

**Testimony for CJS Hearing on Reentry
March 11, 2009**

**Safer Communities and Fewer Victims: Prison Fellowship's Experience
Helping Prisoners Reenter Society Successfully**

Chairman Mollohan, Ranking Member Wolf and honorable members, I am grateful to have this opportunity to share some thoughts on how we can make our communities safer and reduce the number of victims by helping offenders make a safe and successful transition from prison to the community.

My name is Pat Nolan. I am a Vice President of Prison Fellowship and serve as President of their criminal justice arm, Justice Fellowship. I bring a unique background to Prison Fellowship. I served for 15 years as a member of the California State Assembly, four of those as the Assembly Republican Leader. I was a leader on crime issues, particularly on behalf of victims' rights. I was one of the original sponsors of the Victims' Bill of Rights (Proposition 15) and was awarded the "Victims Advocate Award" by Parents of Murdered Children.

I was prosecuted for a campaign contribution I accepted, which turned out to be part of an FBI sting. I pleaded guilty to one count of racketeering, and served 25 months in a federal prison and four months in a halfway house. During my time in prison, I had an opportunity to see the impact of the programs that I had so ardently supported while in the legislature. What I saw troubled me, because I observed that little was being done to prepare my fellow inmates for their release.

Now, God has placed me in a position that I can share my observations with you, drawing on all my experiences as a lawyer, legislator and prisoner to help you improve our justice system. I work with government officials at the federal and state levels, helping them develop policies that repair the harm done to victims, reform the hearts of offenders, and, in doing that, restore peace to communities. For the last three years, my efforts have been devoted largely to helping government leaders refocus their policies and resources to better prepare inmates for their return to freedom.

I have traveled to 20 states, working with governors, attorneys general, directors of corrections, judges, victims, legislators, prosecutors and pastors to help them develop programs that are proven to help offenders become law abiding citizens. I am honored to have this opportunity today to share some examples of programs that work in turning offenders into good neighbors.

First, I would like to compliment you and the entire Congress your focus on prisoner reentry, both for the passage of the Second Chance Act, and by following up with these hearings to ensure that the most effective reentry programs are the focus of the BOP and state prison systems.

The scope of prisoner reentry is enormous. Nationally, more than 700,000 inmates will be released from America's prisons this year. To put that in context, that is three times the size of the U.S. Marine Corps. That is an average of over 1,900 offenders per day returning to neighborhoods across the country. This is not early release. These prisoners have served their term. We are now dealing with the back end of the policies of longer sentences and mandatory minimums.

The key questions are: "What kind of neighbors will these returning inmates be? What has been done to prepare them to live healthy, productive, law-abiding lives? Each of us has a stake in seeing that these men and women make a safe and successful return to their communities.

But that transition is very difficult for prisoners to do. Most offenders are released after years in overcrowded prisons where they were exposed to the horrors of violence—including rape—isolation from family and friends, and despair. Most inmates are idle in prison, warehoused with little preparation to make better choices when they return to the free world. Just one-third of all released prisoners will have received vocational or educational training in prison.

The number of prisoners released is now four times what it was 20 years ago, yet there are fewer programs to prepare them return to their communities. While approximately three of every four inmates released from prison have a substance abuse problem, only one in five has received drug treatment.

These men and women face additional barriers, often called "invisible punishments": They are frequently denied parental rights, driver's licenses, student loans, the right to vote, and residency in public housing—which is often the only housing that they can afford.

Further, little is done to change the moral perspective of offenders. Most inmates do not leave prison transformed into law-abiding citizens; in fact, the very skills inmates develop to survive inside prison make them anti-social when they are released. Most are given a bus ticket to their hometown, gate money of between \$20 and \$200, and infrequently a new set of clothes. Upon leaving prison they will have great difficulty finding employment.

If we do not prepare these inmates for their return to the community, the odds are great that their first incarceration will not be their last. The fact of the matter under current prison policies most of the inmates who are released *will* commit more crimes. The statistics tell the story. The Bureau of Justice Statistics found that two out of three released inmates were rearrested within three years, victimizing more innocents in the process. Over the last 30 years, the rate of rearrest has hovered stubbornly around 67 percent. If two-thirds of the patients leaving a hospital had to be readmitted soon thereafter, the public would quickly find a new place to be treated. If we are to have safer communities, we must find a different way to prepare inmates for their release.

The moment offenders step off the bus 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 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.

My own experience provides a good example. Shortly after my release from prison to the halfway house, some friends took me to lunch at a local deli. The waiter came over to take our orders. Everyone else told him what they wanted, but I kept poring over the menu. My eyes raced over the columns of choices. I knew that I was supposed to order, but the number of options overwhelmed me. My friends sat in embarrassed silence. I was paralyzed. The waiter looked at me impatiently. I began to panic. How ridiculous that I wasn't able to do such a simple thing as order lunch. Finally, in desperation I ordered the next item my eyes landed on, a turkey sandwich. I didn't even want it, but at least it put an end to this embarrassing incident.

For two years I hadn't been allowed to make any choices about what I ate. Now I was having a hard time adjusting to the simple options most people face every day. If I had this much difficulty after only a couple of years in prison, think how hard it is for those inmates who haven't made any choices for five, ten, or fifteen years. When faced with a baffling array of options, is it any surprise that so many newly released prisoners make some bad choices and end up back in prison?

The choices offenders make immediately after release are extremely important. Of the ex-prisoners who fail (that is, are rearrested), over half will fail within the first six months. That is not much time to turn their lives around. One study of rearrests in New York City found that the rate was especially high during the first hours and days following release. This early window of time is the most intense period for ex-prisoners, when they may be overwhelmed by the accumulation of large and small decisions facing them. On average, ex-offenders have only a one-in-three chance of getting through their first three years without being arrested.

As the number of people released from prison and jail increases steadily, we cannot afford to continue to send them home with little preparation. These policies have harmed too many victims, destroyed too many families, overwhelmed too many communities, and wasted too many lives as they repeat the cycle of arrest, incarceration, release and rearrest. The toll this system takes is not measured merely in human lives: The strain on taxpayers has been tremendous. As jail and prison populations have soared, so have corrections budgets, creating fiscal crises in virtually every state and squeezing money for schools, health care, and roads from state budgets.

It does not have to be this way. Fortunately, there are many things that the government in partnership with the community, and in particular our churches, can do that increase the likelihood that inmates will return safely to our communities.

Prison Fellowship has identified six “best practices” that we believe are applicable in almost any prison setting to achieve transformation in the lives of prisoners resulting in lower recidivism and greater public safety.

- Community- men or women living together on a floor, wing, or building with the intentional purpose of transforming their lives with an agreed upon set of principles.
- Consistency- being able to work with prisoners on a frequent and consistent basis – daily if possible.
- Character—a focus on the moral and personal issues that led to criminal behavior.
- Comprehensive – holistic in approach, including spiritual formation, education, vocational training, substance abuse treatment, life skills training, parenting training, etc.
- Continuous – it begins in prison and continues in as they are released from prison into the community.
- Collaborative— it is a collaborative process that must involve many individuals, government agencies, the business community, faith based institutions, and non-profits.

These practices have been developed while Prison Fellowship has operated a reentry program in cooperation with the Texas Department of Criminal Justice. In the InnerChange Freedom Initiative (IFI), offenders are immersed daily in values-based teachings grounded in a biblical perspective and are required to work and improve their education. The second half of the program includes six months of community service outside the prison. While still in prison they are paired with a mentor from a local church who works with them on developing life skills to prepare them for life in the free world. The program continues after the inmate is released with continued guidance from their mentor along with support from a local church.

Dr. Byron Johnson while at the University of Pennsylvania conducted research on the graduates of IFI-Texas. Dr. Johnson’s study followed IFI graduates for two years after their release and compared them to inmates with similar backgrounds and offenses who had not participated in IFI. The study found that:

- InnerChange Freedom Initiative graduates were two times less likely to be rearrested. The two-year post-release rearrest rate among InnerChange Freedom Initiative

program graduates in Texas is 17.3 percent, compared with 35 percent of the matched comparison group.

- InnerChange Freedom Initiative graduates were two-and-a-half times less likely to be re-incarcerated. The two year post-release reincarceration rate among InnerChange Freedom Initiative program graduates in Texas is 8 percent, compared with 20.3 percent of the matched comparison group.

These findings present significant implications for our communities. Fred Becker, the first warden at IFI-Texas noted that, “All but one thousand of Texas’s 143,000 prisoners have an eventual release date. It’s up to us to determine what kind of shape they come back to the world in. If we can stop only 10 percent of those inmates from re-offending, it will mean thousands of citizens who never become victims of crime. InnerChange is a step in that direction.”

From his interviews with the IFI participants, Johnson identified five “themes” that are associated with successful rehabilitation, each one of them a part of the IFI teaching:

- a willingness to condemn their previous behavior;
- recognition that life is a “work in progress” and that spiritual growth is a lifelong process;
- replacing the values of prison society with something more worthwhile;
- developing a sense of hope and purpose; and
- sensing the need to give back to society.

One doesn’t have to be a believer in the power faith to appreciate the benefits that IFI is providing to the community: fewer victims, safer neighborhoods, reduced court cases, and fewer prisoners. In an editorial titled “Jesus Saves,” the Wall Street Journal wrote, “. . . critics of the faith-based approach may claim that their only issue is with religion. But if these results are any clue, increasingly the argument against such programs requires turning a blind eye to science.”

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.

Moving from the very structured environment of prison, in which they had virtually no control over any aspect of their lives, inmates returning to their community face a myriad of options and temptations. Such basic decisions as where to sleep, where to seek employment, and with whom to associate confront them the minute they hit the street. They need the love, advice, and encouragement of a mentor. And they need someone to hold them accountable.

The numbers bear stark witness to the importance of inmates maintaining their relationships with their mentors: Only inmates who completed the entire program (including continuing their work with their mentors after release) were less likely to recidivate. Those who left the program early had recidivism rates that were virtually the same as those who did not participate in the program at all. Mere participation in a portion of IFI is insufficient to transform most inmates.

The most effective mentoring relationships begin while the offender is in prison, where the mentor and offender can develop rapport. IFI recruits members of local churches to give at least one hour a week to mentor the IFI inmates, both while they are still incarcerated and after they return to their community. In his interviews with the IFI participants, Dr. Johnson found that the mentors' weekly visits were very important to the inmates. "Without exception, IFI participants have indicated the critical impact volunteers have made in their lives. The sincerity and time commitment of volunteers has simply overwhelmed program participants."¹ The benefit of these relationships with their mentors derives not only from the things discussed, but also for the love conveyed. By faithfully keeping their commitment to the weekly mentoring sessions, the mentors show a commitment to the inmates that many have never experienced before in their lives. As Dr. Martin Luther King, Jr., said, "To help someone, you must first love them, and they must know that you love them."

By holding offenders accountable to "make things right" with their victims, challenging them to change their lives and by connecting them with a mentor to assist them as they return to their community IFI is the embodiment of principles of restorative justice.

Prison Fellowship has adapted the lessons we learned in IFI and are now applying them in communities across the country. We are collaborating with local non-profits to create "communities of care" to assist returning inmates in obtaining housing, medical care, job placement, and drug treatment. Most important, we try to match them with mentors who will help the offenders develop a life plan and think through the choices they face. The mentors help them strategize on how to accomplish tasks such as opening a bank account and obtaining a drivers license, and also hold them accountable to keep appointments with their probation officer and show up for work on time. We have found that while the offenders need programs to assist them in their transition home, they need healthy relationships even more. Dr. King said, "To change someone, you must first love them, and they must know that they are loved." Our mentors provide that love which is so essential to returning offenders.

It is important that government officials understand the essential role that the faith community plays in reentry. It is often tempting for the government to view religious groups as an auxiliary of the state; a cheaper way to provide services that the government can't otherwise afford. That attitude misses the reality that faith based groups provide some things that government programs simply cannot -- love and hope. The truth is that volunteers in prison, even those that are involved in secular programs, are overwhelmingly people of faith. They are motivated by their love for the prisoners as

children of God, who bear His image and likeness. They care about those whom Jesus called "the least of these my brothers." As Dr. John DiIulio famously said, "The last two institutions to leave the inner city are liquor stores and the Church." Governments need to deal with faith based groups as a partner which provides things that institutions can't, rather than a useful tool in their correctional kit.

In addition to faith based programs, I would like to call to your attention two others that have had remarkable success helping inmates successfully transition from prison to the community.

The first is Family Justice, which established La Bodega de La Familia in New York City. La Bodega opened in 1996 as a project of the Vera Institute of Justice to test an idea: Could they, by joining with local law enforcement, tap the strengths of families to reduce our reliance on incarceration in a neighborhood with concentrated poverty? Could they improve family well-being while making the neighborhood safer? They included a wide range of stakeholders, including residents, local businesses, drug-treatment providers, clinics, law enforcement, and housing providers in planning and developing their program.

The impact of La Bodega has been very impressive. A study of the participants showed that "family members participating in the program obtained medical and social services they said they needed at significantly higher rates than those in the comparison group, and they showed a significantly stronger sense of being supported emotionally and materially in their social relationships. At the same time, the percentage of Bodega participants using any illegal drug declined from 80 percent to 42 percent, significantly more than in the comparison group. Arrests and convictions were also lower among drug users participating in Bodega over six months."

When La Bodega was founded in 1996 the area was one of the greatest consumers of criminal justice dollars citywide. Now, NYPD reports that crime has decreased dramatically. In the 9th precinct, where La Bodega was established, the rate of arrests for index crimes including murder, rape, and felony assault decreased by more than 59 percent from 1995 to 2008.

The essential difference between La Bodega and other programs is that they treat the family as a whole, providing drug counseling, conflict resolution and health assistance to all the family, not just the offender. Family Justice makes materials and training available to other communities, which is a tremendous help.

Another excellent program is operated by the Chief Probation Officer of the Federal District Court for the Eastern District of Missouri. The focus of the District's Probation Officers is on helping their charges find employment. The Probation Office has organized community and faith based groups to assist the offenders in assessing their skills, writing their resumes, honestly discussing their conviction and explaining how they have changed. They are also coached in how to handle an interview, and provided clothes that are appropriate for the job being sought. The effectiveness of the program is clear. The

unemployment rate for those supervised by that district's probation officers is less than the rate for the general population, and it has been lower each of the last four years. This is an astounding accomplishment. I am not aware of any other jurisdiction in the U.S. in which offenders have a higher rate of employment than those without a criminal record.

The Pew Center on the States released a report last week "One in 31: the Long Reach of American Corrections". It chronicled the astounding number of Americans under correctional control; 200 million in prison and jail, and 500 million more under supervision in the community. The Pew Report also lays out in stark numbers and graphs the paucity of funding for supervising offenders after their release. While there are twice as many offenders being supervised in the community as there are in prison, community corrections receive only 10% of total corrections dollars. If offenders on probation are to stay on the straight and narrow, we need to put more resources into lowering the case loads of probation officers and expand the availability of drug treatment. Congress has taken a first step by funding the Second Chance Act. However, it should be noted that the \$25 million for Second Chance Programs in the Omnibus spending bill is only 4/100ths of 1 percent of the \$62 Billion spent on prisons in the US. But at least it is a start.

Thank you for your leadership on reentry, and I look forward to continuing to work with you and your staff to help prisoners return safely to their communities and become contributing members of society.