

Reentry Toolkit

for

United States Attorneys' Offices



August 2011



Office of the Attorney General
Washington, D. C. 20530

August 30, 2011

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM:  THE ATTORNEY GENERAL

Subject: Reentry Toolkit

I am pleased to present you with the “Reentry Toolkit for United States Attorneys’ Offices.” I encourage you and your staffs to use this valuable resource. It is my firm belief that participation by United States Attorneys’ Offices in reentry programs helps improve public safety by lowering recidivism and reducing future victimization. Reentry is an integral part of the United States Attorneys’ three-pronged anti-violence strategy that was announced in November 2010, at the United States Attorneys’ Conference. This strategy is built upon enforcement, prevention, and reentry. Reentry may also help reduce costs associated with our criminal justice system and increase our effectiveness in making ex-offenders more productive members of society.

The toolkit provides the United States Attorney community with a wide variety of examples of the great work already being done in many United States Attorneys’ Offices. It includes links to the program documents that are used in an assortment of reentry courts, as well as links to program assessments and evaluations, press accounts, meeting agendas, and talking points. The toolkit covers not only federal reentry courts, but canvasses the work done by United States Attorneys’ Offices to support state and local reentry efforts. The toolkit links to “Reentry Mythbusters,” useful fact sheets that debunk a series of reentry misconceptions, and it provides a thorough description of the Federal Interagency Reentry Council, which I chair. Finally, the toolkit links to a host of additional resources, including reentry training videos and numerous reentry websites.

I encourage you to use this toolkit to explore ways in which you might undertake or expand reentry efforts in your district.

REENTRY TOOLKIT

Sections I through III provide information on the broad scope of the reentry issue, starting with a discussion of how reentry fits within the mission of the USAO community. Section II outlines reentry efforts across the Executive Branch through the Federal Interagency Reentry Council. MythBusters and the talking points in section III provide facts and information that may be useful when reaching out to federal, state and local, or non-governmental reentry stakeholders.

Section IV provides specific information on a variety of federal reentry courts now in operation and links to program documents and additional resources. Section V describes a sampling of USAO efforts to support reentry for state and local offenders, and includes program documents and press releases. Section VI discusses USAO staffing considerations and Section VII provides resources and information regarding grants for state and local stakeholders.

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I. Introduction: Reentry and the Mission of the Department of Justice and the United States Attorneys' Offices

Reentry programs have now, in the words of the Attorney General, “moved from the margins to the mainstream” both for the Department of Justice and for state and local criminal justice systems. http://usanet-sp.usa.doj.gov/staffs/otd/Documents/AG_10_8_10.pdf. The need to stem the growing costs associated with the tremendous growth in the prison population has made reentry practices a critical part of the public safety mission of the Department of Justice.

A study by the Pew Charitable Foundation noted that presently one in 100 adult Americans are incarcerated, and that from 1973 to 2009 overall prison population grew by 705 percent. http://usanet-sp.usa.doj.gov/staffs/otd/Documents/PEW_4_2011_study.pdf. Currently, over 700,000 individuals are released from state and federal prisons each year. Statistics indicate that more than two-thirds of state prisoners are rearrested within three years of their release and half of all prisoners are reincarcerated. Ultimately, more than 95 percent of incarcerated individuals will be released back to the community, while failure on parole accounts for about one-third of new state prison admissions each year. http://www.nationalreentryresource-center.org/documents/0000/1059/Reentry_Brief.pdf

The cost is enormous. The U.S. now spends more than \$68 billion on federal, state and local corrections. Given the heavy impact of prison overcrowding and skyrocketing costs, it is easy to understand why Department of Justice components that pay for prison space, such as the Bureau of Prisons, encourage greater reentry activities. If enhanced reentry practices can lower the high rearrest and reincarceration rates by even a modest percentage, then costs and victimization go down and public safety is increased.

But it is in fact the U. S. Attorneys who have the greatest opportunity to make a difference. In July 2010 the Attorney General called for “a new approach” to reentry and stated that, “In ...driving a renewed focus on enforcement, prevention, and

reentry, no one is better equipped than our U.S. Attorneys.” http://usanet-sp.usa.doj.gov/staffs/otd/Documents/AG_7_13_2010.pdf. This assessment is in no small measure due to the ongoing relationships that each U. S. Attorney’s Office has with the federal judiciary and with federal and state law enforcement. More than any other law enforcement entity, the U.S. Attorneys’ Offices (USAOs) have a special “turf neutral” status and convening power that allows USAOs to draw federal, state, and local partners together for a common purpose. Through this special convening power USAOs can make reentry programs happen.

What is more, USAOs have been developing and fostering these relationships for years. In addition to the inherent relationship with the federal judiciary and the U.S. Office of Probation and Pretrial Services, programs like Project Safe Neighborhoods, various gang initiatives, and the Weed and Seed programs¹ of the Community Capacity Development Office (CCDO) have all led to enhanced USAO relationships with state and local law enforcement, as well as with local social service providers and non-governmental organizations. As the examples in this toolkit will make clear, successful reentry programs are developed from those same relationships.

No other entity can recreate the symbolic role played by a U.S. Attorney’s Office when it participates in reentry activities. Many reentry program participants have commented on how significant it is to them that the very entity responsible for prosecuting them has begun working to support their reentry back into society.

¹ The CCDO did not receive Congressional funding in Fiscal Year 2011 and the office will be closed in September 2011. CCDO will continue to support existing grantees, including those receiving Weed and Seed strategy funding, until the end of the grant award period by providing programmatic management and oversight.

Reentry is thus squarely not only within the mission of the broader Department of Justice, but it is specifically within the mission of the U.S. Attorneys' community as well. In November 2010, following the direction and encouragement of the Attorney General, the USAO community put forth a renewed Anti-Violence Strategy. This three-pronged strategy is built upon enforcement, prevention, and reentry: http://usanetsp.usa.doj.gov/staffs/otd/Documents/anti_viol_strat.pdf. All three duties are consistent with and central to the basic public safety mission of the USAO community. Similarly, all three roles are consistent with the role of federal prosecutor as, in the Attorney General's words, "neighborhood problem solvers, not simply case processors." http://usanetsp.usa.doj.gov/staffs/otd/Documents/AG_7_13_2010.pdf

In January 2011 the Deputy Attorney General issued a memorandum, discussed further in Section V, encouraging USAOs to participate in reentry courts and providing guidance on how to do so. http://usanet.usa.doj.gov/memos/memorandum.cfm?Memo_ID=5079

In April 2011 the Attorney General, in outlining the Department's priorities going forward, specifically encouraged broadening Departmental support "for effective crime prevention, intervention, enforcement, and reentry strategies:" http://usanetsp.usa.doj.gov/staffs/otd/Documents/AG_April_25_2011.pdf

Again, in a June 13, 2011 memorandum on strategies to reduce gun violence, the Attorney General noted that the most successful anti-gun and violence strategies include creative reentry initiatives. <http://usanetsp.usa.doj.gov/staffs/otd/Documents/AG.6.2011.pdf>

Moreover, he has described this work not only as "an economic imperative," but a "moral obligation," and stated that, "This work could not be more urgent." http://usanetsp.usa.doj.gov/staffs/otd/Documents/AG_April_25_2011.pdf

II. The Federal Interagency Reentry Council

Reentry is a priority for many of the cabinet agencies in President Obama's administration. Federal agencies are funding reentry efforts in communities all around the country, through the Second Chance Act and many other funding streams. In addition, the Obama administration is working across agencies to coordinate and advance efforts through a cabinet-level Reentry Council. The Reentry Council website is available at: <http://www.nationalreentryresourcecenter.org/reentry-council>

First convened by the Attorney General in January 2011, the Reentry Council represents a significant federal commitment to coordinate efforts and develop effective policies to address reentry challenges. The Reentry Council includes Education Secretary Arne Duncan; Health and Human Services Secretary Kathleen Sebelius; Agriculture Secretary Tom Vilsack; Interior Secretary Ken Salazar; Housing and Urban Development Secretary Shaun Donovan; Labor Secretary Hilda Solis; and Veterans Affairs Secretary Eric Shinseki. Members also include Commissioner of the Internal Revenue Service, Douglas Shulman;

Director of the Office of Personnel Management, John Berry; Director of the Office of National Drug Control Policy, R. Gil Kerlikowske; Commissioner of the Social Security Administration, Michael Astrue; Director of the White House Domestic Policy Council, Melody Barnes; Chair of the U.S. Equal Employment Opportunity Commission, Jacqueline Berrien; and Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships, Joshua DuBois.

At the January 2011 meeting the Council adopted a reentry mission statement. The Council aims to (1) make communities safer by reducing recidivism and victimization, (2) assist those returning from prison and jail in becoming productive citizens, and (3) save taxpayer dollars by lowering the direct and collateral costs of incarceration. Substantial commitments were made as result of the meeting. The Council also empowered staff -- now representing 18 federal departments and agencies-- to work towards a number of goals. The Council agreed to meet every six months.



The goals of the Reentry Council are

- to identify research and evidence-based practices, policies, and programs that advance the Reentry Council's mission around prisoner reentry and community safety;
- to identify federal policy opportunities and barriers to improve outcomes for the reentry population;
- to promote federal statutory, policy, and practice changes that focus on reducing crime and improving the well-being of formerly incarcerated individuals, their families and communities;
- to identify and support initiatives in the areas of education, employment, health, housing, faith, behavioral health treatment, and family and community well-being that can contribute to successful outcomes for formerly incarcerated individuals;
- to leverage resources across agencies that support this population in becoming productive citizens, and reducing recidivism and victimization; and
- to coordinate messaging and communications about prisoner reentry and the Obama administration's response to it.

child support relief, in order to identify state and local child support collaborations with corrections, disseminate those models, and promote ways of sharing information that protect privacy and help resolve child support issues.

- **Advance bully pulpit opportunities.** These are important to dispel myths, clarify federal policies, and signal to the field the importance of the issue and actions that can be taken to improve outcomes. For example, the Attorney General wrote to all state Attorneys General, encouraging them to review the collateral consequences in their states to determine whether those that impose burdens on individuals convicted of crimes without also increasing public safety should be eliminated. Leaders in other departments are taking similar administrative actions.

In the short term, Reentry Council agencies are working together on the following goals

- **Leverage existing resources for reentry.** They have identified key reentry investments supported by the various federal agencies. The Council has created an interactive map that describes the major federal reentry initiatives and identifies active reentry grants in each state. The working group will also enhance knowledge transfer across agencies around reentry research, both to better coordinate efforts and to ensure that the research can inform federal policies, programs and solicitations. The interagency group will also address juvenile reentry issues, which carry their own distinct opportunities and challenges.
- **Remove barriers to reentry.** The working group is focusing on barriers to employment and access to benefits such as Temporary Assistance for Needy Families (TANF), food assistance, Social Security, and others that can help stabilize this population after release. They are also addressing

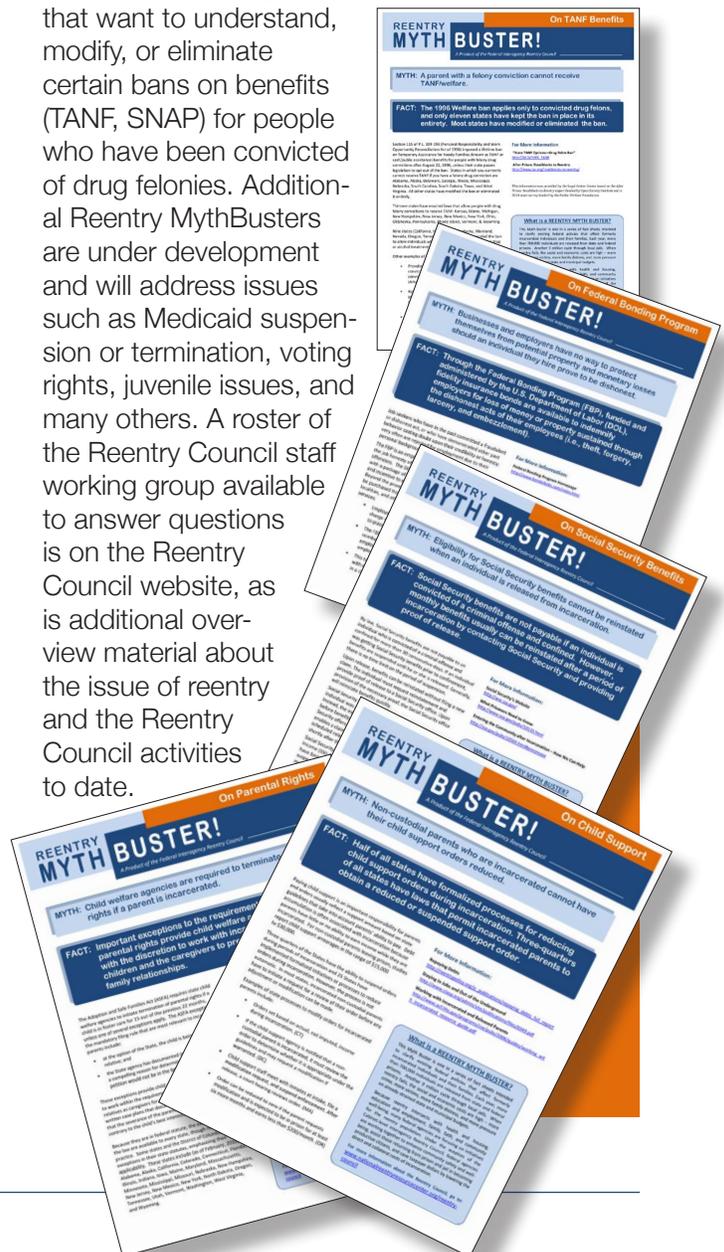
III. Reentry MythBusters

Reentry MythBusters are a product of the Federal Interagency **Reentry Council**. They are fact sheets designed to clarify existing federal policies that affect formerly incarcerated individuals and their families in areas such as public housing, access to benefits, parental rights, and employer incentives. Some federal laws and policies are narrower than is commonly perceived, as is the case with public housing and food assistance benefits. In several policy areas, states and localities have broad discretion to determine how policies are applied and have various opt-out provisions (TANF and child support are examples here). In some cases, statutory barriers do not exist at all or are very limited, as is the case with federal hiring. In fact, some federal policies and practices contain incentives for assisting the formerly convicted population such as federal bonding and tax incentives for employers hiring former prisoners.

Reentry MythBusters are helpful to a variety of reentry stakeholders with which the USAOs interact:

- Prison, jail, probation, community corrections, and parole officials who want to ensure that individuals can access federal benefits, as appropriate, immediately upon release to help stabilize the critical first days and weeks after incarceration. Pre-release applications and procedures are available for certain federal benefits (Veterans, Social Security, food assistance, and student financial aid).
- Reentry service providers and faith-based organizations who want to know how to access the laws and policies related to public housing, supplemental nutrition (SNAP) benefits, federal student financial aid, and Veterans, Social Security, and TANF benefits. The Reentry MythBusters also describe child support options, parental rights while incarcerated, and the appropriate use of criminal histories in hiring decisions.

- Employers and workforce development specialists who are interested in the incentives and protections involved in hiring formerly convicted individuals. The Reentry MythBusters are also helpful to employers (including federal agencies) who want to better understand the appropriate use of a criminal record in making hiring decisions.
- States and local agencies that want to understand, modify, or eliminate certain bans on benefits (TANF, SNAP) for people who have been convicted of drug felonies. Additional Reentry MythBusters are under development and will address issues such as Medicaid suspension or termination, voting rights, juvenile issues, and many others. A roster of the Reentry Council staff working group available to answer questions is on the Reentry Council website, as is additional overview material about the issue of reentry and the Reentry Council activities to date.



Additional Facts/Talking Points

Reentry is clearly a public safety issue, but it also impacts a much broader array of public policy scenarios. The following are a series of additional, helpful bullet-point facts concerning the broader implications of reentry policy. These have been developed by, and are taken from, the attached Federal Interagency Reentry Council document, which provides citations for each fact listed.

http://www.nationalreentryresourcecenter.org/documents/0000/1059/Reentry_Brief.pdf

Reentry is a public safety issue

Nearly 2.3 million people are incarcerated in federal, state and local prisons at any given time. More than 95 percent of these individuals will be released back to their home communities. Failure on probation and parole is a key driver of prison admissions in many states; parole failure alone accounts for about one-third of new prison admissions each year. With the high rates of recidivism noted above, evidence-based reentry strategies provide a major opportunity to increase public safety and reduce victimization.

Reentry is a public health issue

Individuals released from prisons and jails represent a substantial share of the U.S. population carrying communicable diseases, accounting for nearly a quarter of the general population living with HIV or AIDS, almost a third of those with hepatitis C, and nearly 40 percent of people with tuberculosis. Appropriate interventions when a prisoner returns to the community present a significant public health opportunity.

Reentry is an employment issue

Being employed is an important predictor of a former prisoner's ability to stay crime free. While two out of every three men were employed before they were incarcerated, incarceration reduces their economic prospects substantially. A recent

report from the Pew Charitable Trusts found that incarceration reduces annual employment by more than two months and reduces yearly earnings by 40 percent.

Reentry is a housing issue

A reciprocal relationship exists between incarceration and homelessness. Homelessness is associated with a higher risk for incarceration, and incarceration contributes to an increased risk of homelessness. A summary of studies on the homeless population showed that, on average, 18 percent had served time behind bars, with some studies showing a prior incarceration rate of almost 50 percent.

Reentry is an education issue

Of the 20 fastest growing occupations, 13 require post-secondary education, with those occupations requiring an associate degree growing the fastest. Yet almost twice as many adult prisoners (37 percent) had less than a high school diploma (or a recognized equivalent), when compared to the general population (19 percent). Only 22 percent of adult prisoners have had any post-secondary experience, compared to over half (51 percent) of the general population.

Reentry is a behavioral health issue

Approximately two thirds of people in prison meet criteria for substance abuse or dependence, but less than 15 percent of these individuals receive treatment after admission. 24 percent of inmates in state prisons have a recent history of mental illness, but only 34 percent of inmates with mental health problems report receiving any treatment after admission. This lack of needed behavioral health treatment continues and actually gets worse as individuals reenter the community. The lack of community treatment capacity is reflected by the reality that, in some large cities, jails house more people with mental illness than local hospitals.

Reentry is a juvenile justice issue

About 100,000 juveniles are released from custody facilities each year. Youth often return to struggling families and disadvantaged neighborhoods. More than half of these youth have not completed the eighth grade and 66 percent do not return to school after release. Juvenile recidivism rates are estimated at about 50 percent to 70 percent.

Reentry is a veterans' issue

More than 200,000 veterans are incarcerated in the nation's prisons and jails. Among state prisoners, veterans had less extensive criminal histories than nonveterans (30 percent of veterans were first-time offenders, compared to 23 percent of other state prisoners). Access to health care, including mental health care, for newly released inmates is an important factor in keeping people from becoming homeless or returning to prison and jail.

Reentry is an Indian Country issue

American Indian/Alaska Native (AI/AN) people are incarcerated at higher rates than the general population; at midyear 2009, tribal, federal, and state prison or jail authorities held 932 AI/AN individuals per 100,000 AI/AN residents, a figure 25 percent higher than the overall national incarceration rate of 747 per 100,000 people. In addition, Indian Country unemployment rates average 49 percent with a high of up to 80 percent, depending on the reservation. High unemployment compounded with a lack of affordable and adequate housing magnifies challenges for returning inmates.

Reentry is a family/fatherhood issue

On any given day, one in 28 children has a parent behind bars. Communities of color are most broadly impacted; one in nine African American children has a parent incarcerated. One recent study estimates that 25 percent of African Americans born after 1990 will witness their father being sent to prison by their 14th birthday. Studies show that children of incarcerated parents often struggle with anxiety, depression, learning problems, and aggression, undermining their own chances to succeed.

In summary, reentry issues are complex and overlapping. An effective response to reentry challenges must therefore be multifaceted and involve multiple service delivery systems working together.

IV. Federal Reentry Initiatives in U.S. District Courts

Reentry courts are one of a variety of initiatives that Federal District Courts are utilizing to reduce recidivism.² Each district court determines on its own whether and how to engage in a reentry court program. The Administrative Office of the U.S. Courts, the Chair of the Judicial Conference Criminal Law Committee, the Chair of the U.S. Sentencing Commission, the Federal Judicial Center, and the U.S. Office of Probation and Pretrial Services have all expressed approval for reentry courts in general. They have not, however, mandated that reentry courts be created nor given any direction about how to start one. In December 2010 the Federal Judicial Center completed a preliminary assessment of all districts and determined that 41 districts were then operating a total of 45 post-conviction reentry courts. Since then several new courts have been established; by June 2011 approximately half of all districts had some form of reentry court. http://usanetsp.usa.doj.gov/staffs/otd/Documents/FJC_prelim_assess.pdf

Department Policy

On January 19, 2011 the Deputy Attorney General issued a memorandum encouraging USAOs to participate in reentry courts. http://usanet.usa.doj.gov/memos/memorandum.cfm?Memo_ID=5079

2. Reentry courts represent the most formalized and staff intensive of the various initiatives. Other reentry initiatives include the use of actuarial risk/needs assessment instruments at the start of the term of supervised release, the use of cognitive behavioral treatment programs with moderate-to-high risk/need offenders, and the use of Defendant/Offender Workforce Development (DOWD) programs. If the judiciary does not support a full blown reentry court, the USAO may want to encourage the court to nevertheless take some of the smaller steps listed above to help reduce recidivism.

This memorandum formally reversed the Department's previously stated policy that "drug courts" were generally inappropriate and unnecessary in the federal system. Under the prior policy, USAOs were required to obtain specific approval by the Deputy Attorney General to participate in post-conviction reentry courts.³

The DAG memorandum requires that USAOs (1) maintain full prosecutorial discretion in connection with their participation in reentry courts, (2) identify a reentry Point of Contact for any USAO that undertakes reentry activity, and (3) provide a brief summary report of its reentry activity at the close of the fiscal year. As noted in the EOUSA cover memorandum, USAOs should use the LIONS code and the USA-5 time code associated with reentry to keep track of their reentry activities.



Sanford Coats, U.S. Attorney in the Western District of Oklahoma, talks to participants in the district's Probation and Parole Reentry Program

3. In a 2006 report to Congress, the Department of Justice encouraged the use of "drug courts" in the state criminal justice system, but it said that such programs were "inappropriate and unnecessary," and a poor use of resources in the federal system. The 2006 DOJ report used the term "drug courts" to refer to both the "front end" diversion programs that represent alternatives to incarceration, as well as the post conviction/supervised release type of program that exists in most federal reentry courts today http://usanetsp.usa.doj.gov/staffs/otd/Documents/DOJ_2006_report_policy.pdf

General Reentry Court Operating Principles

The Federal Judicial Center (FJC) states that post-conviction federal reentry courts “employ the authority of the court to impose graduated sanctions and positive reinforcements in a team approach, typically involving a judge, probation officer, Assistant U.S. Attorney, Assistant Federal Defender, and contract service provider. The team marshals the resources necessary to support the offender’s integration, sobriety, and positive law-abiding behavior. Within this general model, considerable variations exist in terms of the structure, focus, and approach of the federal court programs.”

Although there is no specific mandate or guidance from the Administrative Office of the U.S. Courts, virtually all federal reentry courts incorporate “evidence-based practices” and “promising practices.”

http://usanetsp.usa.doj.gov/staffs/otd/Documents/Fed_reentry_evid_based.pdf

Evidence-based Practice and Principles of Effective Supervision

Evidence-based practice is the conscientious use of the best evidence available to inform decisions about the supervision of individual offenders as well as the design and delivery of policies and practices to achieve the maximum, measurable reduction in recidivism. Evidence-based practices are programs that have been scientifically proven to be effective. The term implies that, (1) there is a definable outcome, (2) the outcome is measurable, and (3) the outcome is defined according to practical realities. The term “promising practices” refers to innovations based on evidence-based practices that have not yet been shown through research to be effective. Similar to evidence-based practices, promising practices pay attention to outcome, evidence, and measurable standards. The organizing principle for the federal judiciary’s implementation of evidence-based practice is the Department of Justice National Institute of Corrections Integrated Model for Implementing Effective Correctional Management of Offenders in the Community

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/integrated%20model.pdf>

Reentry Court Operations

Typically, a federal reentry court serves 15 to 25 individuals at any one time. These individuals have served their period of incarceration and are about to begin, or have just begun, a period of supervised release. They are selected for participation in the program primarily by the U.S. Probation Office, with input from the USAO, the federal defender, and the courts. They are at medium or high risk of re-offending, rather than likely to succeed. Most programs are voluntary, with the offender signing a contract agreeing to participate.

Reentry courts are directed at a variety of types of offenders. The FJC assessment found that of the 38 reentry courts it surveyed, 23 were directed at federal offenders who had some form of documented substance abuse, 12 were directed at high risk individuals of various types, and three were for specialized populations, including Native Americans, gang members, and those with mental health problems. Some programs target individuals who return to a specific geographic area. There are no known federal reentry courts directed at sex offenders.

In most reentry courts all participants together attend periodic hearings at which each participant will individually address the court about his or her own progress. In a smaller number of programs the “court” sessions take place in a conference room or other informal setting. To improve the efficiency and effectiveness of the hearing, team members, including the judge, the probation officer, the assigned AUSA, and the assistant federal defender, will meet in advance of the hearing to discuss the progress of each participant.

The AUSA assigned to the reentry court acts as a team member in assessing and supporting the offender. Depending on the program, the AUSA may make presentations to the court about each individual, and will typically participate in pre-hearing meetings. There may be carry-over benefits to the AUSA and the USAO arising from the continued, direct contact with the reentry court participants. The role of the prosecutor in supporting a variety of evidence-based practices is discussed in the NIC publication *Using Research to Promote Public Safety: A Prosecutor’s*

Primer on Evidence-based Practice (2008). <http://usanetsp.usa.doj.gov/staffs/otd/Documents/prosecutor%20primer.pdf>

Generally, reentry courts require an offender to participate successfully for one year, and grant graduates a one-year reduction of their supervised release. Graduates are typically required to be sober, law abiding, and employed upon graduating from the program. The FJC assessment found that graduation rates varied from 24 percent to 69 percent, with a median of 48 percent.

Starting A Reentry Court: Recommended First Steps

First, engage the judges and the probation officers in your district. Typically the chief judge must agree to the creation of the reentry court, regardless of who first proposes the idea. Create a working group from those within the probation office and the judiciary who want to be involved. Finding the right people is critical.

Second, the working group should examine the risk level of the district's offender population to determine whether the creation of a reentry court makes sense. If the district has a substantial moderate-to-high risk offender population, then a reentry court may be appropriate. However, if the district does not have such a population, the working group may wish to consider developing and implementing other, more proportionate evidence-based and promising practices.

Third, observe other reentry courts in action and review their documentation. The FJC assessment found that 90 percent of court teams participating in reentry courts had first traveled to observe active reentry courts in other jurisdictions. After seeing the process in action people tend to worry less about such issues as participant self-incrimination and the role of AUSA and the Federal Public Defender (FPD).

Fourth, identify the crime or supervision problem that most affects your district and would most benefit from this process. To the extent possible direct the focus of the reentry court to that issue. As noted above, reentry courts vary greatly in the type of of-

fenders they support, based on the greatest need of the community. A general rule is to avoid offenders with a low risk of recidivism. Such individuals are least in need of this resource and research shows that reentry courts are least effective with these populations (and can even be harmful).

Fifth, be open to change if something seems not to be working. Start small. A group of eight or 10 participants at the beginning may be all that probation and court officials are willing or able to handle. Building up to 25 or so may be possible, but you may also find that a smaller number is better, as it gives Probation Officers more time outside of court and shortens the hearings.

Once the program is up and running, ensure that it gets regularly evaluated and assessed. Be prepared to make changes.

Attached is a proposal drafted by the Eastern District of Pennsylvania USAO when it first sought to initiate a reentry court. http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDPA_proposal.wpd

Reentry Court Examples and Documents

The following are brief descriptions of a variety of federal reentry court programs. Where available, links to program documents, press clippings, studies of program effectiveness and related documents are included with the description.

Programs Targeting High-risk Drug or Substance Abusers

The Federal Judicial Center assessment found that the majority of the programs surveyed served people with substance abuse problems.

District of Massachusetts CARE Reentry Court

The Court Assisted Recovery Effort (CARE) program focuses on defendants with an identified drug addiction who are at high risk to commit additional crimes based on that addiction. Started in 2006, the program is considered highly successful.

Program documents

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/care.pdf>

Press

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/CARE.press.pdf>

In June 2009 the Attorney General spoke, via video, at one of the CARE graduation ceremonies. Press on the AG's remarks, as well as other press is included.

Effectiveness Research

http://usanetsp.usa.doj.gov/staffs/otd/Documents/CARE_2009_eval.pdf

The CARE program has been thoroughly evaluated, and a formal study of its effectiveness was completed in 2009. The study found that 43 percent of individuals who participated in the CARE reentry court were rearrested, while 63 percent of the control group were rearrested following regular supervision.

District of Oregon Reentry Court

This program, begun in 2005 for offenders with a documented substance abuse problem, was one of the first in the country, and was initiated in response to the severe methamphetamine problem in Oregon at that time. Unlike many other reentry courts, this program does not rely on pre-meeting discussions prior to the court hearing, but allows the judge and the team members to evaluate participants for the first time at the hearing.

Program documents

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/oregon%206%202011.pdf>

Program description/assessment

http://usanetsp.usa.doj.gov/staffs/otd/Documents/Oregon_study.pdf

Central District of California STAR Reentry Court

The Substance Abuse Treatment and Reentry (STAR) program in the Central District of California was initiated in 2010 and graduated its first class in January 2011. Selected participants have a documented substance abuse problem, as identified in part by the Texas Christian University drug screening protocol. Participants have committed a range of crimes, including violent crimes such as bank robbery. AUSAs in this program take turns with other team members making presentations to the court about each participant.

Program documents

http://usanetsp.usa.doj.gov/staffs/otd/Documents/CDCA_docs.pdf

Press

http://usanetsp.usa.doj.gov/staffs/otd/Documents/CDCA_press.pdf

Eastern District of Virginia SCORE Reentry Court

The Second Chance Offender Rehabilitation Effort (SCORE) program in Richmond is a phased reentry court program for individuals with a documented history of substance abuse. The program is modeled largely after the CARE reentry court in Boston. Two magistrate judges jointly run the program. When it

began in June 2010 a control group was formed to allow for effective evaluation and ongoing assessment of the program.

Program documents

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDVA.Score.2010.pdf>

Programs Targeting Those with a High Risk of Recidivism

Eastern District of Pennsylvania (EDPA) STAR Reentry Court

The idea for the EDPA Supervision to Aid Reentry (STAR) reentry court was first proposed by the USAO. It became operational in 2007, and focuses on those who have committed a variety of offenses, including some violent offenses, and who are at relatively high risk to commit new crimes upon release, specifically offenders who live in Philadelphia and score between five and seven on the Probation Office's nine-point risk prediction index (nine is the riskiest).

Program Documents

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDPA.Contract.wpd>

Effectiveness Research

The EDPA program has become one of the most well evaluated programs in the country.

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDPA%202011.pdf>

This April 2011 study tracked the first 60 participants in the STAR program for 18 months, and compared that group to a similar group of 60 offenders on regular supervised release. The study found that STAR program participants were more likely to be employed than their control group counterparts, and also that only 10 percent of STAR program graduates were rearrested during the study period, compared to 31 percent of the control group.

http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDPA_2010_ann_report.pdf

This 2010 annual report states that of the program's 45 graduates, only five (11 percent) had their supervision revoked based on new criminal

activity after completing the 52-week program. It notes that there are 102 ex-offenders with a significant risk of violent crime recidivism who have either graduated from or were then currently participating in the program. Only 21 participants (20 percent) have had, or will likely have, supervision revoked based on new criminal activity or other serious violations. The overall revocation percentage has remained at between 11 percent and 20 percent for the first three years of the program, which is well below the district five-year average of 47.4 percent.

http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDPA_study.pdf

The 2009 Annual Report notes that the revocation rate that year was 15 percent, which was also well below the district average of 47.4 percent

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDPA%202010.pdf>

This May 2010 study assessed the qualitative aspects of the STAR program and found that the role of the court and the collaborative decision-making process used were critical to the program's success.

Western District of Michigan(WDMI) ACE Reentry Court

The WDMI began its first reentry court in October 2005, making it one of the first in the country, along with the District of Oregon. Currently, the WDMI has three Accelerated Community Reentry (ACE) programs: Benton Harbor (2005), Grand Rapids (2007), and Kalamazoo (2009). The Benton Harbor program was started in order specifically to address those offenders who were returning to the Benton Harbor community.

Program documents

http://usanetsp.usa.doj.gov/staffs/otd/Documents/WDMI_docs.pdf

See also this informal description of the program and its origin

http://usanetsp.usa.doj.gov/staffs/otd/Documents/WDMI_description.pdf

Effectiveness research

http://usanetsp.usa.doj.gov/staffs/otd/Documents/WDMI_Study.pdf

An informal assessment was undertaken of the ACE reentry courts, and the preliminary results found that those who had been through the ACE program had far fewer rearrests within one year; 19 percent and 26 percent in two different groups.

Northern District of Ohio (NDOH) STAR Reentry Court

The Successful Transitions-- Accelerated Reentry (STAR) program, begun in June 2010, targets offenders who have over a 60 percent likelihood of committing new crimes. Unlike most programs, three judges preside over this court, one district court judge and two magistrate judges. This procedure allows for caucusing among the judges to reach appropriate results, and ensures that the hearings will take place on time even if one judge cannot be present

Program documents

http://usanetsp.usa.doj.gov/staffs/otd/Documents/NDOH_docs.pdf

Programs Targeting Mental Health Issues

District of Utah RISE Mental Health Reentry Court

The Reentry Independence Through Sustainable Efforts (RISE) program in the District of Utah targets offenders with a variety of mental health issues. Selected offenders must have an “Axis I” diagnosis, such as schizophrenia or bipolar disorder, but all participants are screened to ensure that they are sufficiently stable to take advantage of outpatient treatment programs. Participant selections are made by the reentry court team, consisting of a treatment provider, the magistrate judge, an AUSA, a federal public defender, and a probation officer. Many program participants also have substance abuse problems.

Program proposal

http://usanetsp.usa.doj.gov/staffs/otd/Documents/UT_mh_proposal.wpd

Program documents

http://usanetsp.usa.doj.gov/staffs/otd/Documents/UT_MH_docs.pdf

Programs Offering “Front End” Pretrial Diversion

There are currently relatively few programs that include pre-trial diversion as part of the reentry services offered. Discussions to implement such programs are ongoing in several districts.

Veterans Treatment Court Western District of Virginia

For years the District Court in Roanoke encountered veterans charged with a variety of non-violent crimes who were struggling with significant substance abuse and mental health issues. To try to deal with the root cause of the veterans’ criminal conduct, in April 2011 the court partnered with nearby Salem Veterans Administration Medical Center, the USAO, the federal public defender, and the probation office. The Veterans Treatment Court is designed to provide vets who are charged with Class B misdemeanors with appropriate mental health and substance abuse treatment. After an initial referral by the court, and upon the agreement of the U.S. Attorney, the veteran will either be placed in pre-trial diversion to undergo the program, or will plead guilty and be placed in the program pending sentencing or as a condition of the imposed sentence. The program will typically run three to six months, and a contact person from the Salem VA Medical Center will help ensure that participants receive treatment from the VA. Veterans will appear monthly before the court and their progress will be assessed by all team members.

Program documents

<http://usanetsp.usa.doj.gov/staffs/otd/Documents/VA.treatment.ct.pdf>

Central District of Illinois PADI Program

The Pretrial Alternatives to Detention Initiative (PADI) is a unique pre-trial program that began in Peoria in 2002 and was expanded to Urbana in 2009. Defendants charged with felony drug offenses are initially referred by the USAO for screening by a substance abuse treatment provider and a U.S. pretrial services officer, who make a joint recommendation to the U.S. Attorney as to whether the person is an appropriate candidate for the program. Because the program

is based upon the charging discretion of the USAO, the U.S. Attorney has the final call whether to place the person in the program. The program targets those who are deemed to be minimally culpable and who have a substance abuse problem. As in post-conviction reentry courts, the participants meet weekly with the court and a team consisting of a magistrate judge, an AUSA, an assistant federal public defender, and a treatment provider. Successful completion of all the requirements of the program may result in diversion, or in a sentence of time served, with supervised release to follow.

Program documents

http://usanetsp.usa.doj.gov/staffs/otd/Documents/CDIL_PADI_docs.pdf

Program background and description

http://usanetsp.usa.doj.gov/staffs/otd/Documents/CDIL_PADI_proposals.pdf

Effectiveness assessment/research

http://usanetsp.usa.doj.gov/staffs/otd/Documents/CDIL_PADI_evals.pdf

As of September 2010, 51 participants had entered the PADI program and 39 had graduated. At least eight PADI defendants who successfully completed the program would otherwise have faced mandatory minimum drug sentences. The estimated savings from their completion of the PADI program and avoidance of imprisonment and rearrest is over \$3 million.

Press

http://usanetsp.usa.doj.gov/staffs/otd/Documents/CDIL_PADI_press.pdf

V. USAO Support for State and Local Reentry Programs

USAO efforts in support of reentry have not been, and need not be, limited to the federal system. USAOs can and do support reentry efforts for state and local prisoners, who far outnumber federal reentrants. Each year over 700,000 state and local prisoners, and approximately 50,000 federal prisoners, return to communities across the country. Another nine million cycle through local jails.

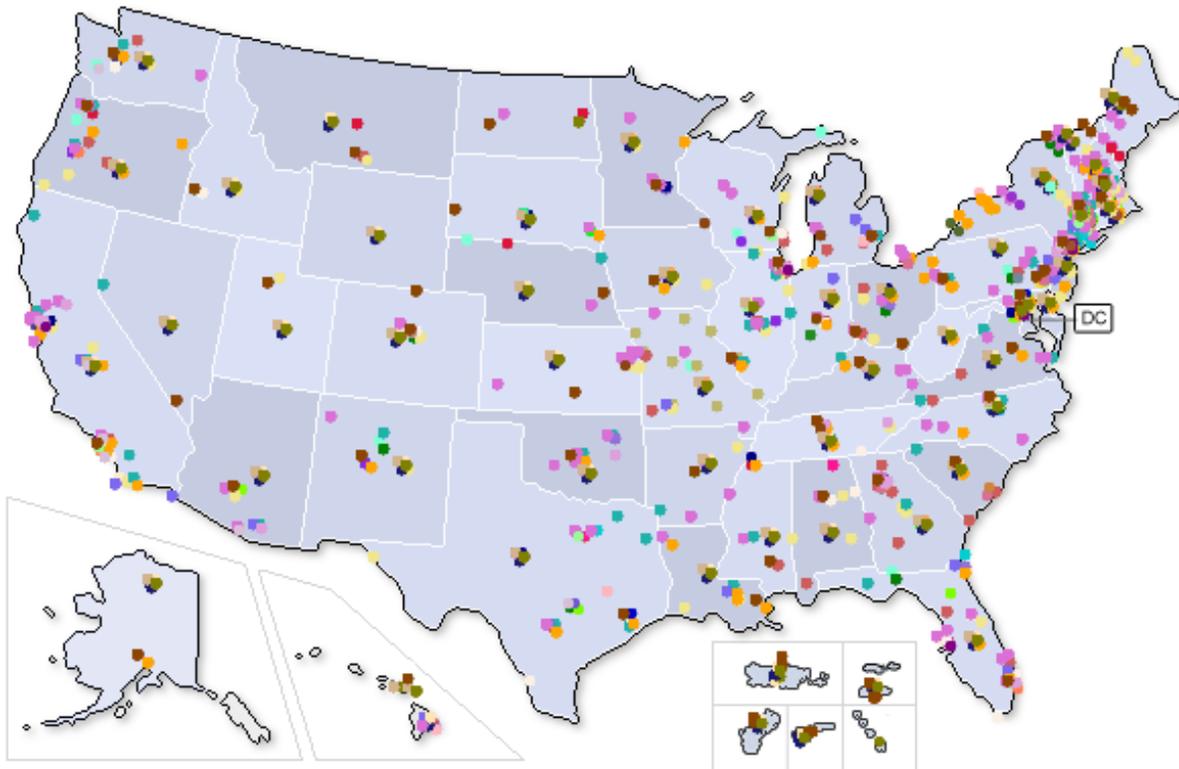
started means getting people together and analyzing the problem. “In some jurisdictions, this may mean convening people for the first time... whereas in other jurisdictions, it may mean identifying several existing state and local reentry initiatives, determining their relationship to each other and whether they need to be restructured, and learning from research already collected.” <http://www.nationalreentryresourcecenter.org/topics/starting-reentry-initiative>

Getting Started

The following are suggested first steps for getting involved in support of state and local reentry initiatives. The Reentry Policy Council of the Council of State Governments Justice Center notes that getting

Identify someone to help in your office

Identify someone within the office who can devote meaningful time to the project and who can draw on the existing relationships that the office already has, whether through Project Safe Neighborhoods (PSN), Weed and Seed or other outreach programs.



The National Criminal Justice Initiatives map highlights national reentry and other criminal justice initiatives implemented throughout the United States and its territories. The map will be updated periodically as new initiatives are announced: <http://www.nationalreentryresourcecenter.org/national-criminal-justice-initiatives-map>

Encourage collaboration

As noted above, U.S. Attorney's Offices have a unique "turf neutral" convening power, not only for federal agencies, but for state and local agencies as well, that can provide the perfect opportunity to create successful collaborations on reentry efforts. USAOs that are currently undertaking successful reentry initiatives for state and local prisoners have often developed the necessary contacts from existing state and local partnerships.

Develop a Knowledge Base

Once the appropriate decision makers are convened, the next step is to build a knowledge base about the people affected by reentry, the inventory of community resources available to meet individual and communal needs and to ensure safety, and the laws and policies that govern aspects of reentry in that jurisdiction. Ask questions: to what degree have the right people already been brought to the table? What information and data have already been collected? How will new reentry initiatives draw from and relate to earlier efforts? There are a variety of national reentry initiatives with which state or local jurisdictions may already be connected, and of which you should be aware, such as the Transition from Prison to the Community Initiative (TPCI), sponsored by the National Institute of Corrections. You may plug into a national reentry initiative or follow such independent models as a reentry committee of representatives of different state agencies; a state-level process initiated by the legislature; a countywide task force formed by a sheriff or other county official; reentry caucuses established by mayors in their respective municipalities; and neighborhood-level projects or working groups prompted by community development organizations. Much useful information can also be found in the Council of State Governments Justice Center's 2005 report, *Charting the Safe and Successful Return of Prisoners to the Community*. <http://www.nationalreentryresourcecenter.org/topics/starting-reentry-initiative>

Examples of USAO Support for State and Local Reentry Programs.

The USAO programs highlighted typically have drawn on existing relationships with state and local entities, often through programs such as Project Safe Neighborhoods, Weed and Seed, and other forms of outreach.

Comprehensive Leadership Committees

USAOs have played significant roles in initiating, organizing, and leading various state and local reentry committees. In these cases the USAO has provided leadership for a variety of federal, state, and local entities that are working in coordination on various aspects of the reentry issue.

District of Arizona LECC Reentry Initiative

The USAO's reentry initiative represents a unique and extraordinary statewide collaboration of all the key reentry stakeholders in Arizona. Through the leadership and convening power of the USAO, this initiative has produced a comprehensive series of reentry recommendations as well as an ongoing structure that globally addresses all aspects of reentry in Arizona. The statewide jurisdiction of the USAO has helped facilitate the expansion of this initiative in ways that may not be available to all districts.

Origins and partners involved: This initiative developed out of a statewide Weed and Seed summit in 2008. Existing relationships among the USAO's Law Enforcement Coordinating Committee, state and local law enforcement, and various non-governmental organizations were expanded and developed. Currently there are at least 60 agencies, groups and organizations participating in the reentry initiative, including the Arizona Department of Corrections, the Federal Bureau of Prisons, the Phoenix and Tucson Police Departments, the Maricopa County Public Defender's Office among others, as well as a host of non-profit,

non-government entities such as housing providers, substance abuse and health care providers, educators, and the faith-based community.

The initiative is structured around an executive working group, a steering committee and seven subcommittees. The executive working group, which includes the U.S. Attorney, meets quarterly to address policy issues and provide overall advice. The steering committee of 13 members from various agencies across the state meets each month to plan activities and set agenda and action items for the quarterly executive working group. The seven subcommittees address treatment and health services, housing and transportation, employment and education, community linkages, outreach and mentoring, and faith-based partnerships. http://usanetsp.usa.doj.gov/staffs/otd/Documents/AZ_pitch.pptx

Program Content: In 2010 the initiative produced a 37-page report that outlines recommendations for Arizona policy makers and reentry stakeholders on all aspects of reentry. http://www.justice.gov/usao/az/reports/Newsletter/LECC_WS_Reentry_Initiative_Report_2010.pdf. The report outlines a comprehensive three-phase, interrelated reentry program. Phase one begins with a skills assessment while the candidate is still in prison. Phase two, begun when his release is imminent, features intensive pre-release planning, including developing a mentoring plan and preparing for the candidate's medical, housing and other needs. Phase three is a step by step plan of action for the offender once he is released. In addition to his reporting and committee work, the USAO attends periodic community meetings. For instance, in the summer and fall of 2010 the USAO hosted two meetings directed at supporting those who were returning to the South Mountain Community in Phoenix. See agendas, talking points, and press, attached here:

http://usanetsp.usa.doj.gov/staffs/otd/Documents/AZ_agendas.pdf

Program Costs: Although the initial relationships were developed under the auspices of the Weed and Seed program, the development of the steering group, executive committee and subcommittees was undertaken without grant funds. Recently the program was awarded a technical assistance grant from the National Institute of Corrections (NIC) to integrate evidence-based practices into the reentry effort. The

USAO utilizes the time and effort of its Community Outreach Coordinator, its Law Enforcement Coordinator, and its Public Information Officer. The office has not hired a full time employee to work solely on this initiative.

Effectiveness Research: The recent grant from the NIC will result in an assessment of the program.

Middle District of Florida HERN Initiative

The Hillsborough Ex-Offender Reentry Network (HERN) represents the same type of multi-stakeholder reentry oversight committee as in Arizona, but on a city/county-wide (greater Tampa area) basis rather than a state-wide basis.

Origins and partners involved: As in Arizona, the HERN initiative was an outgrowth of the collaboration brought about as a result of the numerous Weed and Seed sites, as well as other public safety initiatives within the district. It has been in existence for over six years and has benefitted from relationships among the USAO, state and local law enforcement, and various social service providers that were fostered as a result of the Comprehensive Anti-Gang Initiative from 2007 to 2010. The HERN initiative has a formal structure, led by a steering committee which includes representatives of the USAO, the Hillsborough County government, the City of Tampa, the State's Attorney's Office, the Public Defender, the Florida Department of Corrections, as well as the U.S. Courts, U.S. Probation Offices, and a host of social service providers and faith-based organizations. The USAO representative is deeply involved and has served as co-chair of the steering committee. See program documents describing membership attached here: <http://usanetsp.usa.doj.gov/staffs/otd/Documents/MDFL.hern.docs.pdf>

Program Content: The objectives of the HERN initiative are to analyze existing reentry services, to identify gaps in service and to foster collaboration among service providers and law enforcement to fill those gaps. HERN acts as a county-wide reentry council, a format the State of Florida recently recommended be set up throughout the state. HERN also interacts with reentry service providers in adjoining jurisdictions, such as Pinellas County (Pinellas Ex-

Offender Reentry Coaliton, PERC) and Jacksonville (Jacksonville Reentry Center, JREC). Offenders in state correctional facilities eligible for imminent release to these three areas are identified by state and local corrections agencies and community service providers as appropriate candidates for enhanced reentry services. Once their sentence is over, the candidates are released through one of three “portals of entry” within those communities, where they are met by social service and substance abuse treatment providers. Once the individual chooses to join the program, he is assigned a case manager to assist him with transition for a minimum of 12 months.

In addition to participating in HERN, the USAO periodically hosts community-wide forums to draw stakeholders together and to educate the community about reentry issues. At a two-day conference in September 2010 speakers included all the key reentry stakeholders, including state and local law enforcement, local and federal courts and probation, and faith-based and social service and treatment providers. See conference agenda attached here: <http://usanetsp.usa.doj.gov/staffs/otd/Documents/MDFL.9.2010.conf.pdf>

Program Costs: HERN is a voluntary network of federal, state, and local stakeholders. Although HERN is not a direct recipient of funds, the resources of the participating agencies are directed to projects and efforts identified by its members. Currently no allocated funding is being expended through the USAO on HERN: the costs to the USAO are only for employee time.

Notification and Call-in Programs

Many USAOs involved in state and local reentry activities participate in some form of offender notification or call-in program. Offenders recently released from state or local prisons are “called in,” that is notified and required to attend an in-person meeting or forum at which both law enforcement and social service providers describe their role and encourage the participants to make the right choices. Following are several successful examples of such programs:

Northern District of Illinois (NDIL) Parolee and Probationer Forums

This program is organized and arranged by the USAO, and is directed at helping state parolees and probationers make better, more productive choices following their release to the community.

Origins and partners involved: This program grew out of existing relationships from the Project Safe Neighborhood (PSN) program, which started in 2002. The strong relationships developed within the PSN framework among the U.S. Attorney’s Office, the Chicago Police Department, the Cook County State’s Attorney; s Office, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, as well as the Illinois Department of Correction, the Cook County Department of Probation, and others, were put to use in developing this reentry program. The Offender Notification forums were initiated in 2003 and are now held three times a month, with approximately 30 participants at each meeting. http://usanetsp.usa.doj.gov/staffs/otd/Documents/Chicago_OFN_2009.pdf

Program Content: The USAO coordinates bi-monthly meetings for prisoners who have been put on probation or paroled into the community from state prisons within the past six months. The Illinois Department of Corrections determines who should participate, focusing on criminals with a history of violence who are at high risk for recidivism, such as those who have committed firearms offenses, including aggravated battery with a firearm, unlawful use or possession of a firearm, and murder. The state parolees and probationers are notified to come to the meetings by the Illinois Department of Corrections or the Cook County Probation Department. Attendance is mandatory, and there are mild sanctions for those who do not show up.

The USAO sets up the meetings and arranges for speakers. Meetings are held in each police district at civic locations such as schools and community centers. Using community space reinforces the notion that the attendees are an important part of the community, while the meeting’s “round-table” style emphasizes the egalitarian nature of the proceedings.

The first 15 - 20 minutes of the meeting is for the law enforcement message. Along with an AUSA from NDIL, prosecutors from the Cook County State’s Attorney’s Office, officers from the Chicago Police Department and an ATF agent discuss law enforcement efforts to reduce gun violence. In the next segment,

typically, a local individual who has been shot and disabled by gun violence describes the effect of the shooting on his life. The last segment features local community service providers and faith-based groups speaking to the attendees about available support in the areas of housing, education, job training, and drug rehabilitation. The NDIL trains all speakers for the forums to help them stay on message. See agenda, talking points and notification forms here: http://usanetsp.usa.doj.gov/staffs/otd/Documents/Chicago_forms.pdf

Program Costs: The Illinois Department of Corrections employs a forum coordinator whose salary is grant funded. In addition, grant monies were used to support the academic research on the program. There are minimal costs to the USAO.

Effectiveness Research: A 2007 academic review of the PSN Task Force noted that “much of the observed homicide decline should be attributed to the offender forums, but it is not clear from the aggregate data exactly what aspect of the forum appears to be associated with the drop in crime.”⁴ By all anecdotal accounts, the program is very successful.

District of Massachusetts Boston Reentry Initiative (BRI)

The Boston Reentry Initiative (BRI) is one of the oldest in the country.

Origins and partners involved: The BRI was founded by the Boston Police Department and the Suffolk County Sheriff’s Department in 2000. Although the USAO did not initiate the program, it has become a significant partner by providing AUSA time and valuable input on a number of issues.

Program content: The USAO plays a role in the BRI somewhat similar to that of the USAO in Chicago with the Offender Notification Forums. A primary difference is that BRI targets inmates shortly after they arrive in prison, rather than after they have been released.

Within 45 days of arriving at either the Suffolk County House of Corrections or the Massachusetts Department of Corrections inmates are selected for the program primarily by the Suffolk County Sheriff’s Department. The list of candidates is vetted with the USAO in consultation with the District Attorney’s Office. Selected prisoners have extensive criminal backgrounds, histories of violence, and gang affiliation. They are required to attend a Apanel session@ in the prison. During the panel session, law enforcement officials, including an AUSA, address the participants. Social service providers and faith-based organizations also attend and discuss the resources that they can provide both during and after incarceration. Collectively the group conveys a unified message that the inmate has the power to change. Each participant receives a Transition Accountability Plan and is assigned a mentor. See a program description here: <http://usanetsp.usa.doj.gov/staffs/otd/Documents/BRI.description.pdf>

Program Costs: There are very few costs to the USAO apart from the expenditure of USAO employee time. The AUSA assigned to the panel sessions spends approximately 12 hours each month presenting at four correctional facilities and evaluating candidates. About 12 to 15 inmates participate in each reentry panel. At the beginning of each new prisoner reentry panel program, the USAO provides a training session to offer an overview of the program, its participants and subject matter. The USAO does employ a full time Community Outreach Coordinator who spends 10 to 20 percent of her time on matters relating to the reentry initiatives, and USAO staff regularly attend task force meetings of the BRI and other prisoner reentry programs.

Effectiveness Research: Studies undertaken on the BRI show that, even with its focus on the most violent inmates, it has led to approximately a 30 percent reduction in recidivism. This is so even though only 21 percent of inmates found work in the first year. http://usanetsp.usa.doj.gov/staffs/otd/Documents/BRI_press.pdf

See also <http://usanetsp.usa.doj.gov/staffs/otd/Documents/BRI.description.pdf>

In 2009 the USAO began a three year data collection project to further evaluate the program.

4. Andrew V. Papachristos, Tracey L. Meares, and Jeffrey Fagan, “Attention Felons: Evaluating Project Safe Neighborhoods in Chicago,” *Journal of Empirical Legal Studies*, Vol. 4, Issue 2, 2007, 266. http://usanetsp.usa.doj.gov/staffs/otd/Documents/Chicago_PSN_2007.pdf

See http://usanetsp.usa.doj.gov/staffs/otd/Documents/BRI_perf_measures.pdf

Other Similar Programs.

Eastern District of Wisconsin: The United States Attorney regularly speaks at these programs.

http://usanetsp.usa.doj.gov/staffs/otd/Documents/EDWI_forum.pdf

Northern District of Ohio: The district participates in similar call-in programs both for recently released juveniles and for adult state prisoners.

District of Maryland: The call-in programs in this district developed out of the relationships initiated through the PSN program in Maryland.

http://usanetsp.usa.doj.gov/staffs/otd/Documents/Maryland_Call_In.pdf

Issue Specific Programs: Employment

Employment is, of course, one of the keys to successful reentry. Because a significant percentage of young prisoners may never have held a real job prior to being released from prison, current reentry practices at the U.S. Office of Probation include training these youth on how to obtain and maintain work, including how to handle a job interview.

Southern District of Alabama Employment Job Fair

This program is the result of persistent effort on the part of the U.S. Attorney who set the goal of having a viable reentry program for federal and state prisoners returning to the Mobile area.

Origins and partners involved: In 2010 the U.S. Attorney reached out to the Mobile Chamber of Commerce to raise the issue of employment for returning prisoners. The USAO also found an interested partner in Doug Burris, the Chief Probation Officer in the Eastern District of Missouri, as well as a regional workforce development council and the Federal Public Defender. The Weed and Seed site in Mobile helped sponsor one of the meetings at a local community college.

Program content: The overarching goals of this program are to address drug treatment, employment, and housing for returning offenders, but the program thus far has focused primarily on employment issues. In March, 2011 the USAO organized a meeting for potential employers at the Mobile Chamber of Commerce, as which the U.S. Attorney and Doug Burris discussed the available federal bonding program for ex-offenders, as well as a federal tax credit that may be available for employers of ex-offenders.

See meeting agenda and related press here
http://usanetsp.usa.doj.gov/staffs/otd/Documents/SDAL_3_17_2011.pdf

Another meeting, billed as a job fair for ex-offenders, potential employers and service providers, was held at the local community college in May 2011. See attached agenda and press.

http://usanetsp.usa.doj.gov/staffs/otd/Documents/SDAL_5_12_2011.pdf

See also a local news video clip on the job fair
http://www.local15tv.com/news/local/story/US-Attorney-Helping-Former-Inmates-Get-Jobs/UW59_bgdJE-BpX3le8f3FQ.csp

These are some of the programs that give incentives to employers to hire ex-offenders.

Fidelity Bonding program from the Department of Labor. Provides that an employer of an ex-offender can receive six months of free bonding up to the amount of \$5,000 per hire. <http://www.bonds4jobs.com/>

Work Opportunity Tax Credit. Provides that a business that hires ex-offenders within one year of their release would be eligible for a \$2,500 tax credit for each hire. <http://www.doleta.gov/business/incentives/opptax/>

On-the-job-training (OJT). A 50 percent wage subsidy while the new hire is in training is available to employers through the Department of Labor http://www.mobile-works.org/pro_ojt.php

Individual Training Account (ITA). Training scholarship funds for ex-offenders to equip themselves for employment. http://www.mobile-works.org/pro_its.php

Program Costs: Time expended by the Victim/Witness Coordinator and other staff in the office has been the primary cost to the USAO. The office does not have a full time reentry coordinator.

Effectiveness Research: The office is in discussions with the University of South Alabama to undertake an academic study of the program.

Northern District of Illinois (NDIL) Employer Breakfasts and Conference

The NDIL has hosted a full-day conference for potential employers and provided employers with practical information, including how to interpret a criminal background check. It should be noted that some employers who actively hire convicted individuals avoid publicity for their programs, believing that such notice may serve to undermine their efforts.

See meeting agenda, brochures on federal programs, and conference materials here
http://usanetsp.usa.doj.gov/staffs/otd/Documents/Chicago_employment.pdf

See USAO talking points for employer meetings here
http://usanetsp.usa.doj.gov/staffs/otd/Documents/chicago_talk_points.pdf

Issue-Specific Initiatives: Women Reentrants

In 2009 113,000 women were incarcerated in state and federal prisons. Female inmates have a higher rate of drug and mental health problems than men, and 70 percent of incarcerated women have children younger than 18.

District of Columbia Womens' Reentry Forum

Due to its status as both the federal and the state/local prosecutor for Washington, D.C., the USAO in the District of Columbia has substantial and ongoing relationships with local law enforcement, probation and other court personnel, and as a result currently has numerous ongoing reentry initiatives. One such unique program is a reentry forum devoted exclusively to women.

Origins and partners involved: The USAO reached out to the Court Services and Offender Supervision Agency, which is D.C.'s local counterpart to the U.S. Office of Probation and Pretrial Services, as well as to the U.S. Parole Commission and two local women's reentry centers, Our Place D.C., and Serenity, Inc. Both centers provide job training, clothing and housing assistance as well as drug treatment and mental health counseling referrals for women returning from incarceration to the D.C. community. Space for the forum was donated by a local church. The USAO planned this program in response to the community's negative attitudes towards reentrants, especially women. The USAO wanted to explain the specific challenges facing women returning home and provide the community with a positive image of the woman reentrant to increase the community's support for reentry initiatives in Washington, D.C.

Program Content: In April 2011 the USAO hosted a symposium, "Walk a Mile in Her Shoes," designed to educate community members about the issues associated with returning women prisoners and to enable these returning women find appropriate support. Three panel discussions were held: (1) What is Reentry? (2) Special Challenges Facing Women and (3) Success Stories. The Success Stories were testimonials from women who made the transition: they explained the keys to their accomplishments, and described ways the community could support their continued success. Many providers were on hand to provide information on their services for women reentrants.

See the brochure for the meeting here

http://usanetsp.usa.doj.gov/staffs/otd/Documents/DC_womens.docx

See the Press for the meeting here

http://usanetsp.usa.doj.gov/staffs/otd/Documents/DC_press.pdf

Program Costs: There were no program costs for the USAO. The space was donated and speakers and social service providers provided their time free of charge.

The USAO Role Re: Reentry Grant Opportunities for State and Local Partners.

State and local governments are under severe financial pressures, but limited grant funding for reentry activities may still be available. USAOs have an appropriate and important role to play in bringing open grant solicitations for reentry activities to the attention of state and local entities that may want to apply, and in connecting interested applicants with technical grant assistance at the Office of Justice Programs (OJP). USAOs regularly receive information on open grant solicitations at OJP: <http://usanetsp.usa.doj.gov/staffs/otd/Documents/OJP.grants.pdf>. In addition, the National Reentry Resource Center website offers a variety of email updates, to which USAOs may want to subscribe, that describe new funding opportunities for reentry: <http://www.nationalreentryresourcecenter.org/funding>

In accord with recent procedures, when grant applications reach the peer review process at OJP, USAOs will be electronically notified of the applicants in their districts that have applied for funding. USAOs have an opportunity at that stage to provide factual input to OJP, such as how long the USAO may have worked with the grant applicant and in what capacity, what services the grant applicant provides, the applicant's history or management of prior grant projects, whether the applicant is or has been under any criminal investigation or subject to civil complaints, and the applicant's relationship with the USAO. However, USAOs are prohibited by federal regulation from endorsing any product, service, or enterprise, and any such comments on grant applicants must not be, or be perceived as, an endorsement of an applicant. See the specific guidance on these procedures in the attached memorandum: <http://usanetsp.usa.doj.gov/staffs/otd/Documents/USAO.grant.input.pdf>

While grant funding, if available, is of course helpful, current experience as detailed above shows that many local jurisdictions are interested in coordinating with USAOs on the basis of mutually donated time and effort.

Ongoing State Legislative Efforts

In April 2011 the Attorney General sent a letter to all state Attorneys General asking them to consider taking a look at the laws within their state that impose ongoing collateral consequences on felons who have served their sentences and returned to the community. http://usanetsp.usa.doj.gov/staffs/otd/Documents/AG_let_to_StateAG.pdf While some of the restrictions imposed by these laws, such as the prohibition on gun possession, serve important public safety goals, other burdens imposed on housing and employment may ultimately hinder public safety rather than enhance it. Research has shown that housing and employment are critical factors enabling those with criminal convictions to avoid future arrests and incarceration. Please note, however, that USAO personnel acting in their official capacities should not advocate passage or defeat of state legislation or otherwise give an opinion on state or local legislation, without prior coordination with and approval from the EOUSA and the Office of Legislative Affairs Department. See USAM 1-8.070. http://www.justice.gov/usao/eousa/foia_reading_room/usam/title1/8mdoj.htm

VI. USAO Reentry Staffing Considerations

Devoting already over-stretched staff to what may be a new area of work, over and above existing litigation and outreach efforts, can be a challenge particularly in small offices. The following are a variety of staffing considerations and options.

Assigning AUSAs to reentry court: USAOs most often assign one AUSA, with a backup, to handle reentry court duties and to ensure program continuity. The AUSA may typically spend two hours a week on reentry court activities, including both a pre-hearing meeting and the hearing itself. In a number of districts USAO management has successfully canvassed the office to ask AUSAs to volunteer for reentry court duty. Identifying AUSAs who are interested in reentry court work and assigning those who will put effort and enthusiasm into the work are key to a successful undertaking. (It is possible that participating in reentry court may save overall AUSA time by lowering the time spent on regular revocation hearings. Studies in the EDPA show that reentry court participants recidivate at a rate of 15 percent, while control group offenders recidivate at over 47 percent.)

Advertise for non-compensated SAUSAs: You may advertise for non-compensated Special Assistant U.S. Attorneys to do reentry work. This is an excellent opportunity for less experienced lawyers to work at a USAO and obtain experience. See the attached guidance on the advertisement for and use of non-compensated SAUSAs.

http://usanet.usa.doj.gov/memos/memorandum.cfm?Memo_ID=5237

Contractors: At least one district (EDPA) has hired a lawyer as a contractor to work as a part-time reentry coordinator. Although AUSAs attend reentry court sessions, the coordinator reaches out to potential resources (bar associations, community colleges, workforce development organizations, mentoring organizations) and works with individual reentry court

clients on issues such as finding housing, resolving student loan debt, and finding pro bono counsel for civil legal issues.

LECs and Outreach Specialists: Organizational and outreach work in support of state and local reentry efforts can be undertaken by any number of USAO employees. In many districts the Law Enforcement Coordinator works on reentry issues, while in a few districts an outreach specialist can also perform this work.

VII. Additional Resources, Training, and Other Materials

Reentry Courts

OLE Online Videos

EOUSA's Office of Legal Education has produced two training videos about reentry courts. One video is a moderated panel discussion, with a U.S. Magistrate Judge, a U.S. Probation Officer, a First Assistant U.S. Attorney, and an Assistant Federal Defender discussing how best to engage the judiciary to initiate a reentry court system. This video also discusses a variety of programmatic issues that occur when those court officers participate in reentry courts, including the role of the AUSA, program assessment, and resources. Facilitating Offender Reentry to Reduce Recidivism-Federal Reentry Courts: Practical First Steps for USAOs: <mms://10.4.203.133/vod/DOJ4321.300kbit.wmv>

The other video is also a moderated panel discussion with representatives from the U.S. Office of Probation and Pretrial Services regarding the concept of evidence-based practices and the five core principles for effective intervention. This video is designed to help prosecutors understand the concepts and practices used by Probation and Pretrial Service Officers. Facilitating Offender Reentry to Reduce Recidivism-Introduction to Evidence-Based Practices and Effective Intervention:

<mms://10.4.203.133/vod/DOJ4320.300kbit.wmv>

Ongoing Federal Studies

The Federal Judicial Center is undertaking a three-year pilot study, to be completed in 2014, with five new reentry courts in order to evaluate, among other things, the role of the judge in reentry courts. This study may produce a model of what works best for federal reentry courts. The FJC is also producing a descriptive assessment of more mature reentry court systems.

http://usanetsp.usa.doj.gov/staffs/otd/Documents/FJC_study_design.docx

Related State Court Research on Reentry Courts

The Council of State Governments has compiled an April 2011 assessment of the role of the courts in reentry, based on the work of a multi-stakeholder focus group. http://usanetsp.usa.doj.gov/staffs/otd/Documents/CSG_2011_oval.pdf

The National Association of Drug Court Professionals provides information and support to state reentry courts, which are more commonly known in the state systems as “drug courts.” The website provides a fact sheet summarizing the research on state reentry court effectiveness: <http://www.nadcp.org/learn/drug-courts-work> The website also maintains a map of state drug courts with contact information for officials in each state: <http://www.nadcp.org/learn/find-drug-court>

Reentry Court Solutions: This OJP-sponsored website contains a wealth of information on state reentry courts, including articles, research, and interviews with reentry court participants: <http://www.reentrycourtsolutions.com/>

National Reentry Resources, Including Grant Activity

1. The National Reentry Resource Center website

A primary and critical resource, this website also offers a variety of email updates, to which USAOs may subscribe, that describe new training, publications, conferences, and other reentry resources, including funding opportunities, discussed earlier. www.nationalreentryresourcecenter.org

2. National Criminal Justice Initiatives Map

Included as part of the National Reentry Resource website is the National Criminal Justice Initiatives map. This map highlights federally funded reentry and related activities implemented throughout the country by geographic area. It includes Second Chance Act grants, as well as other federally funded programs. Click on your state to see what reentry resources are going to your state from a variety of sources and federal departments. <http://www.nationalreentryresourcecenter.org/national-criminal-justice-initiatives-map>

3. Overview of the Federal Interagency Reentry Council

http://usanetsp.usa.doj.gov/staffs/otd/Documents/R_C_overview.pdf

4. Second Chance Act Grantee List, by State

This link contains an Excel document that identifies Second Chance Act grantees, and can be sorted by state or city. It includes the SCA grant number as well as a contact person with telephone and email for each grant. The Second Chance Act has changed the landscape for reentry. The volume of grants given to state and local law enforcement and non-governmental organizations to work on reentry activities has grown dramatically over the last few years. In 2009 the Department of Justice awarded 66 Second Chance Act grants to support reentry activities. In 2010 the Department received a \$100 million appropriation, and has awarded 178 reentry grants nationwide. There were over 1,000 applicants for those 178 grants, whereas ten years ago very few programs focused on prisoner reentry. For more on SCA grants, see the National Reentry Resource Center. <http://usanetsp.usa.doj.gov/staffs/otd/Documents/Grantee.list.xls>

5. Reentry Services Directory

The National Reentry Resource website also includes a reentry services directory by state, including federal, state, and local agencies that deal with reentry activities, providing contact persons for each state. <http://www.nationalreentryresourcecenter.org/states>

6. State Reentry Coordinators Network Listing

http://usanetsp.usa.doj.gov/staffs/otd/Documents/State_contacts.pdf

7. National Institute of Corrections: Evidence-Based Decision Making for Local Criminal Justice Systems

This 2010 document provides an outline of the use of evidence-based practices in state reentry programs. http://usanetsp.usa.doj.gov/staffs/otd/Documents/NIC_2010.pdf

8. National Federal Agency Contacts

http://usanetsp.usa.doj.gov/staffs/otd/Documents/federal_contacts.pdf

9. Bureau of Prisons, National Institute of Corrections Website

<http://nicic.gov/TPJC>

10. Health and Human Service Reentry Website

<http://aspe.hhs.gov/hsp/11/Incarceration&Reentry/>

11. Department of Labor Reentry Website

www.doleta.gov/RExO/

12. Court Services and Offender Supervision Agency (CSOSA)

CSOSA is a federal, executive branch agency created by Congress to undertake the offender supervision function for D.C. Code offenders. Their website contains not only reentry information specific to the District of Columbia, but also has a wealth of reentry information in multiple media formats, including radio and video interviews, briefs, and other information relevant on a national scale. <http://media.csosa.gov>

13. CrimeSolutions.gov

This new resource from OJP uses rigorous research to determine what works in criminal justice, juvenile justice, and crime victim services. On it you will find research on program effectiveness reviewed and rated by expert reviewers, and easily understandable ratings based on the evidence that indicates whether a program achieves its goals. CrimeSolutions.gov