processes, tools, and computer technology. Increasingly, builders rely on engineered parts, modular units, computer-controlled systems, and metal components, all of which provide vast opportunities for people with a range of abilities and interests.

Curriculum

The core of HBI's training is the integration of work based learning combined with a program of vocational and academic skills throughout the entire instructional process using the PACT curriculum. The industry-validated Pre-Apprenticeship Certificate Training (PACT) combines work based learning with workplace literacy and employability development. It also provides career advancement and increased wage earnings through a progression of industry-supported vocational training and related learning programs.

PACT, a competency/performance based curriculum, provides students with 240-480 hours of instruction coordinated with other treatment and education related activities. For approximately 80-100 hours participants engage in related classroom instruction which includes practical trade skills, safety training, care and use of tools, work habits and fundamental mathematics and communication skills. The remaining time is devoted to work-based learning that integrates occupational and academic skills. These hours can be credited toward the 2,000 hours required for completion of the first year of apprenticeship training.

Intensive hands-on training takes place at building sites made available by community based organizations, community revitalization groups, municipalities and other non-profit organizations. Additional hands-on training takes place at home building, rehabilitation construction, or construction remodeling sites where trainees apply skills introduced in the classroom while working alongside professionals. Work based learning is particularly appropriate, and particularly successful, for the adult population of offenders and ex-offenders.

HBI has found that the focused coordination of the program with the learning needs of offenders increases the likelihood of them completing their training and gaining the skills necessary to retain jobs and embark on successful careers. The students' active participation in the construction activity, inherent in the work-based training process, has a positive impact on participant self-esteem. In addition, community restitution is an important component of work-based learning and allows offenders to participate in community service construction projects, thus making a positive contribution to the local area.

Students benefit from seeing the direct result of their labor as it helps local communities and neighbors. In settings where safety and security policies do not allow for off-campus activities, HBI has been able to obtain a variety of campus-based construction and education projects to augment PACT training projects. Students have built storage sheds, playground equipment, playhouses, modular home components, along with a wide range of construction and remodeling projects in the communities in which HBI operates. These activities build self-esteem, contribute to participant motivation, offer restitution opportunities and provide concrete evidence of success.

Industry Involvement

Industry representatives worked with HBI in developing the PACT curriculum including the employability skills and literacy components. Employers today are also actively involved in planning, curriculum content validation, community work-based learning, related instruction, placement, support services and follow-up. This collaboration with industry addresses two critical barriers issues typically found in prisoner re-entry:

1. Access to quality employment with career progression opportunities in a high demand industry.
2. The provision of coordinated and comprehensive wrap-around services using systems-level approaches in case management (CM) and mentoring to address family reunification, housing, finances, social services, transportation, substance abuse, mental health and health issues, continuing education and other social and readjustment services.

These needed services are provided, and issues are addressed through an employment-centered initiative that has the support of a strong and active industry. NAHB's Home Builder Association (HBA) members are active partners in the design and delivery of employment services for Project TRADE participants. Examples of initiatives that have been undertaken by HBA members in conjunction with HBI are:

- Development of the Pre-Apprenticeship Certificate Training (*PACT*) curriculum which is designed to prepare individuals for entry level employment in the skilled trades and related fields and links with local crafts apprenticeship and postsecondary continuing education programs.
- Development of the math and communications curriculum, typically integrated into *PACT* and other education and training programs.
- Provision of industry-focused career awareness and exploration, job readiness and employability skills materials and content through HBI's *Build a Home, Build a Career* program, *My PEP* and guest speakers and industry tours.
- Linkages to community service construction projects. This important component serves a dual purpose as it meets the community service/restitution requirements of offenders and engages them in service learning activities that reconnect them with their communities.

- Participation by trainees in HBA meetings, Home Shows, Habitat for Humanity Blitz Build, Rebuilding Together, etc. where trainees work alongside of experienced employers, who serve as mentors and advocates.
- Responsiveness to placement and job retention needs of trainees through participation in coaching, mentoring and other employee support activities.

Industry members also:

- Serve as guest lecturers in *PACT* classes and in a class designed to introduce participants to careers in the residential construction industry, work place practices and employability skills.
- Promote entrepreneurial opportunities through seminars and guest speaker events.
- Provide opportunities for situational assessment and job tryout at employer locations.
- Participate in informational and mock interviews or provide worksite-based job readiness, employability and work adjustment training.

Members also help link the project with community service projects, identifying sources of in-kind and reduced costs for tools and building supplies, and providing employment opportunities for participants, including OJT and apprenticeships.

Program Sites At-a-Glance

Project CRAFT/Nashville has two major training components: Facility-based residential construction and related skills training at the Davidson County Drug Court, and a community-based residential construction and related skills training. Students are ages 18 to 24 currently in the youth or adult offender system, or are ex-offenders.

Linkages with organizations help leverage resources for program participants. In addition to the Davidson County Drug Court, chief partners in the program are the Department of Correction, the Department of Probation and Parole, the Home Builders Associations of Tennessee and Middle Tennessee, and the Nashville Adult Literacy Council.

Funded by the federal Department of Labor's Responsible Reintegration of Youthful Offenders program, the numbers speak for themselves. Thanks to additional funds, HBI has been able to monitor the impact of the program on the students and its results for the Department of Labor. Over a five year period, 215 offenders enrolled in the program, 85% were repeat offenders, yet 99% of those graduating with their PACT certificates were placed in jobs.

More than two years after graduation, 25% were still employed and only five have been newly convicted. More than half, over 60% of the students experienced at least one grade level gain in reading and math. The students took these accomplishments with them, and although they may no longer be at their original place of post-training employment, we know they have not returned to the judicial system – a significant achievement not to be overlooked.

As part of their community activities, the students have assisted in the construction of 15 Habitat for Humanity homes, installed storm doors and built storage sheds. Currently, students are involved in the construction of the new women's vocational training building at the *Davidson County Drug Court*.

Unfortunately, due to lapsed funding and bureaucratic delays, HBI is in the process of closing this program. Announcements are currently pending from the Department of Labor regarding the possibility of prospective funding that may reopen and expand the program later this year.

Project TRADE/Pinellas, FL is a unique partnership with the Pinellas County Sheriff's Department in Florida established in 2006. Pinellas students use the PACT curriculum and receive their PACT certificates upon completing the program. However, the program is reserved for female offenders and is the only one of its kind.

Now in its second year, Project TRADE/Pinellas has enrolled 90 students and is currently training 18 women. This summer Sheriff Coats featured the program in a local cable network, showcasing his office's efforts to enhance the likelihood of successful reentry thanks to the skills learned through Project TRADE.

One such example is Tina, one of the program's first graduates who now works with a local independent electrical contracting company. She began her formal electrical apprenticeship in September. Tina continues to give to the program as a guest speaker for current students as well as in interviews with the local media. She was recognized at a recent graduation ceremony as a model Project TRADE graduate.

Project TRADE/Sheridan, IL has been the recipient of much attention as it has implemented an innovative treatment approach which includes a rigorous qualification process for inmates to be admitted to Sheridan and to be eligible to participate in vocational training. In August 2006, television cameras shadowed the visit by a team from California's Department of Corrections and Rehabilitation who were investigating ideas they could take back to aid in the reform efforts of their state's prison system.

Since Project TRADE/Sheridan opened its doors in 2004, 247 inmates have gone through the program, with 171 or 70% receiving their PACT certificates. Until now, HBI has not been responsible for placement of its graduates. Instead, placement responsibilities have been assigned to another contractor. Employment placement is scheduled to become a part of HBI's scope of activities at Sheridan in 2008.

Project TRADE/Colorado is funded by ComCor Inc., one of the largest community corrections companies in the country and accredited by the American Correctional Association. ComCor, Inc. is committed to the treatment of offenders and the enormous value of vocational training, particularly Project TRADE.

The Colorado Springs program trains 30 ex-offenders annually and has trained more than 300 for industry jobs in its 10-year history. Much of the hands-on training over the past three years has taken place on community projects at the local Head Start, the Silver Key Senior Center and ComCor, Inc.'s facility and other grassroots organizations with an estimated value of more than $200,000. Project TRADE/Colorado has an 80% placement rate for its PACT graduates.

Conclusion

Although these programs are designed to serve the offender population, it is not uncommon to have ex-offenders enrolled in other HBI training programs serving veterans or the homeless. HBI works aggressively with all available resources to provide information, programming, and educational opportunities to those interested in starting a career in our industry. We know that if you have a skill and a pathway to a good, long-term career in an industry full of opportunities for hard workers, you are less likely to fall back into dangerous or criminal patterns. We know that if you give someone a job, he may quit tomorrow; if you teach them a skill, they will have if for a lifetime.

Together, industry and government must ensure that there are training programs available to train the one million new workers and to build the 18 million new homes that will be needed in the United States over the next decade. Programs such as the ones I've just described are key contributors to this goal and much more – they build self-esteem, they empower the participants and they can fundamentally change lives. Yet, so often we let them fade into oblivion only to eventually seek them out for reinvention once again.

The California group who visited the Sheridan Illinois Project TRADE made that very point – during the 1970s and 1980s it was their state that had model rehabilitation programs very similar to the one they were visiting in Illinois. Yet, they let them wither from neglect, in favor of punishment and leaving many offenders who could have benefited to go without training and skills to build a better life.

As you review the training and education programs that have made a difference, I hope that you will consider those I have shared with you today. HBI and its partners in the residential construction industry and the correctional system are convinced that our programs are making a difference in people's lives, on families and communities and hopefully, working to permanently remove our students from the rolls of the judicial system.

Thank you, Mr. Chairman, Ranking Member, and members of the Subcommittee for your time and interest in our efforts.

Mr. DAVIS OF ILLINOIS. Thank you very much, Mr. Torbett.

The final witness is Dr. James Austin, who has 30 years of experience in correctional planning and research. He currently is president of the JFA Institute, which is a research institution that provides technician assistance to States and agencies on prison population projection.

Particularly with the time problem I am facing, I am going to ask you, Mr. Austin, to summarize your testimony in 5 minutes so we can get at least a question or two asked of all the witnesses.

STATEMENT OF JAMES AUSTIN

Mr. AUSTIN. Thank you, Congresswoman Norton.

Basically, I was asked to provide testimony because I did a study recently for the U.S. Parole Commission of D.C. inmates who had been released from the BOP. As such, it is the only recidivism study that exists, although I might add, listening to the testimony, the BOP is totally capable of producing the same study on a routine basis.

In particular, we looked at the extent to which D.C. inmates got programs from the BOP and what impact they had on recidivism, so all of the questions that have been asked could have been answered if people would look at the study, which you now have.

Here are the major findings:

No. 1, the D.C. inmates that are being sentenced and come out of the BOP have much longer sentences and serve much longer time in prison than other State inmates that you see in prison. I want to emphasize this is a very important statistic that your inmates are serving about twice as long as other inmates in other State prison systems.

A large reason for that was the sentencing code, but also the practices and the policies of the U.S. Parole Commission, which I am working with.

In terms of the recidivism rates, the recidivism rates of the D.C. inmates are pretty typical of other State inmates. Most people don't understand this, but most inmates that go to prison do not come back. About 60 percent never come back to prison again. There is a large pool of prisoners, of the 7,000 that are locked up that are D.C. inmates, a huge number of the BOP prisoners, who are very low-risk and will never come back to prison again. What is interesting about this also is if you look at their rate of being arrested, both before they went to prison and after, it is coming down significantly, a 60 percent drop. So the idea that recidivism rates are real high and they are going higher is completely false. Just the opposite. They go much lower once a person goes through the prison system.

The other important statistic that is very important is that no matter how long you spend in prison—and this is important for D.C. inmates because they have much longer time they are serving compared to other inmates—there is no difference in recidivism rates, so you are keeping very large numbers of prisoners in prison longer than they need to be, and all the money that people talk about for programs has already been funded. You are funding them for that longer period of length of stay.

One of the reasons that we looked at the risk instrument that the Commission used, that determines how long the D.C. inmates serve on their indeterminate sentencing, and also on parole revocations. The factors they are using—and they now know this—are not valid, so they are not predictive of recidivism, and they are not valid because they don't at the factors of inmates that are incarcerated, what we call dynamic factors. Are they doing programs? Getting older is a big one, and getting prepared for release.

We found a number of factors that do predict that, and if the Commission were to use those, prisoners could be released sooner and we would save a large amount of money without aggravating public safety.

One other thing that is important is that for parole violators, which they apply to all prisoners, their guidelines—I don't know where they came from, but the guidelines often require a prisoner to serve more time on a technician parole violation than on the original sentence. I want to repeat that: they can serve more time on a technical, non-criminal behavior than on the original sentence.

So the recommendations that we have made to the Commission and to the BOP and to the Department of Justice is change the guidelines. This all can be done by administrative rule. It doesn't require a law of any kind. They need to stop using the factors that they are using to keep people in for longer periods of time. They never no predictive value at all.

Overall, Congress needs to look at this whole issue of length of stay. When the BOP says that their recidivism rate has gone down from 44 to 40, anyone who is a good researcher knows why that is going on is because the length of stay has jumped dramatically in the BOP. They are filled with prisoners that are low risk now, and it is a much older population, and because age is such a predictor it has to come down, because we are keeping people in so long now.

Finally, the U.S. Parole Commission needs to adopt new guidelines that take into account the behavior of the prisoner while they are in the BOP. We found a number of factors that are good factors. By the way, we found most of the inmates did not get to participate in a program while they were incarcerated. Somewhere in the ball park of 25 to 30 percent actually got into a program before they got released. This is for people that were released in 2002. Maybe it is a lot better now, but those coming out in 2002 did not get into too many programs. Those that did and got Social Security cards, got driver's license, went through the reentry programs had much lower recidivism rates.

It is very clear what we have to do, and it can all be done administratively. It doesn't require any laws, but just people getting together and doing some things differently.

I have briefed the Commission. I must say the Commission has new leadership with some good members on there that I know personally. They want to go forward. They are about to make that decision. I would urge this Commission to press the U.S. Parole Commission to go forward with these changes.

Thank you for your time.

[The prepared statement of Mr. Austin follows:]

The JFA Institute
Washington, D.C./Austin, Texas

Conducting Justice and Corrections Research for Effective Policy Making

Evaluation and Re-Validation of the U.S. Parole Guidelines Risk Instrument

Submitted by

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Executive Summary

Major Findings

1. DC prisoners released in 2002 who had been sentenced under the DC code prior to August 2002 as compared to other state prisoners had much longer sentences and served longer prison terms.

2. About two thirds (67%) of the prisoners released in 2002 were re-arrested at least one time, 52% were re-convicted and 37% were returned to the custody of the BOP within three years of being released from prison.

3. These three year recidivism rates are relatively comparable to the most recent recidivism data that were published by the U.S. Department of Justice Bureau of Justice Statistics (BJS) as well as other states.

4. While 67% of the released prisoners were re-arrested at least once, the average number of arrests (1.9) during this three year post-release period is much lower than the rate of arrests three years for the same prisoners prior to their incarcerated (5.9). In effect the rate of arrests dropped by over 60% (from 5.9 to 1.9 arrests per prisoner).

5. The types of crimes being committed by the released DC prisoners are similar to other states in that the vast majorities are non-violent in nature.

6. The non-guideline risk factors that are associated with recidivism are as follows:

    a. Gender – women have a much lower rate
    b. Age – younger prisoners have a higher rate
    c. Weapon Not Used in the Offense – lower rate
    d. Participation in BOP programming – lower rate
    e. Transferred to Community Corrections Prior to Parole – lower rate
    f. Released to Spouse, Friend, Shelter Care – lower rate
    g. Released with Photo ID, Drivers License or SSN – lower rate

7. Consistent with other studies, the amount of time imprisoned (length of stay) is not associated with rates of recidivism.

8. Many of the salient factor items have either weak or non-existent relationships with recidivism.

9. Not surprisingly, the overall scale also has a weak association with recidivism with only the very good risk category showing a difference from the other risk levels.

10. An alternative risk instrument that uses both static dynamic risk factors does a better job of sorting releases by risk level.

11. Once the risk level is determined, another set of computations are made by the USPC staff to determine whether parole should be granted at the initial parole eligibility date or sometime thereafter.

12. The vast majority (80%) of cases score "0" months range with the remainder scoring 12-24 months.

13. These resulting higher ranges (or add ons) are largely based on the severity of the crime or prior criminal record which are not related to recidivism.

14. The SFS is also used to imprison parole violators based on the nature of the violation(s) and SFS score. Within a violation category, the difference in months to serve can vary by several years. Under this practice, the amount of time served for a technical violation can exceed the original sentence.

15. This practice is placing too much emphasis on the SFS as a criteria for revocations – especially given the lack of prediction in the instrument as shown earlier.

Recommendations

1. Modify the SFS and implement a modified risk instrument as suggested by this study that takes into a number of dynamic factors (with some modification).

2. Discontinue the application of the other guideline factors being used to enhance presumptive release dates and replace them with a simple offense/risk level matrix.

3. The USPC needs to determine the extent to which it wishes to extend parole eligibility dates based solely on offense severity and history of violence; especially given the long period of incarceration DC sentenced prisoners are now serving and the lack of a relationship between length of time served and recidivism.

4. Review its parole revocation grid and allow for much shorter periods of incarceration with the assumption that low risk parolees shall not be re-incarcerated for low severity violations.

5. On a more generic level, there should be a concerted effort to reduce the length of imprisonment and parole supervision based on good conduct and completion of programs. The current lengths of stay are well above the national averages for similar crimes. Such efforts would include allowing release at an earlier stage of

the sentence, awarding of good-time credits for prisoners who complete rehabilitative programs and allowing for the period of the parole supervision to be reduced based on good conduct.

6. Given that dynamic factors related to prisoner completion of rehabilitative programs are associated to lower recidivism rates, a study should be conducted by the Commission and the Bureau of Prisons to determine if DC sentenced prisoners are receiving the same level of services as other BOP prisoners.

Introduction and Background

At the request of the U.S. Parole Commission (USPC) and the Washington, DC Criminal Justice Coordinating Council (CJCC), the JFA Institute was asked to complete a re-validation of the salient risk factor instrument that is currently being used by the USPC to evaluate the suitability of parole for DC sentenced prisoners (also known as DC Code prisoners).

Prior to the adoption of federal sentencing guidelines in the 1980s and the subsequent introduction of determinate sentencing as described below, the U.S. Parole Board had been using a two dimensional matrix (offense severity and risk) to help guide parole decisions for federal prisoners. Each cell in the matrix had a presumptive range for the prisoner to serve prior to being reviewed by the Board. Absent negative institutional behavior or some other documented reasons for not granting parole, it was expected that the Board would release the prisoner based on that range.

This parole guideline system was used for many years until the *Comprehensive Crime Control Act of 1984* was created. Through this legislation, the United States Sentencing Commission was established to set new sentencing guidelines for the federal courts and to replace indeterminate sentencing with a determinate sentencing structure. Under determinate sentencing, prisoners sentenced by the federal courts receive a fixed term and with some exceptions must serve 85% of the imposed sentence. The balance of the sentence is served on post-release supervision as provided by the federal probation officers. Hence, there is no discretionary parole decision within the federal sentencing structure. The USPC no longer (with a few exceptions as noted below) has any release authority for federal prisoners.

Within the District of Columbia and as part of the *National Capital Revitalization and Self-Government Improvement Act of 1997,* the DC sentencing structure was changed in August 2000 from an indeterminate to a determinate scheme (similar to the federal guidelines). As part of that reform, the USPC was given some responsibilities that had been under the DC Parole Board which has now been abolished. These responsibilities include release decisions for a declining number of prisoners sentenced under the old indeterminate sentencing structures; the imposition supervision conditions and parole revocation decisions.

Currently, the USPC retained jurisdiction over the following persons.

1. Federal Offenders (offenses committed before November 1, 1987): Granting or denying parole to federal offenders who committed their offenses before November 1, 1987 and who are not otherwise ineligible for parole; and making determinations regarding the initial conditions of supervision, modification of the conditions of supervision for changed circumstances, early discharge from supervision, issuance of a warrant or summons for violation of the conditions of supervision, and revocation of release for such offenders released on parole or mandatory release supervision. Supervision in the community is provided by United States Probation Officers.

2. DC Code Offenders (offenses committed before August 5, 2000): Granting or denying parole to DC Code offenders who committed their offenses before August 5, 2000 and who are not otherwise ineligible for parole; and setting conditions of supervision.

3. DC Code Offenders (offenses committed after August 4, 2001 The USPC sets the initial conditions of supervision as above for DC Code offenders who committed their offenses after August 4, 2001 and who are sentenced to a determinate sentence of imprisonment followed by a term of supervised release. Supervision in the community is provided by Supervision Officers of the Court Services and Offender Supervision Agency (CSOSA) of the District of Columbia.

4. Uniform Code of Military Justice Offenders: Granting or denying parole to parole-eligible Uniform Code of Military Justice offenders who are serving a sentence in a Bureau of Prisons' institution; and setting conditions of supervision as above. Supervision in the community is provided by United States Prob ation Officers.

5. Transfer-Treaty Cases: The Parole Commission has the responsibility for conducting hearings and setting release dates for U.S. citizens who are serving prison terms imposed by foreign countries and who, pursuant to treaty, have elected to be transferred to the United States for service of that sentence.

6. State Probationers and Parolees in Federal Witness Protection Program: Making determination of initial conditions of supervision, modification and related matters as above for certain state probationers and parolees who have been placed in the federal witness protection program. Supervision in the community is provided by United States Probation Officers.

In performing its release and the imposition of supervision conditions on these various populations, the USPC continues to use the salient risk score instrument. It's important to note that this instrument was developed and normed on the samples of federal prisoners in the 1970s and 1980s using bivariate analysis. One of the last published articles on the instrument was written by Peter Hoffman and James Beck in 1985. It showed that based on a sample of released federal prisoners, the items and the instrument were predictive of recidivism.[1] The US Bureau of Prisons has found the SFS to be a good predictor of recidivism among its prisoners in a study based on prisoners released in 1987.[2]

It's noteworthy that a number of versions of the salient factor risk score have been adopted by several states including Washington, Maryland, Ohio, Oregon, Connecticut and Georgia. Further, the salient factor scale now used by the USPC differs from the one that was used historically. For example, earlier versions of the salient factor score had

[1] Hoffman, Peter and James Beck. 1985. "Recidivism Among Released Prisoners", Criminal Justice and Behavior, Vol. 12, No.4: 501-507.
[2] Harer, Miles. 1994. Recidivism Among Federal Prisoners Released in 1987. Washington, DC: Federal Bureau of Prisons, Office of Research and Evaluation.

different weights for the scoring items and included a factor that measured heroin and opiate addiction.

The salient risk factor instrument portion of the USPC guidelines consists of a small number set of factors that had been shown to be associated with success or failure on parole. In today's jargon, the factors were exclusively static factors that reflected the prisoner at the time of admission. Thus, once the risk level was established either at the time of admission to prison or before the parole hearing, it would not change.

The six items and associated weights used on the USPC salient factor instrument are as follows:

1. *Prior Convictions/Adjudications (Adult or Juvenile)*
   None = 3; One = 2; Two or Three = 1; Four or More = 0

2. *Prior Commitment(s) of More Than 30 Days (Adult or Juvenile)*
   None = 2; One or Two = 1; Three or More = 0

3. *Age at Current Offense/Prior Commitments*

26 years or more	Three or fewer prior commitments	= 3
	Four prior commitments	= 2
	Five or more commitments	= 1
22 - 25 years	Three or fewer prior commitments	= 2
	Four prior commitments	= 1
	Five or more prior commitments	= 0
20 - 21 years	Three or fewer prior commitments	= 1
	Four prior commitments	= 0
19 years or less	Any number of prior commitments	= 0

4. *Recent Commitment Free Period (Three Years)*
   No prior commitment of more than 30 days (adult or juvenile) or released to the community from last such commitment at least 3 years prior to the commencement of the current offense = 1; Otherwise = 0

5. *Probation/Parole/Confinement/Escape Status Violator This Time*
   Neither on probation, parole, confinement or escape status at the time of the current offense; nor committed as a probation, parole, confinement, or escape status violator this time =1; Otherwise =0

6. *Older Offenders*
   If the offender was 41 years of age or more at the commencement of the current offense (and the total score from Items A-E above is 9 or less) = 1; Otherwise = 0

However, this instrument has never been validated on a sample of released DC prisoners. This is important since the DC prisoner population is quite different from the federal prisoner population especially with regard to commitment offense. The BOP prisoner population is largely a population of prisoners convicted of drug crimes with a large proportion being distribution or conspiracy to distribute. The DC sentenced population is

largely an urban and Black population who has been convicted of a more traditional array of crimes one typically finds within a state prison population. In particular, there are greater numbers of prisoners convicted of property, violent and other non-drug crimes.

For these reasons, the USPC wanted a re-validation study completed that would test the validity of the risk instrument and see what, if any, changes should be made to enhance its predictive attributes. The remainder of this report summarizes the research methods, results and recommendations.

Research Design

A validity test is designed to see how well risk factors actually predict recidivism. This test is done by drawing a sample of all DC Code offenders who were sentenced to probation or released from prison and tracking them for a period of three years. The validation sample records the offender attributes or background items (independent variables) that are believed to be predictive of recidivism (the dependent variable). Recidivism can be measured a number of ways but the three major measures are re-arrest, reconviction and re-admission to prison.

The validation study consisted of a sample of 700 DC Code sentenced prisoners released in 2002 who had a salient risk factor score completed. As suggested above, these prisoners had been sentenced under the old indeterminate sentencing system. Under that system, the sentence consisted of a minimum and maximum sentence –the latter had to be at least three times higher than the minimum. This produced a very large range in sentence length. The SFS was a major factor in determining what proportion of the sentence would be served by the prisoner.

A very detailed data collection form was developed by the USPC staff that was to be used to collect detailed data from the cases files. The actual salient factor score items had to be extracted from the USPC data files, downloaded and key entered into a separate data base. Staff from the CJCC then manually entered all of the data into a data base file that was formatted for SPSS and statistical analysis. Unfortunately there were a significant number of releases where the USPC could not locate a Salient Factor Score sheet. A comparison of the missing and cases used for analysis found no differences between the two groups so the results presented here are representative of the entire release cohort (see Appendix).

Analysis

This section of the report summarizes the major analysis and findings associated with the study. The appendix contains more detailed tables which the reader may wish to review as well.

Table 1 summarizes the overall recidivism measures for the 2002 release cohort. There were three measures of recidivism recorded for each released prisoner:

1. Re-arrest with three years
2. Reconvicted within three years

3. Returned to prison (BOP) within three years[3]

As shown in the table about 2/3 of the cohort were re-arrested at least one time, 52% were re-convicted and 37% were returned to the custody of the BOP. These recidivism rates are relatively comparable to the most recent recidivism data that were published by the U.S. Department of Justice Bureau of Justice Statistics (BJS) as well as other states. For example, the three re-arrested percentage of 67% is virtually identical to the 68% reported by BJS. The three year re-conviction rate is slightly higher (52% versus 47%) while the return to the BOP is slightly lower than the BJS 40% rate state. In other words, the recidivism rates of the DC prisoners are relatively typical of other state prison systems.

Table 1
Basic Three Year Recidivism, Length of Stay and Sentence Length Facts

Recidivism Measures	Rates
Three Year Re-arrest Rate	67% (68%)
Three Year Reconviction Rate	52% (47%)
Three Year Return to Prison (BOP)	37% (40%)
Time Served Prior to Release	44 months (30 months)
Average Time to New Conviction	18.2 months
Suppression Effect	
3 Years Prior to Current Incarceration	5.3 Arrests
3 Years After Current Incarceration	1.9 Arrests
Suppression Effect	-64%
Percent that were Non-violent Crimes	83% (86%)
Length of Stay Prior to Release	44 months
Sentence Length Range	35-71 months

Note: Numbers in parenthesis are based on BJS 1994 recidivism rates. (Recidivism of Prisoners Released in 1994. US DOJ. Washington, DC: Bureau of Justice Statistics, 2002) and http://www.ojp.usdoj.gov/bjs/prisons.htm#selected.

One area where the DC inmates are very different from other state prisoners is the length of time served prior to being released. As shown in Table 1, the average length of stay (or LOS) is 44 months or 14 months more than reported by BJS in its national correctional reporting program. As such, these DC prisoners experienced a much longer period of incarceration than state prisoners. This longer LOS is true even when controlling the offense a prisoner is sentenced for as shown in Table 2.

A comparison of the types of crimes for which DC prisoners are sentenced for suggests that that the longer prison time is not explained by the severity of the crime. Table 3 shows the offenses for which the DC prisoners were sentenced for and how they compare to the data provided by BJS for state sentenced prisoners. The major difference is in the drug and property offense categories where the DC prisoners are more likely to be sentenced for a drug crime and less likely for a property crime.

[3] The 3 three year follow-up was consistent for all persons in the cohort.

Table 2
Sentence and Length of Stay by Offense

Offense	N	%	Avg. High Sentence (Months)	Avg. Low Sentence (Months)	Avg. Time from Conviction to Release (Months)	Other State Length of Stay (Months)*
Assault	28	4%	92.8	42.8	53	32
Sex Crime	9	1%	114.9	44.5	108	81
Robbery	40	6%	104.9	70.8	64	55
Drug	286	42%	86.9	39.0	48	23
Burglary	29	4%	72.3	27.9	46	32
Theft/Fraud	60	9%	45.2	25.2	42	19
Other Non-violent	29	4%	61.6	37.0	39	16
Probation Revocation	89	13%	49.2	18.5	28	NA
Other Violent	83	12%	41.6	25.5	33	24
Weapons	31	4%	72.0	31.4	44	23

*Source: http://www.ojp.usdoj.gov/bjs/prisons.htm#selected

Table 3
Sentenced Offense for DC Versus other State Prisons Releases

Offense Type	DC	Other States
Violent	23%	27%
Drug	42%	32%
Property	17%	28%
Weapons	4%	3%
Other	13%	10%

"Other State" data based on BJS data as reported at tp://www.ojp.usdoj.gov/bjs/prisons.htm#

The long lengths of stay for this sample of DC prisoners do not necessarily apply to prisoners now being sentenced under the new determinate sentencing structure. The most recent data from the DC Sentencing Commission show that the average sentence length for prisoners sentenced for drug crimes have declined while sentence lengths have increased for violent crimes.[4] Indeed as shown later on in the report, the current sentence length for some crimes is less than the amount of time the USPC can revoke a parolee.

Another interesting statistic in Table 1 is a measure of recidivism that is called the suppression effect. This statistic compares the rate of arrest both before and after

[4] Based on information provided by Kim Hunt, Executive Director, District of Columbia Sentencing and Criminal Code Revision Commission

incarceration for a similar time frame (in this case three years prior and three years post the current incarceration) to see if the frequency of arrest is changing. Consistent with a few studies that have attempted this calculation, the results here show a sharp reduction in the rate of arrests that was occurring prior to the current incarceration. [5]

Specifically, the average number of arrests three years prior to the current incarceration was 5.3 as compared to the 1.9 average number of arrests post the current incarceration. This calculation was done by attempting to control for "street" crime by extending the pre and post follow-up periods for time periods where the person was incarcerated. Attempting to account for the incarceration time does not change the magnitude of the suppression effect. For a number of reasons, (maturation, regression to the mean, program completion, post release supervision, or specific deterrence), it is clear that this cohort is sharply reducing its rate of arrest.

Finally, Table 1 also reports that the vast majority (83%) of the crimes for which the DC prisoners are being re-arrested for are non-violent offenses. This is also consistent with the national recidivism data reported by BJS. Table 4 offers a more detailed breakdown of these crimes data and shows that most of the crimes fall into the non-violent offense category. Especially noteworthy is the large number of "crimes" that appear to be technical violations as they are coded as "parole revocation". Whatever the interpretation of that offense type, it adds further evidence that the types of crimes being committed are property, drug or non-compliance with parole or probation conditions. Again, the types of crimes being committed by DC prisoners are similar to other states in that the vast majorities are non-violent in nature.

Table 4
Type of Re-Arrest Charges

Re-arrest Offense	N	%
Violent Crimes		17%
Assault	148	11%
Sex Crime	6	0%
Robbery	22	2%
Other violent	37	3%
Drug	313	24%
Property	703	29%
Burglary	21	2%
Theft/Fraud	169	13%
Other Non-violent	182	14%
Probation Revocation	33	2%
Parole Revocation	371	28%
Weapons	21	2%
Total	1,323	100%

[5] Austin, J., Using Early Release to Relieve Prison Crowding: A Dilemma in Public Policy. *Crime and Delinquency*, Vol. 32, No. 4, October 1986: 404-502.

The next level of analysis assessed the attributes of the 2002 released prisoners as well as the relationships between these attributes and the three measures of recidivism (see Appendix for the detailed tables). In general, this analysis shows that the following attributes are associated with recidivism:

1. Gender – women have a much lower rate
2. Age – younger prisoners have a higher rate
3. Weapon Not Used in Offense – lower rate
4. Friends Incarcerated – higher rate (but high number of missing cases)
5. History of Substance Abuse – higher rate
6. Participation in BOP programming – lower rate
7. Transferred to Community Corrections Prior to Parole – lower rate
8. Released to Spouse, Friend, Shelter Care – lower rate
9. Released with Photo ID or Drivers License or SSN –lower rate

One item that did not show a relationship with recidivism is the amount of the time served. As shown in Table 5, there is no variance in recidivism rates based on how long a person is imprisoned. This means that whether a person is incarcerated for a longer or shorter period, the recidivism rate does not vary.

This statistic has been noted in other research studies including the BJS recidivism reports.[6] It has much importance to DC prisoners who have been sentenced prior to 2000 have one of the longest lengths of stay in the nation and largely for non-violent crimes. Any reductions in these lengths of stay would have substantial impact on the sentenced prisoner population without any adverse effects on recidivism rates.

Table 5
Length of Stay and Recidivism Rates

Length of Stay	N	%	Arrested	Convicted
12 months or less	37	5%	62%	43%
13-24 months	161	23%	68%	56%
25-36 months	173	25%	71%	56%
37-48 months	108	16%	68%	51%
49-60 months	52	8%	83%	62%
61-120 months	118	17%	58%	46%
121 months or more	29	4%	66%	48%

Analysis was also completed on the Salient Risk Score and the associated factors used by the USPC to render a parole decision. One of the unfortunate discoveries of this study was that the individual items that make up the risk score were not readily available for analysis. It was necessary to print out the available forms that had been completed and were stored in the USPC data system which lowered the sample size to 503 cases.

[6] *Recidivism of Prisoners Released in 1994.* US DOJ. Washington, DC: Bureau of Justice Statistics, 2002.

As noted earlier in the report, the risk score consists of six items. These are tallied and then converted to a scale that sorts inmates into the four risk levels. Table 6 shows how the release cohort was scored on each item and the associated recidivism rates. Here one sees that many of the items have either weak or non-existent relationships with recidivism. Not surprisingly, the overall scale also has a weak association with recidivism with only the very good risk category showing a difference from the other risk levels. Logistic multivariate analysis was done at the request of outside reviewers and produced the same results (see Appendix).

Once the risk level is determined, another set of computations based on six items are made by the hearing examiners to determine whether parole should be granted and after what period of imprisonment. The items are:

1. Base point score guideline range (based on the SFS, assessment of violence record, death of victim or other violence associated with the crime)
2. Months to parole eligibility
3. Disciplinary guidelines prior to last hearing
4. Superior Program Assignment prior to last hearing
5. Disciplinary guidelines since last hearing
6. Superior Program Assignment since last hearing

This must be described as a very complex and difficult computation to understand. It also explicitly re-introduces aspects of the current offense, the prior record and institutional conduct to either mitigate or aggravate the prisoner's expected range of time to serve. There is no other parole board that uses such an elaborate scoring mechanism.

What follows is an example of some of the scoring logic that must be applied in order to arrive at an expected time to serve range.

> ***Disciplinary Infractions*** *- If the prisoner had 1 additional point added to the point score for disciplinary infractions, use (a) 1 x the applicable rehearing range; or (b) the guideline range from Section 2.36, whichever is less. If the prisoner had 2 additional points added to the point score for disciplinary infractions, use (a) 2 x the applicable rehearing range, or (b) the guideline range from Section 2.36, whichever is less.*
>
> ***Superior Program Achievement*** *- .If the prisoner received a 2 point reduction for SPA (not ordinary program achievement), subtract 1 x the applicable rehearing range.*

Table 7 shows how this sample of released prisoners has been scored on these factors used to extend or reduce time to serve. Here one can see that some factors are rarely employed and/or are unrelated to recidivism. The points that are eventually computed are used to develop a range of months one must serve beyond their parole eligibility date.

Table 6
Salient Factor Risk Factor Scores and Recidivism Rates

Item	N	%	% with New Conviction	% with Re-arrest
Totals	**503**	**100%**	**52.1%**	**66.8%**
1. Prior Convictions/Adjudications				
None	37	7%	47%	68%
One	84	17%	45%	64%
Two or three	173	34%	47%	64%
Four or more	209	42%	57%	71%
2. Prior Commitments (30 days+)				
None	163	32%	51%	67%
One or two	205	41%	48%	67%
Three or more	135	27%	56%	67%
3. Age at Current Offense Score (see matrix)				
0 points	43	9%	53%	74%
1 points	116	23%	54%	69%
2 points	119	24%	52%	67%
3 points	225	45%	48%	65%
4. Recent Commitment Free Period				
None	265	53%	51%	69%
Otherwise	238	47%	51%	65%
5. Violator/Escape Status				
No Probation/Parole Violation/escape	162	32%	55%	70%
Otherwise	341	68%	49%	66%
6. Older Offenders				
41 years or older	77	15%	45%	58%
Otherwise	426	85%	52%	69%
7. Salient Factor				
Very good risk	67	13%	40%	58%
Good risk	139	28%	50%	67%
Fair risk	172	34%	55%	71%
Poor risk	125	25%	53%	67%

The vast majority (80%) of cases score "0" months range with the remainder scoring the 12-24 months. What this means is that the prisoners who receive these extended months will have significantly longer periods of confinement than prisoners who either have a lower risk (which is not that predictive), a current or violence offense, or a crime where there was a high level of violence or the victim died. Presumably these are factors that were taken into account when the sentence was imposed by the courts. These resulting in higher ranges (or add ons) are largely arbitrary in that there is no scientific rationale behind them. Further, as was noted earlier, there is no difference in the recidivism rates between the "time to serve" ranges.

Based on these findings, an alternative risk assessment instrument was developed. This one relies on the factors that were found to be predictive of recidivism and are separated into static and dynamic categories. The latter are items recorded at admission that will not change during the course of the prisoner's incarceration. The latter are factors that do change based on time (like age), inmate behavior and program participation. These items and the preliminary set of weights are shown in Table 8 based on the strength of the bi-variate analysis and various simulations of risk scales and item weights. The table also shows that most released parolees have some special condition imposed with the drug condition being the most frequent one applied. Interestingly, parolees who had no special condition imposed had lower recidivism rates.

These factors were then summed and scaled according to their predictive attributes. The result is shown in Table 9. Here one can see that this system is doing a better job of assessing risk than the current SFS simply because we have eliminated the non-predictive items and added additional ones that are associated with risk.

This is just a preliminary scale and needs to undergo more thorough testing (both reliability and validity). But it seems to be promising version to the current SFS. Why the SFS is not performing well on this cohort of released prisoners is not clear. But one issue to be pursued is the accuracy of the scoring process by USPC staff. Unless there is a rigorous training system that tests the inter-rater reliability of the scoring process there may be a substantial level of "noise" in the data. In order for an instrument to be valid it must first demonstrate its reliability.

Finally, the that dynamic factors related to prisoner completion of rehabilitative programs are associated to lower recidivism rates, a study should be conducted by the Commission and the Bureau of Prisons to determine if DC sentenced prisoners are receiving the same level of services as other BOP prisoners. A request was made to the BOP to have such a comparison made. As of the writing of this report, no such analysis has been completed by the BOP.

Table 7
Guideline Factors and Recidivism Rates

Item		%	% with New Conviction	% with Re-arrest
Total Cases	503		52.1%	66.8%
1. Base Guideline Factors				
I. Current or Prior Violence				
Violence Current Offense + Two Priors	1	0%	0%	100%
Violence Current Offense + One Prior	23	5%	61%	83%
Violent Current/Firearm Current	122	24%	42%	60%
No Violence in Current with One Prior violation	67	13%	63%	79%
None	289	57%	52%	66%
II. Death of Victim or High Level of Violence				
Current offense - death of victim	2	0%	0%	0%
Current offense – attempted death	1	0%	100%	100%
Current offense – high level of violence	23	5%	35%	57%
None	476	95%	52%	68%
III. Negative Institutional Behavior				
Assault/weapon/drugs/arson	2	0%	100%	100%
Other	16	3%	50%	75%
None	79	16%	34%	54%
2. Program Achievement Prior to Last Hearing				
Ordinary	53	11%	34%	51%
Superior	7	1%	14%	43%
None	37	7%	49%	73%
3. Disciplinary Impact (adds time)				
Yes	95	19%	64%	80%
No	408	81%	48%	64%
4. Superior Achievement Impact (subtracts time)				
Yes	52	10%	52%	65%
No	451	90%	51%	67%
5. Base Guideline Range				
0 months	401	80%	52%	66%
12-18 months	56	11%	50%	75%
18-24 months	40	8%	48%	68%
36-48 months	4	1%	50%	100%
54 months and above	2	0%	0%	50%
Special Conditions				
Drug	383	76%	54%	70%
Alcohol	17	3%	65%	76%
Mental Health	7	1%	57%	100%
Community Corrections Center	37	7%	27%	51%
No Special Conditions Imposed	61	12%	40%	44%

Table 8
Alternative Risk Instrument

Static	PT		Dynamic	PT
Gender			**Current Age**	
Male	2		20 & younger	3
Female	0		21-39	2
Current or Prior Violent Offense			40-49	1
Violent Current w/ Firearm	0		51 & older	0
None	1		**Participated in BOP Programs**	
Else	2		Yes	0
History of Substance Abuse			No/Unknown	1
Yes	1		**Transfer to CCC Prior to Release**	
None/Unknown	0		Yes	0
Prior Jobs Held			Else	1
None			**Released to**	
Else			Legal Spouse, Friend, Transitional, Shelter, Extended Family	0
Prior Convictions			Else	1
Four or More	1		**Release with Job training**	
Else	0		Yes	0
Instant Offense			Else	1
Assault/Sex/Prob./Weapons, Burglary	0		**Release with SSN, Photo ID, Driver License.**	
Else	1		No	0
Robbery/Theft/Other Violent, Drugs	2		One of the Above	1
			Two or More of the Above	2
			Disciplinary impact	
			Yes	2
			No	0

Table 9
Alternative Risk Levels and Re-Arrest Rates

Risk Level	% of Total	Re-Arrest Rate
Low	16%	33%
Moderate	50%	54%
High	34%	65%

Application of the Salient Risk Factor to Parole Violations

Related to the use of the SFS on parole release is the application of this instrument to parole revocations. Basically, parolees who violate their terms of parole of supervision are returned to the BOP for a specific period of time. That period of re-confinement is based on a matrix developed by the USPC that weighs the severity of the technical violation(s). Within a severity of the parole violation matrix the difference in months to serve can vary by several years. Under current sentencing practices, the amount of time a parolee can be re-incarcerated for a technical violation can exceed the original sentence. Table 10 shows the average sentence lengths for DC sentenced prisoners by offense type. This is placing too much emphasis on the SFS as a criteria for revocations – especially given the lack of prediction in the instrument as shown earlier.

Table 10: Average Sentence Lengths in Months by Offense Type 2002-2005

Year	Violent	Property	Drug	Weapon	Public Order
2002	124	22	24	13	12
2003	127	25	14	20	23
2004	109	23	14	12	11
2005	122	19	16	10	10

Source: DC Sentencing and Code Revision Commission

It should also be noted that these guidelines do not presume to allow a parolee to be reinstated on parole supervision even for low risk parolees who have violated a low level violation. In several states such guidelines first determine if the parole needs to be simply sanctioned (sometimes repeatedly) rather than re-incarcerated.

Recommendations

Based on this study the following policy changes should be considered by the USPC:

1. Modify the SFS and implement a modified risk instrument as suggested by this study that takes into a number of dynamic factors (with some modification).

2. Discontinue the application of the other guidelines factors being used to enhance presumptive release dates and replace them with a simple offense/risk level matrix.

3. The USPC needs to determine the extent to which it wishes to extend parole eligibility dates based solely on offense severity and history of violence; especially given the long period of incarceration DC sentenced prisoners are now

serving and the lack of a relationship between length of time served and recidivism.

4. Review its parole revocation grid and allow for much shorter periods of incarceration with the assumption that low risk parolees shall not be re-incarcerated for low severity violations.

5. On a more generic level, there should be a concerted effort to reduce the length of imprisonment and parole supervision based on good conduct and completion of programs. The current lengths of stay are well above the national averages for similar crimes. Such efforts would include allowing release at an earlier stage of the sentence, awarding of good-time credits for prisoners who complete rehabilitative programs, and allowing for the period of the parole supervision to be reduced based on good conduct.

6. Given that dynamic factors related to prisoner completion of rehabilitative programs are associated to lower recidivism rates, a study should be conducted by the Commission and the Bureau of Prisons to determine if DC sentenced prisoners are receiving the same level of services as other BOP prisoners.

APPENDIX TABLES

Table A-1
Demographics

Demographic	N=689	%	% With Re-arrest (Base=66.8%)	% With New Conviction (Base=52.1%)	Avg. Arrests After Release (Base=1.9)	Avg. Arrests Before (Base=5.3)
Ethnicity						
Black	658	96%	68%	53%	1.9	5.4
White	14	2%	65%	47%	1.9	6.6
Other	17	2%	51%	50%	0.7	2.9
Sex						
Male	635	92%	68%	53%	1.9	5.3
Female	49	7%	51%	39%	1.6	6.8
Age at Release						
20 &	124	18%	77%	56%	2.2	7.5
25-29	120	17%	70%	49%	2.1	5.0
30-34	118	17%	69%	53%	2.0	4.9
35-39	113	16%	74%	60%	2.2	5.8
40-44	94	14%	63%	51%	1.7	4.7
45-49	63	9%	59%	51%	1.5	4.5
50 &	46	7%	50%	41%	1.0	3.2
Incident Offense						
Assault	28	4%	64%	43%	1.2	3.0
Sex Crime	9	1%	67%	44%	2.0	0.6
Robbery	40	6%	73%	58%	1.9	3.7
Drug	286	42%	57%	50%	1.8	4.3
Burglary	29	4%	59%	52%	1.8	5.0
Theft/Fraud	60	9%	78%	63%	2.6	4.9
Other -violent	29	4%	76%	52%	2.3	6.0
Probation Revocation	89	13%	58%	47%	1.8	7.0
Other violent	83	12%	69%	61%	2.2	10.1
Weapons	31	4%	61%	48%	1.8	3.7

Source: BOP sample; note: missing cases excluded

Table A-2: Crime Description

Demographic	N=689	%	% With Re-arrest	% With New Conviction	Avg. Arrests After Release	Avg. Arrests Before
Weapon in Offense						
None	537	78%	38%	52%	2.0	5.9
Firearm	89	13%	62%	52%	1.6	2.8
Knife	14	2%	79%	64%	1.9	5.9
Other/unknown	43	6%	68%	59%	1.5	3.6
Weapon in Offense/Co-defendant						
None	307	45%	67%	58%	1.8	4.8
Firearm	25	4%	48%	36%	1.1	1.2
Knife	3	0%	100%	100%	3.0	3.7
Other/	25	4%	72%	56%	1.4	4.4
Victim - Sexual Abuse/Violence						
Yes	115	17%	68%	56%	1.8	3.5
No	545	79%	67%	51%	1.9	5.7
Unknown	29	4%	60%	55%	1.2	4.8
Immediate Family Members Under						
Yes	92	13%	71%	57%	2.2	6.3
No	398	58%	67%	51%	1.9	5.0
Unknown	199	29%	67%	54%	1.9	5.6
Subject Ever Abused						
Physically	23	3%	70%	61%	2.6	6.0
Sexually	13	2%	54%	54%	1.4	6.4
Physically and	3	0%	67%	33%	2.0	10.3
None	573	83%	68%	53%	1.9	5.1
Unknown	77	11%	65%	48%	1.9	6.7
Gang Affiliation						
Yes	3	0%	100%	67%	2.0	2.0
No	231	34%	65%	50%	1.6	5.0
Unknown	455	66%	68%	53%	2.1	5.6
Drug Use Associated with Offense						
Opiates	27	4%	63%	59%	1.3	4.6
PCP	18	3%	72%	72%	3.0	7.1
Cocaine	36	5%	72%	67%	1.8	4.0
Crack	17	2%	65%	53%	1.9	4.8
Marijuana	29	4%	69%	59%	1.7	6.5
Alcohol	47	7%	66%	60%	1.5	5.6
Friends Incarcerated						
Yes	51	7%	67%	45%	1.9	4.6
No	91	13%	51%	37%	1.2	6.2
Unknown	547	79%	70%	56%	2.0	5.3

Table A-3
Employment, Education, Substance Abuse History

Demographic	N=689	%	% With Re-arrest	% With New Conviction	Avg. Arrests After Release	Avg. Arrests Before
History of Substance/Alcohol Abuse						
Yes	568	82%	68%	54%	1.9	5.4
No	44	6%	59%	39%	1.8	3.3
Unknown	77	11%	67%	47%	1.9	6.8
History of Substance Use/Abuse Treatment Interventions						
Yes	195	28%	67%	54%	1.8	5.0
No	412	60%	68%	52%	2.0	5.3
Unknown	82	12%	65%	46%	2.0	6.7
Highest Level of Education Completed						
8th Grade or less	67	10%	64%	57%	1.9	4.9
Some	291	42%	68%	55%	2.0	5.1
High /GED	200	29%	67%	48%	1.8	5.0
More than	76	11%	71%	54%	2.2	6.4
Unknown	48	7%	71%	54%	2.1	7.7
Number of Jobs Held Year Prior to Arrest						
None	285	41%	69%	58%	2.0	5.4
One	258	37%	65%	48%	1.9	5.3
Two	42	6%	69%	41%	1.6	4.5
Three or	5	1%	80%	60%	1.8	3.0
Unknown	88	13%	65%	49%	2.0	7.8
Number of Months Employed Year Prior						
Always	111	16%	65%	44%	1.8	4.6
Never	178	26%	75%	61%	2.2	5.4
One to	107	16%	66%	59%	1.9	5.7
Seven to	52	8%	65%	40%	1.7	4.3
One	144	21%	60%	48%	1.7	5.3
Unknown	89	13%	65%	49%	2.0	6.4

Table A-4
BOP Programming

Demographic	N=689	%	% With Re-arrest	% With New Conviction	Avg. Arrests After Release	Avg. Arrests Before
Participated in BOP Programming						
Yes	592	86%	66%	51%	1.9	5.0
No	66	10%	76%	67%	2.2	8.0
Unknown	22	3%	75%	60%	2.1	8.0
Certificates Earned While In BOP Custody						
GED	90	13%	69%	57%	2.0	3.1
H.S. Diploma	7	1%	71%	71%	2.6	7.7
College	2	0%	50%	50%	1.5	4.5
None	539	78%	66%	51%	1.9	5.7
500 Hours or More of Substance Abuse Program						
Yes	60	9%	60%	58%	1.5	3.2
No	583	85%	67%	51%	1.9	5.5
Unknown	23	3%	71%	57%	2.0	7.4
Sex Offender Treatment						
Yes	3	0%	33%	33%	1.0	0.3
No	639	93%	67%	52%	1.9	5.3
Unknown	23	3%	70%	67%	2.0	7.0
Mental Health Treatment						
Yes	20	3%	70%	55%	1.8	5.3
No	624	91%	66%	52%	1.9	5.3
Unknown	22	3%	70%	55%	2.0	7.0
Major Medical						
Yes	34	5%	71%	59%	1.7	7.0
No	610	89%	66%	51%	1.9	5.2
Unknown	22	3%	70%	55%	2.0	7.0

Source: BOP sample; note: missing cases excluded

Table A-5
Release History

Demographic	N=689	%	% With Re-arrest	% With New Conviction	Avg. Arrests After Release	Avg. Arrests Before
Transfer To Community Corrections Center						
Yes	271	39%	62%	48%	1.6	3.9
No	389	56%	71%	55%	2.1	6.3
Unknown	19	3%	72%	56%	2.0	6.4
Release to Location						
Legal	43	6%	58%	40%	1.5	4.0
Girlfriend/boyfriend	69	10%	67%	54%	2.3	6.1
Parent	254	37%	72%	58%	2.1	5.6
Extended Family	196	28%	65%	49%	1.8	4.6
Friend	37	5%	60%	38%	1.7	5.6
Transitional/helter	31	4%	58%	48%	1.7	4.9
Other	24	3%	88%	63%	2.8	6.0
Unknown	26	4%	69%	65%	2.2	7.6
Release with Job/Training						
Yes	232	34%	62%	49%	1.6	3.8
No	415	60%	69%	53%	2.1	6.0
Unknown	34	5%	74%	59%	2.2	7.3
Release with SSN						
Yes	232	34%	60%	47%	1.5	3.6
No	219	32%	71%	55%	2.2	6.4
Unknown	220	32%	71%	55%	2.0	6.2
Release with Photo ID						
Yes	243	35%	60%	47%	1.5	3.7
No	218	32%	72%	55%	2.2	6.4
Unknown	220	32%	71%	55%	2.0	6.1
Release with Driver's License						
Yes	232	34%	60%	46%	1.5	3.6
No	219	32%	71%	55%	2.2	6.4
Unknown	230	33%	71%	56%	2.0	6.1

Table A-6
Comparison of Cases with Missing SFS Forms

Characteristic	No Score		Scored	
	N=171	%	N=518	%
Sex				
Male	161	94%	474	92%
Female	7	4%	42	8%
Age at Release				
24 & under	30	18%	94	18%
25-29	23	13%	97	19%
30-34	38	22%	80	15%
35-39	29	17%	84	16%
40-44	22	13%	72	14%
45-49	9	5%	54	10%
50 & older	14	8%	32	6%
Race				
Black	160	94%	498	96%
White	5	3%	12	2%
Other	6	4%	8	2%
Offense				
Assault	6	4%	22	4%
Sex crime	7	4%	2	0%
Robbery	11	6%	29	6%
Drug	59	35%	227	44%
Burglary	8	5%	21	4%
Theft/fraud	14	8%	46	9%
Other non-violent	8	5%	21	4%
Probation revocation	31	18%	58	11%
Other violent	18	11%	65	13%
Weapons	6	4%	25	5%
Reconvicted				
Yes	92	54%	267	52%
No	79	46%	251	48%
Rearrested				
Yes	111	65%	349	67%
No	60	35%	169	33%
Length of Stay in Prison				
12 mos. or less	11	6%	26	5%
13-24	41	24%	120	23%
25-36	46	27%	127	25%
37-48	22	13%	86	17%
49-60	12	7%	40	8%
60-120	23	13%	95	18%
121 months or more	10	6%	19	4%

Table A-7. Logistic Regression Results for SFS Measures Predicting Outcome of Rearrest (0=no, 1=yes) (n=518)

	B	S.E.	Wald	df	Sig.	Exp(B)
Prior Convictions (0=None, 1=One, 2=Two or Three, 3=Four or More	.259	.146	3.114	1	.078	1.295
Prior Commitments[7] (0=None, 1=One or Two, 2=Three or More)	.016	.207	.006	1	.939	1.016
Age at Current Offense (1=20 or younger, 2=21-39, 3=40-49, 4=51 or older)	.155	.098	2.520	1	.112	1.168
Recent Commitment Free Period (0=None, 1=Otherwise)	-.275	.250	1.214	1	.270	.759
Violator/Escape Status (0=No escape, 1=Otherwise)	-.248	.220	1.272	1	.259	.780
Older Offenders (0=Otherwise, 1=41 years or older)	-.603	.251	5.788	1	.016	.547
Constant	.277	.329	.710	1	.399	1.319

Logistic regression results reveal that the only significant predictor of rearrest is older offenders (e.g., those 41 years or older) ($p < .05$). Results show that older offenders are less likely to be rearrested (B = -.603). None of the other variables is statistically significant.

[7] 30 days +

Table A-8. Logistic Regression Results for SFS Measures Predicting Outcome of Conviction (0=no, 1=yes) (n=518)

	B	S.E.	Wald	df	Sig.	Exp(B)
Prior Convictions (0=None, 1=One, 2=Two or Three, 3=Four or More	.304	.137	4.938	1	.026	1.356
Prior Commitments[8] (0=None, 1=One or Two, 2=Three or More)	.043	.192	.051	1	.821	1.044
Age at Current Offense (1=20 or younger, 2=21-39, 3=40-49, 4=51 or older)	.137	.090	2.305	1	.129	1.147
Recent Commitment Free Period (0=None, 1=Otherwise)	-.176	.233	.567	1	.451	.839
Violator/Escape Status (0=No escape, 1=Otherwise)	-.335	.204	2.690	1	.101	.715
Older Offenders (0=Otherwise, 1=41 years or older)	-.468	.246	3.622	1	.057	.626
Constant	-.499	.313	2.542	1	.111	.607

Logistic regression results reveal that the only significant predictor of conviction is prior convictions ($p < .05$). Results show that those with prior convictions are more likely to be rearrested ($B = -.304$). None of the other variables is statistically significant.

[8] 30 days +

Mr. DAVIS OF ILLINOIS [presiding]. Well, thank you very much.

Ms. Norton, I know that you have to leave at 6, I understand, so if you want to go ahead.

Ms. NORTON. Thank you, Mr. Chairman. Thank you very much. I just have a question for each of the witnesses. They gave important testimony, and the written testimony is additionally very helpful to us.

Mr. Quander, did I understand that you are trying to put some of the services that CSOSA now offers or directs people to out of prison behind prison walls to give you an opportunity to prepare people with those sources right there in the prison instead of waiting until they get out?

Mr. QUANDER. Yes. That is exactly what we are trying to do. We are trying to be as proactive as we can, not only with the GEO Group but with the University of the District of Columbia in partnership with putting some of those programs in the institution so that the men there can take advantage of that.

Ms. NORTON. Can you tell us what programs would go into the institution?

Mr. QUANDER. One is a preparedness program that the University of the District of Columbia is working on.

Ms. NORTON. That is a very important program, where they evaluate the resident. I don't regard that as a program. That is an evaluation. It seems to me it is a critical mission that they have.

How about programs?

Mr. QUANDER. The other program that we are close to implementing is a carpentry training program that we have developed in partnership with the Board of Prisons and with GEO and with the Carpenters Union here in the District of Columbia. We wanted skills for which men could get jobs when they get out. We are progressing to the point now where the Carpenters Union here has been in contact with the Regional Carpenters Authority in the North Carolina region. That Carpenters Union there is speaking with the facility and with the Bureau so that they can know exactly what will be needed.

Ms. NORTON. That is very important because to work with the Union you know they have to be certified, and we see the relationship there also, the need.

One final question on structure. You have been to Rivers a number of times.

Mr. QUANDER. I have been to Rivers.

Ms. NORTON. Do you find that the residents, the inmates in Rivers have a structured environment where they move every hour or so from one activity to the other, and that all of them have at least 4 hours of work? Did you observe that to be the case?

Mr. QUANDER. I observed more individuals on the basketball and playing fields than working or in class when I was there when I visited.

Ms. NORTON. Thank you. That was our observation, and we have every reason to believe that is where most of them spend their time. I actually talked with them and asked them what they did.

I am concerned that there was testimony that made it look as though they have the same structured environment.

Mr. Jackson, your testimony listed an extraordinary number of programs that at one time were provided when Lorton was open. Then, of course, these inmates were spread all over the country.

We are grateful for the assessment idea. That was one of the main ideas we wanted to have your testimony. But may I ask you if there are specific kinds of courses. This is a college. This is a university. In fact, there is an affiliation with a college down there, I guess, to get the HVAC program where somebody there went and got a Federal grant.

Mr. JACKSON. Yes.

Ms. NORTON. I wondered whether or not you know of professors at UDC who are prepared to ask to seek similar Federal grants so that some of the offerings of UDC could be made, as you apparently made them before, including college courses?

Mr. JACKSON. Yes. I think that is exactly what we are doing. The whole first phase was the assessment phase. Once we do that, then we develop the individual performance plans or development plans based on the client's expected desire for an occupational opportunity when he or she returns from incarceration. So what we do with the initial tranche is to do the evaluation, identify what their desires are when they leave prison, what kind of industry or sector they would like to get in, and then provide them with a menu of training and services to get them to that entry level.

In addition to what we are doing, which is a new feature, we are actually, as part of our challenge, meeting with employers in the region. We recognize that this is a regional experience in terms of when our residents come back here, that they need to be employed, what the opportunities are throughout our region. So right now one of the challenges of the director of the program is to work with employers to find out their willingness to work with us and to hire our employees or our residents that are coming out of the facility.

What we do is also educate them about how we can mitigate their risk by offering them a bonding program which basically hedges their risk against any loss or theft occurring from the hiring of any one of our ex-offenders, and we also have incentives from the tax side, as well. There are tax breaks in place.

Ms. NORTON. If such a program were put together, I would recommend that you partner with somebody like Goodwill who, in fact, has done this, knows how to do this. Home Builders have done it, know how to do it. Because I think it is very difficult. In fact, Mr. Jones, we are aware that DOES faces a huge challenge.

Mr. JONES. Yes.

Ms. NORTON. It is often hearings in the District of Columbia about the challenge you face in placing ordinary, average D.C. residents, no record, simply want a job. Apparently DOES has a huge problem with that. I, therefore, don't envy what you face when we dump on you some ex-offenders and say, Now go do the same for them.

I understand that you have a backlog, but most of your testimony was about ex-offenders in general. How are you able to place? You say here that in the program now you have 724 active ex-offenders, 420 are currently employed, others involved in work-related activities. Well, that is a lot of folks. How were you able? I

mean, I am not sure that is your record among the ordinary, average people, so I must ask you where are these people employed?

Mr. JONES. The good thing is that the District is very open to hiring residents of our community, and one of the things that we offer is transitional employment, which is subsidized employment, because we know——

Ms. NORTON. Excellent.

Mr. JONES [continuing]. That it is very important that once a participant is in our program, that they are automatically working somewhere, because there is a statistic that shows that if they are not working after 90 or 180 days, they will usually go back to what they have done before.

So many of our participants are in a transitional job, and many of our employers. The truth of the matter is that many times employers want someone who is going to show up on time, and definitely skill set is an issue, but part of the reason that they are in the training is so that they can gain those skills.

This program, in my mind, is somewhat unique because we also offer occupational skills training. With occupational skills training, we are actually paying our participants while they are in training. Adult based ed and GED classes, our participants are able to work 3 days a week and go to school 2 days a week and continue to be paid as if they are working, because we definitely understand that there is a connection between education and employment, and, more specifically, a career.

We want to make sure that our participants have all that they need, and that is why the numbers are great, because, again, it is not just about unsubsidized employment; it is about transitional jobs, because again that is very important. And keeping them engaged in an activity, that is important.

You mentioned earlier about those who may be incarcerated just sitting around, opposed to someone saying you have to be busy. That is what we do. We keep them engaged in an activity, which in my mind definitely reduces recidivism.

Ms. NORTON. I was going to ask you, Mr. Jones—you didn't lay it out in your testimony—it is very important what you just said how the city, itself, reaches out and becomes the employer of first resort, giving the ex-offender a record of employment, which is the most valuable thing you can possibly have. It sounds like a very good program. I must say I understand why this rate is as good as it is, and the fact that it is subsidized, it is worth it to the taxpayers of the District of Columbia to do exactly what you are doing.

Indeed, I want to ask Mr. Holmes, you seemed to indicate some of your work, first of all, some of it you go into the prisons 3 to 6 months—I think it was you, Mr. Holmes—3 to 6 months, and you spoke of subsidies. Does Goodwill subsidize in the transition some of these employees? For example, Mr. Robinson comes in. He said he told you all straight out he had been convicted of a violent felony, and yet you gave him a chance. What made you do that? Do you have to subsidize? And do you find is that the way you do it? How do you get somebody to take a man who spent a lot of his life in prison, comes out, and comes to you and says, I want a job?

Mr. HOLMES. Delegate Norton, I would love to take credit for his employment. He was employed by the Greater D.C. Goodwill.

Ms. NORTON. I am asking about Goodwill. I am not asking about Maryland in particular, I am just saying with a man like that whose record is long and deep, unlike the other young man who sat beside him, and I want to know if a man like that is employed who is being subsidized, because I know you don't go into the Federal prisons ahead of time, so I wonder how you are able to take a person like that who would normally have a tough time in the market and get him to the point now where he thinks he can go on and find a job outside of Goodwill Industries.

Mr. HOLMES. Our business preference is to help a person gain unsubsidized, full-time employment.

Ms. NORTON. But is he subsidized for the time he is in Goodwill?

Mr. HOLMES. If, in order to attach somebody to the labor market, we need to offer a subsidy, then that is a business practice we have. You said it very well earlier: 3, 6, 12 months of regular employment, giving value to an employer, showing up on time, taking supervision, being part of a team makes you employable in other ways, and employers will start to overlook things in your background.

Ms. NORTON. You know, one of the things people have to do, I don't know if the Second Chance Act provides for subsidized employment, but that is one of the most valuable pieces of information I think that has come out of this. How do you get over it? Why should somebody hire a felon if standing next to him is somebody who doesn't have a felony record? What is the incentive?

Mr. Chairman, if it doesn't——

Mr. DAVIS OF ILLINOIS. All of those concepts are, indeed, a part of the bill.

Ms. NORTON. Thank you very much. That impresses me that might really work.

I have to ask Mr. Torbett, we see that there was an incentive for Home Builders here because, as you say, this is tough work, and we have a soft generation, if you will forgive me. This is high-paying work, but people don't, as readily as their fathers and grandfathers, go into these high-paying jobs. You have to be out there in the heat of the day and you have to be out there when it is pretty cold. So first you have a shortage. But why should an ex-offender who certainly hasn't been exposed to those kind of rigors be—what accounts for your success?

Mr. TORBETT. Well, we expose them to those rigors of working in the industry because they work on work-based learning projects. We treat the training as if it were a job, so we prepare them to go to work. What makes it so——

Ms. NORTON. Are you also subsidized?

Mr. TORBETT. We are contracted to run our program, and our program is job training and job placement, and the job placement is matched up with the home building industry that desperately needs people right now. So in terms of the participant or the student, we would like for them to market themselves with assets. Yes, they have some deficits, but they certainly have some assets. One, they have completed an industry-sponsored program. They get a certificate that is recognized and validated by the home building industry.

Ms. NORTON. That, in itself, is very valuable.

Mr. TORBETT. It is an extremely important marketing tool for them to get a job. They come out of our programs with tools, a starter tool kit worth about $200 that they are able to use to go to work, get ready to go to work.

We recognize that we do a very good job in construction training, but we also like to partner with other groups so there are some accompanying services to help that person become successful.

Ms. NORTON. Thank you very much.

Finally, Mr. Austin, I am going to ask the chairman for another hearing. You raise very complicated issues that go to changes in statutory law that I think may or may not be required, but I would like to ask you about an idea that is apparently already underway, initiated by former Chief of Police Fullwood, who is now a parole commissioner on the U.S. Parole Board, so-called re-vocating people back.

We have some horror stories out here about people who have been out for 5 years, and one dirty urine, maybe some marijuana or something, and so they are back after already showing they can hold a job, let us say, for a number of years. No credit for that time.

Mr. AUSTIN. Right.

Ms. NORTON. That is enough to break anybody's spirit.

Mr. AUSTIN. Right.

Ms. NORTON. What he is doing, apparently, is sanctioning people, putting sanctions on them so that if you meet these sanctions then you will not be re-vocated to prison, lose all your street time, which we are going to try to correct, but in effect that is what it is today.

Do you know about that?

Mr. AUSTIN. Yes. Very familiar with this, and it is a step. Again, there are some new Commissioners at the Parole Commission that are really moving ahead on very progressive stuff.

It is very clear, from a number of States, that we can do things differently with folks on these technical violations. One is what he is doing, which is to keep them out, but the other thing I want to emphasize is, again—and this is happening in a lot of States, but some States are getting away from this—you go back into the prison system and you start all over again almost on a technical violation. That technical violation can break, as you said, break the person. They lose their job, they lose their rental deposits, all that stuff they lose. A lot of States are giving very quick hits now—2 weeks, 4 weeks. What we are finding through the research, that is just as effective, if not more effective, than bringing them in for several months.

This is a very expensive, ineffective policy. I would dare say if you look at it carefully all the program money you want is in this practice. If you were to stop this practice, you would have more than enough program money. You could fund anything you want.

So I take the position there is more than enough money being spent; we are just not spending it very smartly, from an evidence-based, research-based perspective.

I would be glad to work with you and anyone else on crafting what that would look like, and it is stuff that other States are doing. D.C. is really behind the times on this.

I am a D.C. resident, and I was shocked at looking at the length of stay of the D.C. prisoner. It is so far out of line with the rest of the country, it is horrific.

Ms. NORTON. And we think some of that can be corrected, but I must say your suggestion that—and I can understand it as an alternative. Let them take a hit for a week or two. I just think you disconnect. The employer sees that there has been, for whatever reason, even a minor reason, an infraction. It is one thing for somebody who has never had a record to have a minor infraction and to go away for a week or two.

Mr. AUSTIN. Right.

Ms. NORTON. But I just think that unless that employee has proved very valuable—and a lot of people are in fairly entry-level jobs—that the sanction idea, you will do X, Y, and Z, as I think Parole Commissioner Fullwood has it, at least keeps this man saying, thank goodness I do not have to give up a job that was so hard for me to get.

I am really wondering whether any incarceration should be the first thing you try.

Mr. AUSTIN. Let me just clarify. The way it is supposed to be done and the way it is done in other States, if you are low risk, which means you are unlikely to get involved in criminal conduct, you don't come back into the system. The high-risk person, the person that is likely to go out and commit a crime, you have to get their attention.

I think the other side of this is that if you don't do something with that high-risk person and they go out and kill someone—look at Connecticut and you can see what has happened in Connecticut—it will bring the whole system down.

Ms. NORTON. Thank you, Mr. Austin. Those are not the ones. The ones that we are dealing with are so heartbreaking in D.C. First of all, most of these guys are low risk. You know, I don't know about other places, but most of our felons are drug-related felons. Most of them are in there. They are low-level drug peddlers. They may even have done an armed robbery, but in that case there is a different case. But the countless heartbreaking stories of people who for a dirty urine then lose everything back in the can——

Mr. AUSTIN. I agree with what you are saying. I do not disagree at all.

Ms. NORTON. Thank you very much.

Mr. Chairman, may I thank you, because I know that this has been a much longer hearing than you anticipated, but it has been extremely important.

Mr. DAVIS OF ILLINOIS. Let me just ask a couple of questions.

Ms. NORTON. Please excuse me, because I am 10 minutes late for my 6 town meeting. Thank you.

Mr. DAVIS OF ILLINOIS. All right. Thank you very much.

Many of your experiences seem to be much better than experiences of people around the country relative to job placement and the ability of ex-offenders to actually gain employment. There are many places where it is virtually almost impossible because there are barriers that just simply exist. You can't hire at this location, you can't hire at this place. Many employers just simply have strict

policies that simply say we don't hire people with felony convictions.

I am trying to figure out what is it about the environment that is providing opportunity for the kind of success that I am hearing that sounds much better than what I hear in most places throughout the country, especially in most large urban cities where the biggest part of the problem really exists.

So what I am trying to find out: is it because perhaps there has been so much activity or that the environment is a little different? For example, in my State just a couple of years ago there were 59 job titles that a person with a felony conviction could not hold that were licensed by the State, such as cutting hair or painting nails or you couldn't work in any facility at all where health care was being provided, not only in it, but you couldn't work on the grounds. Of course, you couldn't be any kind of professional. You couldn't be a doctor or lawyer or nurse or school teacher or you couldn't be a plumber. You couldn't get a license to be a plumber.

What I am hearing sounds fairly decent in terms of job placement.

Mr. JONES. Chairman Davis, if I can speak, I think for us in the District it is hard. I mean, it is hard. There is nothing easy. Again, as I mentioned, one of the things that has been very helpful for us is that the subsidized employment has been very helpful and the District has been really good about assisting those ex-offenders find employment in reference to public works and some of the agencies that we work with have a pretty good staff that actually go out, and not just in D.C. The truth of the matter is that for all the Federal Government agencies it is very hard to place people in our program, so we are actually out in Maryland and Virginia in maintenance working with apartment complexes, and again the subsidized employment is very, very helpful to us because many of the employers decide to give us an opportunity.

I think with Project Empowerment and the program from the District's point of view, job coaches also are very important, and those are the support that all of our participants receive, and that is someone actually going on their work site. Sometimes you get employers that would say, You know something? I do a lot better with your participant more so than someone just walking off the street.

I think it is about support. Again, we definitely recognize it is not easy, and for us it is really just trying to engage our participants in activities such as GED prep, adult basic ed, to give them hope and opportunity, because we recognize that is important. Just a little bit of hope will take you a long way, and that has been helpful for us.

Again, it isn't easy and we continue to work hard and try to knock down some of those walls when it comes to our participants.

Mr. DAVIS OF ILLINOIS. Is much of the subsidy local, or is the subsidy basically Federal subsidies that come from programs from Department of Labor or Housing and Urban Development?

Mr. JONES. Well, you know, for us, the Department of Employment Services, when there was the welfare to work program it was actually Federal. The District, our funding is actually local.

Mr. DAVIS OF ILLINOIS. But there is some local subsidies also?

Mr. JONES. Yes.

Mr. JACKSON. Yes, Mr. Chairman, and I think the other thing is that what we have here is tremendous collaboration that we have seen emerge over the years between not just DOES and not just CSOSA, but our whole educational continuum, and what we try to do is not simply work with the client while he or she is incarcerated, but we want to work with them when they reenter back into society, and continue to be that buffer to provide them with continuous support.

What we have also found is that even after they are gainfully employed a lot of them are coming back to real challenging experiences, and so you have to have what I call that safety net of continuing support services where they can reach out and gain support.

So I think part of what we have here is two things. One is that we have had truly a robust economic market in this region here, which has led to a lot of job growth over the last 10 years. We are averaging about 20,000 new jobs a year, and so what we have been very aggressively doing is going after employers who are looking at entry-level opportunities. As we are going through doing the assessment skill training and the occupational skill training, we are also providing them with a lot of tailored kind of training for specific industries that they have expressed an interest in working with CSOSA and working with DOES and our other partners.

We have had some success in placing some of our hard-to-employ residents who are returning back to the city. It is not an easy job. It is one that we have to go after every day continuously.

The good thing is that we have now pre-screened some employers who have at least given us some verbal commitments to hire some of our returning offenders if they meet a certain threshold of qualifications.

Mr. QUANDER. If I may, Mr. Chairman, the issue that you identify as legislation that was barring returning offenders from certain professions, we identified that early on as a barrier, and, as other members of this panel have suggested, we worked with a number of partners, and one of those partners that we worked with was the City Council of the District of Columbia. We asked them to take a look at that legislation and, in fact, they did, and they modified the language and removed a number of the barriers for certain positions such as barbering and beauticians and other sorts of positions, just as you have indicated.

One of the other areas that we have really worked with our partners in the Department of Motor Vehicles is we take for granted the ability of returning offenders to have any type of identification. They don't have any, and without that identification you are not going to get a job. So we have been able to work with the Department of Motor Vehicles so that they can get a non-driver's identification, and if they apply for it within 30 days the fee is waived.

We are doing some of the verification that the Department needs as far as name, address, Social Security number, because oftentimes they lose their papers.

The other thing that Mr. Jones mentioned is skill sets. Our offenders can get a job; the question is: can they maintain it and

then buildupon it? We need to utilize services such as job coaches and others to enhance our ability to do that.

The fourth thing that leads us back to our premise is that our guys need to get as much education, job skills, other things that will enhance their abilities to get and maintain a job while they are sitting in a prison.

Mr. DAVIS OF ILLINOIS. Mr. Torbett.

Mr. TORBETT. Mr. Chairman, working for the home building industry, we have the luxury of working with an industry that may have traditionally been more accepting of the offender populations, so we have an in-road with the employers who are members of our association, and that helps us out. Plus, they know about what we do, so they support us. Workforce development is our mission, and finding a skilled labor force has been one of the top business priorities over the past several years.

From a programmatic standpoint, to concur with Mr. Jones and the last gentleman who spoke, we hire professional staff who know what job development and job placement is all about. Essentially what they are is sales people. You have to instill in them that the product that they are selling are people with skills and abilities and assets that can help an employer make money.

So it is having dedicated, committed professional staff with an industry that needs people is I guess our secret to our success.

Mr. DAVIS OF ILLINOIS. Well, I thank you very much. I was very interested in some of the comments that Mr. Austin had made relative to the length of stay and time that I think oftentimes is wasted, especially after individuals have been incarcerated for a long period of time and have also reached certain levels of maturation that in all probability reduces them in terms of any kind of risk. Yet, we are continuing to hold them. I think, in terms of reform, that, too, is one of the areas that we seriously need to look at.

Let me just thank all of you for the patience that you have displayed this afternoon. We have been here for a long time, but I think the information that you have shared, even though we were talking principally about the District of Columbia, in a sense it mirrors the entire country, and so we were talking about problems that affect in a serious way the whole country, as well as our corrections system, and even beyond that, our criminal justice system, and even beyond that our sense of what is justice in our country.

I appreciate you very much.

While I am at it, let me also thank our staff, who have labored long and hard to put together the information that is needed and have caused this hearing to take place.

I thank all of you for coming. This meeting is adjourned.

[Whereupon, at 6:25 p.m, the subcommittee was adjourned.]

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