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*Empowering Communities.
Changing Lives.*

**TESTIMONY OF
HON. MARC H. MORIAL
PRESIDENT
NATIONAL URBAN LEAGUE**

**Before the
HOUSE SUBCOMMITTEE ON CRIME, TERRORISM AND HOMELAND
SECURITY**

**Hearing on
“Federal Prison Industries - Examining the Effects of Section 827 of the National
Defense Authorization Act of 2008”**

May 6, 2008



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Chairman Scott and Ranking Member Gohmert, I am Marc Morial, President of the National Urban League, and I am pleased to be with you today. With affiliates in 102 locations across the nation and over 15,000 community volunteers, the National Urban League is dedicated to the pursuit of economic self-reliance and equal opportunity for African Americans. Our 5-point empowerment agenda includes: economic empowerment, education and youth development, health and quality of life, civil rights, and racial justice and civic engagement.

One example of our commitment to this agenda and our understanding of the needs of young people at risk of falling into the cycle of criminal behavior and incarceration is the Urban Youth Empowerment Program (UYEP). This important program provides guidance to adjudicated and/or “at-risk” young adults, between the ages of 18 and 21. Through Urban League affiliates throughout the country, the UYEP program offers services to underprivileged and inadequately educated young adults, such as GED attainment and access to post-secondary education, workforce preparation through internships and community involvement and personal development to provide guidance on civic responsibility and financial management. To date the UYEP has proven to be quite successful and has produced effective results. According to a progress



report issued in December 2007, 49 percent of participants have attained employment, GEDs, post secondary education and military enlistment, upon completion of the program. Twenty-two percent of the participants have earned GED/high school diplomas, and the average participant has increased his/her reading or math level by one grade. In addition, 186 participants have entered into post-secondary schools through the program, and recidivism rate for UYEP participants who were ex-offenders is an astonishingly low 9.7 percent.

Through our work in this program we have developed some depth of understanding in what works and what does not work in the area of workforce training and development. In short, we know that workforce training and education programs work, and with specific implications for this hearing, we cannot afford to degrade or kill one of the most important federal program for federal inmates, the Federal Prison Industries program (FPI).

Mr. Chairman, from our perspective the federal prison system is broken. More often than not, our prisons reinforce criminal behavior rather than help correct it. Because rehabilitation opportunities for inmates are so limited, the system seems to doom them to being swallowed by a cycle of criminality that is devastating our communities and is crippling our nation. According to the Bureau of Justice Statistics over 60% of inmates are rearrested within three years after their release from prison. Clearly, if we grade our nation on its ability to rehabilitate inmates, we are failing miserably.

Since the 1950's, one of the nation's only large-scale efforts at rehabilitation in our federal prisons has been the Federal Prison Industries (FPI) program. Although, like any national program, it needs to be adjusted and perfected from time to time in order to accommodate new knowledge and other changing factors, FPI has demonstrated a clearly positive impact on the prison system and especially on recidivism rates. As the largest federal program aimed at rehabilitation of inmates, Congress should take extraordinary



care in changes to the program and recognize that any such changes will have major impacts on our urban communities. Changes to FPI should not be made in a piecemeal fashion, in unrelated legislation, or in the secrecy of a committee markup that is closed to the public.

The Bureau of Justice Statistics reports that the incarceration rate for black men (3,042 per 100,000) is nearly 6 times the rate for white men (487 per 100,000) and more than twice the rate for Latinos (1,261 per 100,000). Black men make up 37% of the prison population and are the largest single group in the federal and state prison systems. This disproportionate share of the inmate population causes cascading problems in African American communities and results in a major drag on our larger society as a whole. Today, there are over 200,000 inmates in federal prison. These inmates are a drain on our collective resources. They cause family and child development disruptions and they represent gaping holes in the fabric of our communities.

Unfortunately, our corrections system does little to remedy this monumental problem. For most inmates, our prison system fails to help them return from prison and become productive members of society. Prisons often do more to reinforce criminal behavior than to rehabilitate their inmates. Prisons block prisoners from fulfilling the natural compelling human need to be productive. They dehumanize and demoralize inmates and give them very few opportunities for a positive outlet of their physical and intellectual energy. Without the opportunity to do meaningful work, inmates become more dangerous and their pathway toward reconciliation with society becomes much more difficult.

Although there may not be a single solution to this problem, we must take full advantage of programs that have a proven and reliable positive impact. Federal Prison Industries (FPI) has an excellent record of success and is one of the most important and well constructed programs in the federal prison system. FPI provides federal inmates



with one of the few opportunities they have to be truly productive and contribute to something larger than themselves. In short, FPI allows prisoners to maintain and in some cases regain a sense of pride and their connection to our larger society.

Inmates participating in FPI are required to achieve their high school diploma or equivalent and must remain on good behavior to remain in the program. Although FPI pays only a small wage to the inmates, it is an important source of funds for the payment of child support and other court ordered fines and fees. These payments certainly do not represent a replacement of these people from being fully contributing members of our communities, but they do help to limit the considerable damage that results from their incarceration.

We know that FPI works. The most recent comprehensive study of the program by the Bureau of Prisons found that inmates in FPI are 24% less likely to return to prison after their release and 14% more likely to maintain a job after release than those without FPI experience. Moreover, the study found that working in FPI is more important to minority inmates who are at a greater risk of recidivism.

Over the last several years, Congress has made several piecemeal changes to FPI which have resulted in a significant deterioration of the program. These changes have resulted in the closing of sixteen FPI factories and the loss of over 2,000 prison jobs. Today, less than 18% of eligible federal inmates can be accommodated by the program. Recent changes included in the 2007 National Defense Authorization Act will degrade the program even further.

Although it is possible that changes to FPI may be warranted and might even be desirable, such changes should not be made lightly. Any changes to this extremely important program should be fully and cautiously considered by this committee and should be carefully weighed against their impact on the health of our urban communities.



Any changes to the program should not be made (as were the most recent statutory changes in the National Defense Authorization Act) in unrelated legislation by committees with no jurisdiction over the prison system, and without full public hearings and open debate. The issue is simply too important to our communities and to our country for these changes to be made in the dark.