



*Changing Lives, Minds, and
Communities through Jesus Christ*

Mark L. Earley
President/CEO
44180 Riverside Parkway
Lansdowne, VA 20176
703.554.8402 main
703.554.8658 fax
www.pfm.org

Testimony of
The Honorable Mark L. Earley, President of Prison Fellowship
To the
Subcommittee on Federal Workforce, Postal Service and the District of Columbia
June 10, 2008

Mr. Chairman and members, I am Mark Earley, and I serve as President of Prison Fellowship, a ministry to prisoners and their families.

Thank you for holding this hearing today. This follows up on the important step Congress took in passing the Second Chance Act, which will focus our prisons on preparing inmates for their release. I applaud you Mr. Chairman and all the members who worked so hard to pass that historic, bi-partisan legislation, and I thank you for holding this important hearing today. A good job is an essential element in the successful return to the community from prison. Finding a stable and adequate income upon release could well determine whether an offender makes a successful transition or not. Holding a job lessens the chances of re-offending.

Finding employment has a direct and positive impact on the viability and stability of ex-offenders, their families, and communities. Jobs provide ex-offenders with money for rent, food, and support of their family. Jobs often include medical coverage for the worker and their family – not to mention the dignity and self-worth any job imparts.

Unemployment makes the returning prisoners a financial drain on their family and often leads to resentment of those who have to contribute to their support. It leaves the ex-offenders feeling inadequate, and further lowers their feelings of self-worth, already very low as a result of their incarceration.

Work also fills the day with productive activities and puts ex-offenders in contact with people in the mainstream of society. Idleness is destructive, particularly for former inmates, who leave the strict control of prison life to suddenly confront unending hours of unstructured time. A job gives them the structure they need and helps them stay out of trouble.

Even if a prisoner held a job before their incarceration, they are confronted with many barriers to employment when they return. Some impediments are longstanding: for instance, poor job skills; low education levels; unstable family situations; histories of substance, physical and sexual abuse; and medical and mental health issues. Other impediments result directly from their crime and imprisonment, such as lost time in the labor force and the social stigma of being an ex-con.

In addition, returning inmates face a significant number of systemic barriers to employment. The federal government and most of the states have laws that prevent ex-offenders from holding jobs in certain environments such as schools, nursing homes, and hospitals.

Many states even exclude ex-offenders from being barbers or cosmetologists, the very skills many inmates develop inside prison. These “invisible punishments” may make sense for offenders whose criminal history would pose a threat in particular types of work, but blanket prohibitions needlessly limit the job prospects of returning inmates. Should someone who passed bad checks be prevented from cutting hair?

On the other hand, the Transportation Security Administration has taken the right approach by only disqualifying offenders with serious felonies from working as maritime, air, and rail transport workers, or as truckers.

It would be good if these flexible standards that were developed for transportation industries also applied to other work regulated by the federal government, such as education, health care, and financial institutions. And certainly the federal government should revise its rules so that only criminal activity related to the job would disqualify an ex-offender.

Even in government positions, there are barriers to employment that have no relation to the offender’s crime. To the extent that such issues prevent an offender from finding a job, they also present serious risks—and lost opportunities—for the communities to which large numbers of prisoners return.

Earlier this year, Congress enacted as part of the Court Security Act a requirement that the Justice Department compile and study the collateral consequences of conviction in all 50 states and in federal law. Despite this statutory mandate, the Department of Justice is not proceeding with the study.

The American Bar Association takes the position that each person should be given fair consideration, and disqualified only if their criminal conduct bears a direct and substantial relationship to the opportunity or benefit at issue. It has urged jurisdictions to repeal laws having sweeping exclusionary effect, and to consider each person on his or her own merits. It has also urged jurisdictions to inventory their collateral consequences, and repeal those laws that are overbroad and unfair. Finally, it believes that every jurisdiction should provide a way of avoiding or mitigating the harsh consequences of these exclusionary laws.

The underlying, but unstated philosophy behind many restrictions on employing ex-offenders is a vague fear that because the offender once broke the law they can never turn their life around and be trusted to make moral decisions. The fact is, though, that there are many inspiring stories of formerly incarcerated people who have made great contributions to society after their imprisonment. And there are many businessmen who

have hired ex-offenders and found them to be among their most loyal and trusted employees.

Just one example is John Sheehan, a former member of the Federal Reserve Board of Governors. He owns Korns Galvanizing in Pennsylvania, and over half of his employees are ex-offenders. He wrote to us that they are loyal and hard working. One of his employees did 17 years for armed robbery, and is now the manager of Korns' floor operations. He says hiring ex-offenders can make good business sense and promote justice in the community.

If it makes good sense for a private sector firm, it also makes sense for the government. It would be very helpful for this Subcommittee to examine federal laws and regulations to catalogue the positions that prevent a person with a record from working for the federal government, and consider removing all prohibitions that don't relate logically and directly to the crime committed.

Not only direct but indirect barriers make getting a job extremely difficult. Many offenders are released without a driver's license or state-issued ID card. Today it is virtually impossible to open a bank account, rent a motel room, or board a bus without a picture ID. Identification papers are also needed to cash a check and access medical services and employment assistance. Without an ID, the ex-prisoner is stranded. It would be very helpful if the Bureau of Prisons as a matter of policy ensured that each prisoner had a valid ID card prior to release.

The general lack of job-placement assistance and other follow-up after release from prison is one cited reason that job training has not been more effective in reducing recidivism. This follow-up is particularly important for employers who indicate a willingness to hire former prisoners if someone is available to work with the new hire to help avert problems.

Because companies are not equipped to help inmates deal with the many non-job related problems confronting them, employers are far more willing to hire ex-offenders if they know that a system is in place to hold them accountable for their actions and help with problems that may arise. That is one of the reasons mentors are so important for ex-offenders to get and keep a job. Mentors not only help the returning offenders think through the choices that confront them, but also act as an intermediary if problems arise on the job.

I cannot stress too emphatically the role of mentors for returning inmates. For over thirty years Prison Fellowship has worked with prisoners and their families. We have found that matching inmates with a mentor is essential to their successful return to the community. They can "meet them at the gate" and help them make choices immediately after release that ensure success and not failure. Of prisoners released over half are re-arrested within the first six months. That is not much time to turn their lives around. As we all know, of the 700,000 inmates released in the U. S. this year, two-thirds will be re-arrested and one-half will return to prison within three years.

If an offender gets off the bus alone, they face several critical decisions: Where will they live, where will they be able to find a meal, where should they look for a job, how will they get from one place to the next, and where can they earn the enough money to pay for these necessities? These returning inmates are also confronted with many details of personal business, such as obtaining various identification cards and documents, making medical appointments, and working through the many everyday bureaucratic problems that occur during any transition. These choices prompt feelings of intense stress and worry over the logistics of their return to the outside world. To someone who has had no control over any aspect of their lives for many years, each of these problems can be vexing. In accumulation, they can be overwhelming.

In our experience, it is during their difficult first days on the street, that returning prisoners are most at risk for re-arrest and need relationships with loving, moral adults who will help them reenter society successfully. A mentor provides stability and companionship at a time of acute vulnerability.

Programs are helpful, but a program cannot love these former inmates; only people can do that. Local faith communities can provide these men and women with the love, encouragement, and assistance that they so desperately need.

By linking returning offenders with mentors from their community, churches can partner with government to help offenders get and retain a job. Here in Washington D.C. the Court Services and Offender Supervision Agency (CSOSA) has made a priority of working with local churches to assist offenders in making the transition from prison to the community. Their success is a tribute to their vision, and also their hard work, in building excellent relationships with local churches. CSOSA has knit churches into the fabric of their services; so that there is a seamless delivery of assistance to the ex-offenders they supervise.

In St. Louis, the Chief Probation Officer of the U.S. District Court has forged a partnership with local businesses and churches to prepare, match and place inmates with jobs. The unemployment rate among the offenders they supervise is one-fourth of the unemployment rate of St. Louis as a whole. That is truly remarkable.

The importance of mentors to returning prisoners was stressed by Dr. Byron Johnson, Professor and Co-Director of the Institute for Studies of Religion at Baylor University, in his recent study of the Texas InnerChange Freedom Initiative (IFI), the reentry program operated by Prison Fellowship under contract with the state. Dr. Johnson's study, at the University of Pennsylvania, found that IFI graduates were two and a half times less likely to be reincarcerated than inmates in a control group. The two year post-release reincarceration rate among IFI graduates in Texas was 8 percent, compared with 20.3 percent of the matched comparison group. Indeed of the inmates matched with mentors, the recidivism rate after two years was only four percent.

Dr. Johnson emphasized that mentors were "absolutely critical" to the impressive results. The support and accountability provided by mentors often make the difference between a

successful return to society and re-offending. As these offenders make the difficult transition back into the community, they need relationships with caring, moral adults. The greater the density of good people we pack around them, the greater the chance that they will be successfully replanted back into the community.

A mentor can help the ex-offender think through employment options and tell them what their employer will expect of them on the job. Many offenders have never had someone in their lives who has held a steady job. They have no model for being a good employee. A mentor can teach them that they need to get up on time, go to work each day, and call their supervisor if they must be late or absent. The offender may find it difficult to take direction or may lack skills to cope with a difficult boss or fellow employees. A mentor can help them with these and other everyday difficulties of the workplace and teach them the importance of punctuality, politeness, and diplomacy on the job.

Mentors can also help the offenders learn decision-making skills and teach them how to keep track of bills and pay them on time. In prison, inmates do not have to deal with any of this. On the street such details may quickly overwhelm them. In short, offenders need to be taught how to make good choices, handle responsibility, and be accountable—to make the right choice even when no one is looking.

Mentors also help returning inmates deal with many of the personal problems they typically encounter upon leaving prison: no reliable friends outside their former gang network, marital problems, and no easy way to get on with life. While mentors provide a much-needed emotional safety net for returning felons, they should not be taken in by “poor me” stories. As one of the mentors working with a member of the IFI program in Houston said, “When a guy tells me his boss is mean or that his sister is going to kick him out of her house if he doesn’t get a job, I tell him to deal with it. I point out that he has made a lot of mistakes and that he’s going to have to do whatever it takes to change his life.”

Mentors teach returning inmates their responsibilities as an employee. Many prisoners have never had a job. And in many cases they have never lived with an adult who holds a steady job. Few inmates engage in any type of meaningful work experience or vocational education while in prison. In a 1997 survey, just over half of all soon-to-be-released prisoners had a work assignment in prison, only 35 percent had participated in educational programs, and only 27 percent had received any vocational training.

Mentors also teach them what their employer will expect of them: They need to show up on time, put in a day’s work for a day’s pay, and inform their employer if they will be absent or late. They teach them to be honest, not to pilfer from the storeroom or the cash register. They need to know that character is what you do when no one is looking. To us these seem obvious standards of employee conduct, but to someone who has never had a working adult as a role model, it is new territory.

In addition, mentors educate offenders about the “job of getting a job:” helping them develop their sense of purpose with daily lists of things to do to find a job; and, providing

resources such as computers for writing résumés and cover letters. Mentors can help them prepare to explain their criminal background and their desire to restructure their lives, plus help them overcome the procrastination, fear of rejection, and discouragement that can sabotage any job search process.

I want to emphasize that removing barriers to employment is very important, but it is just the first step. We also must make sure that the returning inmates have a person to help them prepare for their job and provide them guidance on making good, moral decisions. We can all remember a teacher, coach, or neighbor who believed in us and helped us believe in ourselves. That is exactly what returning offenders need, yet most have never had someone like that in their lives. Mentors can fill that void. A loving mentor lets returning inmates know that the community is invested in their success. Mentors provide the love that St. Paul asked Philemon to give to his returning cellmate, Onesimus: “So if you consider me a partner, welcome him as you would welcome me.”

Again, thank you Mr. Chairman and members for your leadership in helping ex-offenders turn their lives around and become contributing members of our community.