

**A History of the U.S. Department of Justice
During the Clinton Administration
1993 - 2001**



Appendix B - Volume 2 of 3

Prepared for the Clinton Administration History Project
Washington, DC
2001



UNITED STATES DEPARTMENT OF JUSTICE
REMARKS OF THE HONORABLE JANET RENO
ATTORNEY GENERAL OF THE UNITED STATES

TO THE
ANNUAL CONGRESSIONAL CONFERENCE
OF THE

NATIONAL LEAGUE OF CITIES
International Ballroom
Hilton Washington and Towers
1919 Connecticut Avenue, N.W.
Washington, D.C.

P R O C E E D I N G S

(2:32 p.m.)

Sunday, March 12, 2000

GENERAL RENO: Thank you so very much.

This is a special day for me, because I'm back with cities, cities that I've had a chance to visit; and it's been seven years today that I've been in this job. In addition, I just returned from Chile about three hours ago, where I headed the delegation to the inauguration of President Lagos. This is a country that has had through most of its history a democratic tradition. Now it saw a transition of power from one administration to another, but was reminded of a period when democracy did not flourish in Chile.

You come back to this country ever so grateful for our democracy and promising yourself that you must never, never take it for granted.

(Applause.)

And no place is a better place to start upon my return than with the cities, for I have been to so many of your situations and streets and community centers and city halls. The cities are the heart and soul of America. You mayors, councilpersons, administrators are the problem solvers primarily for the people of America, and you do an incredible job of that.

You more than so many are responsible for something more in terms of public service. It's not just serving the people, it's giving the people a sense that they can cope, that they can deal with the issues of modern time, that they can overcome tragedy, that they can share joy, and that

they can come out feeling stronger, better, about themselves.

It may be the 60 year old woman who's been afraid to come out from behind her doors, who now comes out and gives you a piece of her mind at the community center. Or it may be the young man who wonders why anybody cares, a young man who has been the victim of racism, a young man who has a police officer reach out and say: Hey there, how can I help, what can I do? You do so very much, and I am just very proud to be here.

Mayor Knight, I had a chance to hear a little bit of what you said and I want to commend you for your courage and your conviction in promoting understanding in this country and in helping this country work through the rejection of racism. Our country is because of your thoughtful leadership.

(Applause.)

I want to acknowledge also Oklahoma City Council member Ann Simank, Little Rock Council member Michael Keck, and Fredericksburg Mayor Bill Grinnett. You have each been very important voices in the very serious issue of domestic terrorism and domestic preparedness, and I am grateful for your good work and would like to continue to work with the cities across the country to make sure that we do what we can to help you be prepared, for you are on the front lines and you do respond so magnificently if you're given the tools. We want to try to work with you to ensure that.

(Applause.)

Finally, I'd like to acknowledge Hayward Councilman and National League of Cities Public Safety Committee Chair Olden Henson. Councilman Henson has been a leader on public safety issues and an important partner in our fight against crime. He's been very engaged in an issue that I will be addressing shortly, how we bring prisoners back to the community with a chance of a future, on the streets, in a job, in a community where they can contribute, rather than back in prison.

Since I first spoke to you in Orlando in 1993, all of us together have made remarkable strides in our fight against crime. Through the COPS program we funded more than 100,000 new community police officers. Under the Brady Act we have prevented more than 400,000 felons and other prohibited persons from buying guns. And most significantly, we have fought crime together.

You heard me then say I didn't like the feds coming to town telling us what to do; I like the feds coming to town saying: You know your community better than we do, you understand your needs and resources; how can we be a better partner?

We instituted --

(Applause.)

We instituted an anti-violence initiative in which we reached out and said: Who can do what best and how can we do it better? And as a result of these and so many other efforts, but primarily because of the efforts of people who care, who are on the front lines in the cities and the counties of America, crime is now down in almost all categories seven years in a row, from all parts of the country.

But as a prosecutor in Miami for 15 years, I know it can go up as quick as it can go down. But let's not let that happen, ladies and gentlemen. If we refuse to let our cities and counties in this nation become complacent, if we continue to use the common sense nonpartisan, non-rhetorical, and action-oriented approach to crime, if we look at hard statistics and say, what can be done to address this problem by bringing people together, we can continue in a measured, thoughtful way to bring crime down in this

country and once and for all to end the culture of violence in this country.

(Applause.)

We've got a lot more to do, and I'd like to talk to you about some of the key points that I think are necessary. You're doing so much now. Some of your work with children, early intervention, work in housing projects, work in community dispute resolution programs, work in the schools -- you are bringing your community together and you are the problem-solver.

But what do we need to do? First we must address the tremendous influx of offenders being released from prison each year. We must bring the strength of our partnership to bear on this problem. Let's look at the challenge. In the vast majority of cases, when an offender comes back from prison or from the jail he comes back without the tools for a better, brighter future. He does not have a skill, he does not know how to get to work on time, he doesn't know how to follow directions, but he wants to make a go of it.

Let's give him the tools. Now, some people say that sounds like rehabilitation. I don't care whether you call it rehabilitation or public safety or the best law enforcement I know. It makes sense to give somebody the tools to cope so he's not back in prison.

(Applause.)

Common sense suggests that we should use time in prison to train, to educate, and to treat offenders. If we do so they're more likely to re-enter society successfully. But we must provide a network of support, supervision, and accountability for released offenders. If we do their futures will be brighter, our communities will be safer, and this nation will be stronger.

The number of Americans incarcerated is quickly nearing two million people. In recent years this country has imprisoned more and more people for longer and longer terms, and now many of these offenders are returning to the community. Let's look at the facts. In 1998 545,000 offenders came back from state and federal prisons. In 1999 the number was 565,000, and this year 585,000 are anticipated to return.

These numbers are startling when you consider that in 1980 there was a total of 320,000 people in America's prisons. Today nearly twice as many are coming out to our streets.

Even more alarming is the fact that many of these people are returning with little or no supervision to a relatively small number of neighborhoods and often to the apartment over the open air drug market where they got into trouble in the first place. Not surprisingly, not surprisingly, two-thirds of all returning offenders are re-arrested within three years of release. This is simply unacceptable. Released offenders should re-enter society with a chance to get off on the right foot. Instead they return to our communities with many of the same problems that brought them into prison, and many of them come out with some additional problems that they acquired in prison, including rage and prejudice.

For example, 70 percent of state prisoners have a history of drug abuse, and research by the National Institute of Justice indicates that between 60 and 75 percent of inmates with heroin or cocaine problems, they return to drugs within three months when untreated. An estimated 179,000 state prison inmates self-report having mental health problems, and these offenders are more likely than others to be under the influence of alcohol or drugs when they commit an offense.

But perhaps most disturbing is what I have already alluded to, that many

offenders leave prison with feelings of rage towards the society they are about to re-enter. This deep-rooted hatred stems from a profound sense of hopelessness, a hopelessness that comes from being a perceived victim.

Let's not give them a chance to feel like they are a victim. Let's give them a chance to prove themselves and to hold them accountable and to do it in a fair, just way.

(Applause.)

We need to rethink how we manage re-entry of prisoners. We've got to minimize public safety risk and maximize an ex-offender's potential. Is more prison time the answer? Just as increased borrowing does not reduce the national debt, but only delays the day of reckoning, longer prison sentences cannot eliminate the re-entry problem. Instead, we must address the national challenge head-on and here's how we do it.

We want to work with you, the local communities, to improve supervision of this high-risk population. Together in partnership, we must develop a seamless system of offender accountability, supervision, and support, a system that begins during incarceration and continues as the offender leaves prison and re-enters the community.

The cycle of crime is well documented and studies indicate that strong re-entry services are associated with lower rates of recidivism. They are also associated with an increased likelihood of employment and a decrease in drug use.

The first promising approach that I want to describe to you today is the concept of a re-entry court. In 1987 we started a drug court in Miami that was operated on a carrot and stick approach. There was one in the country. I went back ten years later for the anniversary and there were over 300 in the country, with 200 or more on the drawing boards.

It holds people accountable, but it gives them a chance. We can do the same thing with re-entry courts. They would oversee an offender's return to the community. The court would use its authority to apply graduated sanctions and positive reinforcement just as the drug courts do. The message: Work with us, stay clean, stay out of trouble, get a job, and we will help you in these efforts; but if you test positive for drugs, commit further crimes, violate the condition of your release, you're going to face more serious punishment each step of the way.

The re-entry court would promote the offender's return, the return offender's positive behavior and support successful re-integration into the community. It would also use a graduated range of swift, predictable, sanctions to make sure the offender stays on the right track.

Think about it for a moment. The judge sentences somebody to five years for the second burglary. They were on probation the first time, they got into trouble again. What if we had church groups, private not-for-profit advocacy groups, agree to sponsor that person as they went off to prison, developing links between children that might remain at home so that the offender writes, starting to teach responsibility, starting to look for jobs and housing, starting to provide a network that can give that offender a chance to get off on the right foot when they return.

These partners could include not only the churches, not only private not-for-profit groups, but local businesses, families, support services, victim's advocates, and neighborhood organizations.

Ladies and gentlemen, we have a golden opportunity. This past Martin Luther King Day, I worked on a building in St. Louis, Missouri. 15 young men were there for Youth Build, some trying to keep themselves out of the prison and others having returned. They were fine people, and after they

discovered I could drive a threepenny nail without bending it and after the television cameras left and I stayed, they decided I might be okay.

They taught me a lot. How do I keep from getting back into prison when they are all suspecting that I did it all and I commit every crime that now happens in the neighborhood? Why don't you go talk to the police? I can't talk to the police. And I said: Well, let's see if we can't get police starting to talk to young people who are coming back from the prison.

Let's start building a dialogue. Let's start seeing what can be done when we take the professional policing that we see today on the good side, the excellence, the caring, the compassion, and start working with young people to bring a community together rather than see it split apart from distrust caused by people who are insensitive to those they serve.

Most police I have worked with want to try to do the job the right way. Let us encourage them. Let us train them. Let us use them in community policing initiatives that can help that elderly lady not only come down and give us what-for at the community center, but also become the positive leader in the community for bringing the community together.

We can do so much if we imagine a new role for a community safety officer who would manage the offender's transition. A community safety officer would hold the offender accountable, enforce special conditions geared to the neighborhood that the offender would have to meet, and connect the offender to key treatment and job opportunities.

If we make sure these courts have manageable caseloads and resources to support what we're trying to do, we can make a real difference.

Last month I was proud to announce nine pilot re-entry court sites located all across America. In each site people and organizations that care have recognized the need to work together as a community on this critical issue of re-entry.

The second approach is to do it without a court, use a re-entry partnership. It seeks to create the same accountability. Patterned after successful police correction partnerships, these partnerships will help establish key new alliances and through institutional corrections, community corrections, community policing, local businesses, and faith-based and grassroots organizations will work together to prepare for a more successful return.

But as we look at the probably, I've had a chance to see what can be done with modern technology, with computers and mapping systems that can help us identify where the problems exist within the community: Where are the recidivists, where are the drug gangs, where are the street gangs, who are they? And if federal and local law enforcement officials come together and use their resources in the wisest way possible to focus on these issues, we can make a difference.

But it still comes back to not the technology, but the people. It may be a police officer who by tone of voice, manner, and firmness conveys trust. It may be a preacher who can reach out. It may be the mayor who comes out to the park, and they sit there and look at the mayor like this. And the mayor starts talking, and they look and they say: How do we know you are going to deliver? And the mayor says: Just watch me. And the mayor delivers, and they get converts along the way and people begin to believe in the system because somebody came out there, told them they could deliver, and they did.

There are so many things that could be done if we look at people for what they are, all of us having hopes and fears, concerns, problems, doubts. We can do so much if we commit to believing in people so that we don't excuse

them for what they do, so that we hold them accountable, but we give them the tools to cope as they return.

(Applause.)

But as we look at the whole issue of what can be done to once and for all turn this country around and make it the safest big nation in the world, we've got to look at guns. That's why I'm so pleased and so proud that President Clinton has supported re-entry in his proposed budget and included \$145 million for innovative re-entry programs, but he's also done much more. He has dedicated \$60 million to the development of re-entry partnerships and re-entry courts. The Department of Labor will dedicate, according to this budget, \$75 million in job-related programs and the Department of Health and Human Services will dedicate \$10 million in substance abuse and mental health programs.

This kind of collaboration will make a difference. But it won't make a difference unless we get guns out of the hands of people who don't belong or can't lawfully use them. Every day 89 people, including 12 children, are shot and killed in America. In 1997 over 32,000 people died of gunshot wounds, and for every fatal shooting there are at least three non-fatal firearms injuries.

On the federal level, we are taking these steps. President Clinton announced a national firearms enforcement initiative including \$280 million in the fiscal year 2001 budget. The President's proposal will fund over 1,000 new federal, state, and local prosecutors to take dangerous offenders, including armed criminals, off the streets. It will add 500 new ATF agents and inspectors to target violent gun criminals and illegal traffickers, create the first nationally integrated ballistics testing system, and expand crime gun tracing to assist in apprehending more gun criminals.

It will also fund local media campaigns to discourage gun violence, and it will send a tough message to would-be criminals about the penalties for breaking gun laws. It will also expand smart gun technologies.

In addition, as the President has noted, he has called for commonsense gun legislation, and if we just start using common sense and say, why should you have that gun out there without a gun safety lock, we can start making more sense of this whole crime problem.

Finally, I have asked all U.S. attorneys all across the country to work with their communities. I have asked them to analyze the particular problems plaguing their districts and make available resources and a commitment, including tough law enforcement to end this violence.

It will take local leadership, innovation, and collaboration to get the job done. I opened my mail one day and there was a letter from Louisville Mayor David Armstrong, who had called together a group of citizens to develop an aggressive strategy to end escalating gun violence. The Mayor's task force to end gun violence included top leaders in law enforcement, education, government, religion, medical, and the legal world. The task force examined the nature of gun violence in the city, its causes, and current gun laws, and prepared a report proposing some commonsense approaches.

These proposals are based on the recognition that prosecution is a critical component of any gun violence reduction strategy, but that smart, effective prevention and early intervention programs are also critical to reduce violence in our cities.

Nobody wants to see the crime happen. Nobody wants to see our children killed. Let us continue to do as much and more to build on what you have done to prevent crime in the first place, by keeping guns out of the hands

of criminals and children, by providing positive opportunities, and by working to promote non-violence.

The same key concepts found in the Louisville plan are also found in the foundation of a report recently created in New Jersey. Mayor Tim McDonough from Hope, New Jersey, and a group of other New Jersey mayors identified commonsense approaches and resources to prevent youth violence.

The bottom line is for us to make meaningful inroads. But finally, ladies and gentlemen -- and I don't have all the answers -- we've got to challenge ourselves to really go after one final cause of violence that has been with us for the history of humankind. That is the issue of domestic violence. As we have watched crime go down, we have not seen --

(Applause.)

-- we have not seen violence in the home against women go down. Until we end that kind of violence in the home, until we can tell our children that they don't have to look at this violence because it is not part of their way of life, until we make sure that America understands that people who love each other or who once loved each other don't beat each other, then we can make a difference.

(Applause.)

We need to develop a continuum, and I would like to work with cities who are interested in this effort, to train police in how best to respond to domestic calls, to provide for community policing that continues to check on the family and follows through, that provides for intervention for those children who watch the violence so that they can begin to cope with the tragedy of the violence, so that we have in every community courts who understand how important it is to prosecute the case, so that we have after-care and follow-up to make sure that there is a continuum and that the cycle is interrupted.

But we have to really form new partnerships, partnerships with the faith community, with the medical community. And we have got to hear people preaching and talking about the fact that this type of violence from the beginning should be unacceptable. Pediatricians and family physicians should have information on domestic violence on their walls just as they have it on breast cancer and other diseases and perils that can be prevented in many occasions.

We can do it if we realize that nobody has a corner on what we can do to solve the problem of violence. If public health, mayors, police chiefs, attorneys general, the lady who we got out from behind that door who's giving us a piece of her mind, if all of us come out and start talking, if we start listening to our children, if we bring our children in and say, we trust you, talk to us, let us work together, but we're going to hold you accountable, we can truly make a difference.

The reason I believe it with all my heart is because I've watched what you have done in your cities over these last seven years to bring violence down to the level it is now. Let's go back and let's try harder, and then let me visit your cities in about seven years in my red truck and see what you have done. I bet you will have succeeded.

Thank you.

(Applause and, at 3:04 p.m., end of remarks.)



SENTENCING & CORRECTIONS

ISSUES FOR THE 21ST CENTURY

MAY 2000

PAPERS FROM THE EXECUTIVE SESSIONS ON SENTENCING AND CORRECTIONS

No. 7

But They All Come Back: Rethinking Prisoner Reentry

by Jeremy Travis

The explosive, continuing growth of the Nation's prison population is a well-known fact. There are now over a million people in State and Federal prisons—more than a threefold increase since 1980. Less well recognized is one of the consequences of this extraordinarily high figure: A growing number of people now under confinement are being released into the community after serving their prison terms. If current trends continue, this year more than half a million people will leave prison and return to neighborhoods across the country; by comparison, fewer than 170,000 were released in 1980.¹

This increase in the movement from prison door to community doorstep comes at a time when traditional mechanisms for managing reentry have been significantly weakened. While it is true that almost all States still maintain some form of postprison supervision, 14 have abolished discretionary parole and the parole boards that historically have overseen the processes of reentry.²

About one in five State prisoners leaves prison with no postrelease supervision.³ In many

States, truth-in-sentencing statutes have curtailed the duration of postrelease oversight to 15 percent of the sentence imposed for violent offenders. And underfunded parole agencies in many jurisdictions have made parole more a legal status than a systematic process of reintegrating returning prisoners.

Assuming these trends continue, it seems the time is right to revisit the processes and goals of prisoner reentry. The argument presented here is that (1) the reentry process presents singular opportunities for advancing social goals—opportunities difficult to pursue within the legal constructs and operational realities of current criminal justice policy; (2) the role of "reentry manager" (the institution responsible for achieving reentry goals) is undergoing major redefinition; and (3) the judiciary should play a far greater role in managing reentry.

The emphasis here will be on the process of managing the transition from the status of "imprisoned offender" to the status of "released ex-offender." Too often, discussions of the purposes of sentencing and corrections are constrained by organizational boundaries



DIRECTORS' MESSAGE

It is by now a commonplace that the number of people under criminal justice supervision in this country has reached a record high. As a result, the sentencing policies driving that number and the field of corrections, where the consequences are felt, have acquired an unprecedented salience. It is a salience defined more by issues of magnitude, complexity, and expense than by any consensus about future directions.

Are sentencing policies, as implemented through correctional programs and practices, achieving their intended purposes? As expressed in the movement to eliminate indeterminate sentencing and limit judicial discretion, on the one hand, and to radically restructure our retributive system of justice, on the other, the purposes seem contradictory, rooted in conflicting values. The lack of consensus on where sentencing and corrections should be headed is thus no surprise.

Because sentencing and corrections policies have such major consequences—for the allocation of government resources and, more fundamentally and profoundly, for the quality of justice in this country and the safety of its citizens—the National Institute of Justice and the Corrections Program Office (CPO) of the Office of Justice Programs felt it opportune to explore them in depth. Through a series of Executive Sessions on Sentencing and Corrections, begun in 1998 and continuing through the year 2000,

CONTINUED

DIRECTORS' MESSAGE

CONTINUED

practitioners and scholars foremost in their field, representing a broad cross-section of points of view, were brought together to find out if there is a better way to think about the purposes, functions, and interdependence of sentencing and corrections policies.

We are fortunate in having secured the assistance of Michael Tonry, Sonosky Professor of Law and Public Policy at the University of Minnesota Law School, and Director, Institute of Criminology, University of Cambridge, as project director.

One product of the sessions is this series of papers, commissioned by NIJ and the CPO as the basis for the discussions. Drawing on the research and experience of the session participants, the papers are intended to distill their judgments about the strengths and weaknesses of current practices and about the most promising ideas for future developments.

The sessions were modeled on the executive sessions on policing held in the 1980s and 1990s under the sponsorship of NIJ and Harvard's Kennedy School of Government.

Those sessions played a role in conceptualizing community policing and spreading it. Whether the current sessions and the papers based on them will be instrumental in developing a new paradigm for sentencing and corrections, or even whether they will generate broad-based support for a particular model or strategy for change, remains to be seen. It is our hope that in the current environment of openness to new ideas, the session papers will provoke comment, promote further discussion and, taken together, will constitute a basic resource document on sentencing and corrections policy issues that will prove useful to state and local policymakers.

Julie E. Samuels
Acting Director
National Institute of Justice
U.S. Department of Justice
Larry Meschum
Director
Corrections Program Office
U.S. Department of Justice

and legal constructs. For example, we attempt to compare the value of incarceration to the value of probation or parole. By compartmentalizing the analysis of reentry goals into debates about the separate and relative values of imprisonment and community corrections, we pay a price. We overlook the reality that offenders cross these institutional and legal boundaries and carry with them the capacity to achieve or frustrate the purposes of sentencing. We overlook the complex organizational relationships that exist (or could exist) between agencies that manage imprisonment and those that manage restricted liberty. And we overlook the practical and symbolic importance—to the offender, his family and community, the victim, and society as a whole—of the moment of release. For these reasons, a focus on reentry could be a way to "unpack" some of the philosophical and policy dilemmas that beset sentencing today.



Reentry reconsidered

What do we hope to accomplish in managing reentry? Why not simply show the prisoner to the door and tell him he is free? Why impose any restraints on his liberty when that means setting up mechanisms for enforcing them? Martin Horn, who heads corrections in Pennsylvania, proposed the following thought experiment: Perhaps we should simply abolish parole supervision, offer released prisoners a set of vouchers to purchase services at lower cost, and invest the savings in prevention programs. This is a radical idea, to be sure, but the more radical question is why even pay for the vouchers? What are our goals in providing any continuing supervision and assistance to returning prisoners?

The overarching goal of reentry, in my view, is to have returned to our midst an individual who has discharged his legal obligation to society by serving his sentence and has demonstrated an ability to live by society's rules. Accepting released offenders into the

community without a period of supervised release is morally unsatisfying; they have not yet earned their place at our table. By contrast, accepting an offender who has demonstrated, during a period of transition, that he can abide by the rules can be highly satisfying to the offender, his family, and the broader community. Graduation ceremonies in drug courts attest to this.

To achieve this goal, the primary objective, for offender and criminal justice agency alike, is to prevent the recurrence of antisocial behavior. If that is to happen, a great deal must be done, for each individual offender, to ascertain the conditions that lead to relapse and to develop a plan to prevent it. This process should begin at sentencing and continue throughout the period of release. For each individual, that means mobilizing the networks of formal and informal social control that create a support system by detecting early warning signals of relapse and responding to them. Whatever conditions of release are imposed should be directly related to giving the offender the opportunity to support his claim to reintegration; that is, they should be geared to preventing the recurrence of antisocial behavior and promoting productive activity valued by society. The powers and authority of the criminal justice agencies should be mobilized to achieve these objectives. And, when the goal of reintegration has been met, the moment should be officially acknowledged and celebrated so that the offender's new life can begin.

Currently there is no effective means of managing reentry to achieve this goal. Parole supervision agencies could conceivably manage many parts of the process, but they cannot realistically extend their reach to the work of correctional institutions, and they rarely play a role at sentencing. Correctional institutions can help prepare offenders for release, but their authority is generally limited to what happens within prison walls. Parole boards theoretically influenced both ends of the

continuum, but in reality even that model had little capacity to integrate sentencing decisions, in-prison activities, and community-based supervision. Some drug treatment programs (discussed below) most closely resemble components of an effective reentry management process, and some other treatment interventions, such as programs dealing with sex offenders, may also serve this purpose. Similarly, a number of recent innovations at the pretrial phase of criminal justice processing can also shed light on the reentry issue. Yet we cannot avoid concluding that our system of justice lacks the organizational capacity to manage the reintegration of released offenders.



Restructuring reentry— pressure from the collapse of parole

A focus on the processes and goals of reentry is particularly timely because the traditional "reentry manager"—the parole board—has been significantly weakened, and the system of parole supervision is struggling to find its sense of purpose. Ironically, the rise in the number of prisoners has been accompanied by loss of confidence in the institution entrusted with supervising their return. Moreover, as the rate of new admissions to State prisons levels off, these facilities are increasingly becoming populated by parole violators, raising new questions about the effectiveness of sanctions for postrelease misconduct.

The pressure on parole

The movement to abolish or severely restrict parole continues to attract support in the political arena. We are a long way from the ideals of the Model Penal Code, which granted parole boards enormous power to decide the moment and conditions of reentry. Mandatory minimums, sentencing guide-

lines, restrictions on good time, and other sentencing and corrections reforms have had the combined effect, for a large percentage of offenders, of limiting the temporal window in which release is possible. Truth-in-sentencing laws adopted in many States have set a high floor for that window: Although the types of offenses covered by these laws vary, more than half the States now require that violent offenders serve at least 85 percent of their sentence before they are eligible for parole.⁴ The net effect is that for a larger percentage of a larger number of cases, one traditional function of parole boards—deciding release dates for prisoners—has been severely diminished, if not eliminated.

Parole boards have historically served a second important function—deciding whether a prisoner is "ready" to be released and supervising the development of a release "plan." This baby may have been thrown out with the bathwater of discretionary release. Although imperfect, the system integrated the pre-release and postrelease functions of the relevant government agencies and provided a rationale for the offender's reentry. In the best of circumstances, the parole board would be able to say, "Harry Jones has made sufficient progress in his personal rehabilitation while in prison, and he has a network of family, neighborhood support, and work opportunities on the outside sufficient for us to determine he is ready to be released."

The underpinnings of this approach have been severely weakened by research findings, public outcry, and political attacks from the left and right. Rehabilitation programs were found by researchers to be ineffective; parole decisions were faulted as highly arbitrary; and parole supervision, even if intensive, was found not to reduce recidivism.⁵ Finally, public pressure has undermined confidence in the parole system, particularly because of the highly visible, heinous crimes committed by some parolees who might otherwise have been in prison. In this environment,

advocates of parole are having a hard time justifying its existence.

The answer to the question, "If not parole, then what?" is typically, "More prison." Yet asking a different question—"How should we manage the reentry of large numbers of people who have been imprisoned for a long time?"—might elicit a different answer. More prison is certainly not the answer. Just as increased borrowing does not reduce the national debt but only delays the day of reckoning, longer prison sentences cannot obviate the reentry phenomenon: They all come back.⁶ So a focus on reentry is timely because of the sustained and successful attacks on the philosophical underpinnings of parole. Ironically, such a focus would necessarily require reconsidering one of the traditional functions of parole boards—the integration of activities inside and outside the prison, and the articulation of a rationale for setting the conditions and timing of the prisoner's release.

The shifting profile of the prison population

After growing at a staggering pace for almost two decades, the Nation's prison population may be reaching a new equilibrium, as the rate of increase shows signs of slowing down. Hidden by the focus on overall trends, however, is the fact that much of the most recent increase is due to an increase in time served rather than new admissions. Further analysis reveals that admissions resulting from parole violations now drive much of the prison growth: Parole violators now constitute 34 percent of all admissions, a figure that has almost doubled since 1980.⁷ The growth in absolute numbers underscores the power of parole failures to increase prison populations: In 1991, about 140,000 parole violators were returned to prison; 7 years later, that number had risen to more than 200,000—a 45-percent increase.⁸ Another policy perspective highlights the lost reentry opportunities represented by these developments:

In 1984, 70 percent of those who left parole status were determined to be "successful"; in 1996, less than half successfully completed their parole terms and a like percentage were returned to prison.⁸ Parole supervision is now as likely to end up in revocation as in reintegration.

In short, the factors governing use of prison space for punishment purposes have changed significantly. The growing number of prisoners released on parole who face an increased likelihood of revocation will be an ever greater driver of prison expansion. Reversing the trend would certainly relieve pressure on prison space. More successful reentry management would also restore parole supervision as a period of transition to a law-abiding life.



Reentry—cues from the pretrial phase

It is useful to note that reentry is a nearly universal experience for criminal defendants, not just returning prisoners. Everyone who is arrested, charged with a crime, and then released from custody moves from a state of imprisonment to a state of liberty. Everyone who is released on bail, placed on probation after a period of pretrial detention, sentenced to weekend jail, or released to a drug treatment facility experiences a form of reentry.

Reentry in the pretrial context offers insights that can enhance reexamination of the classic challenges posed by returning prisoners. Something as simple as a clear explanation of the terms of pretrial release, made by a judge to a defendant and his family, can advance the interests of justice. Notifying the victim of spousal abuse that her attacker is about to be released—and developing safety plans and securing appropriate protective orders—can help ensure her safety. Requiring that an offender provide for restitution while on probation can make victims feel that justice

has been served. Placing an offender in a drug treatment program and explaining the terms of his participation in drug court can be the beginning of the road to recovery from drug addiction.

The events that occur with some frequency in the pretrial context of reentry management can induce us to think more broadly about reentry in the postimprisonment context. We might ask questions not typically considered at the point of release from prison: What authoritative figure should explain the conditions of liberty to a prisoner? Can adequate provisions be made for victim safety and public safety? Can restitution goals be incorporated and achieved? Can participation in drug treatment or other support programs be integrated into the process of reentry from prison? The lessons learned from innovative pretrial practices can inform the development of policies to manage reentry on the other end of the continuum—from prison to the community.



New directions in policy

Fortunately, at the same time parole has lost its effectiveness as reentry manager, important innovations are taking place that suggest different opportunities—and risks—for managing reentry in new ways. The drug treatment continuum, for example, mixes treatment processes with criminal justice processes to achieve successful reentry by reducing drug use and recidivism. Recent policies on sex offenders are a counterexample showing how policy shifts and new legal doctrines can militate against successful reentry. Innovative programs that manage community supervision to achieve public safety demonstrate how a variety of criminal justice agencies can enforce the terms of reentry. Finally, restorative justice programs are defining new roles for victims, families, and offenders, as well as for judges, police officers, and others, in shaping the terms of reentry.

The success of the drug treatment continuum

One of the more important developments under way in criminal justice policy is the linkage of criminal justice processes to drug treatment processes. Drug courts are one manifestation; increased funding for drug treatment in prisons is another; expanded use of drug testing as a condition of pretrial release, probation, or parole is still another. These developments shed light on a reconsideration of reentry. Research findings on the effectiveness of drug treatment offer hope that recidivism can be reduced. New models of treatment supervision and judicial oversight suggest different approaches to reentry management. And the understanding of relapse leads to new strategies for risk management.

Treatment effectiveness in the criminal justice context. The evaluation of Delaware's "Key-Crest" therapeutic community treatment program typifies the literature on treatment effectiveness and demonstrates the efficacy of a continuum of treatment after release. Researchers found that drug-involved offenders who were treated both in prison and after release did better at staying drug free and arrest free than those who received no treatment. They also did better than those treated only in prison. In other words, treatment following release produced a powerful "booster" effect. Preliminary findings of a 3-year followup of these 6-month and 18-month studies confirmed the effectiveness of a continuum of treatment after release.¹⁰ Similar research in drug courts is not yet mature, but evidence from the programs and from a limited number of evaluative studies is very promising.¹¹ Contrary to the view that "nothing works," this research supports the conclusion that drug treatment, provided in the criminal justice context, works to reduce crime and drug abuse.

Reentry models. The innovations in the drug treatment continuum also provide rich examples of successful reentry management.

Drug treatment programs in prison are classic reentry initiatives. They assume a fixed (or predictable) release date. Typically, only inmates within a year of release may participate. The programmatic offering is explicitly tied to the conditions of reentering the community—how to avoid relapse. And for programs like Delaware's Crest, which include postrelease supervision, the continuum is complete and reentry is managed from the community side as well.

Although drug courts do not represent themselves as being in the reentry business, the drug court movement also offers relevant insights. Participating offenders are continually reminded by the judge that their good behavior buffers them from the loss of liberty. Most drug courts operate with clearly articulated contracts. A typical contract may state that the first drug-positive urine test will result in a warning, the second in a day in the jury box (truly low-cost detention), the third in a 3-day stay in jail, and the fourth in revocation of bail or imposition of a sentence of imprisonment.

This finely calibrated use of the scarce resources of judicial authority and prison capacity to achieve demonstrable changes in behavior has revolutionary implications for the current operating philosophies of probation and parole. Is it possible to imagine a system in which success and failure at meeting the conditions of postconviction release are so carefully monitored by a figure having the moral authority of a drug court judge, with such clearly delineated consequences for failure (and rewards for success), and with the sparing use of prison to achieve socially desirable results?

Deconstructing risk and relapse. Finally, on a more conceptual level, the success of the drug treatment continuum illustrates the applicability of the concept of "relapse" in the criminal justice context. Standing in stark contrast to popular criminal justice notions of

"zero tolerance," the concept recognizes the possibility of relapse as a daily threat. People who have been sober for decades still identify themselves as alcoholics who take sobriety a day at a time.

The moment of relapse is an occasion to work harder to support the individual offender, not an occasion to shun or exile him. Viewed from this perspective, the practice of sending a parolee back to prison to finish the rest of his term because of dirty urine or a technical violation of parole seems bizarre indeed. The parsimonious sanctions meted out by drug courts, designed to change behavior, mark a different path for achieving the goals of reintegration.

Finally, the concept of relapse recognizes the growing body of scientific literature demonstrating that environmental factors can trigger brain reactions related to the disease known as addiction.¹² Simply placing a recovering addict at the street corner where he used to buy drugs may cause chemical reactions in his brain that increase the craving for the drug. Thus, relapse prevention frequently involves managing the addict's access to a stimulating environment and training him to sever the links between that environment and his actions. As Michael E. Smith and Walter J. Dickey argue in another paper in this series, the risk posed by an offender in the community is highly contextual.¹³ "Risk" is not a static attribute of a particular offender; rather, an offender's environment, including prospective guardians and opportunities for reoffending, influences his propensity to make unwise choices. Just as drug court judges and drug treatment providers seek to reduce the risk of relapse by focusing on the context of offending, so too reentry managers must account for the context into which returning prisoners are placed.

Applying some of the lessons of the drug treatment continuum to the generic reentry phenomenon might prompt us to ask addi-

tional questions: What would be the continuum of risk management? What internal and external support systems would be constructed for the offender? What level of personal accountability would be required? How would the support system be activated at times of relapse, whether real or potential? How would moments and environments that trigger relapse be reduced? How could the scarce resource of imprisonment be calibrated to new acts of antisocial behavior?

The sex offender conundrum

The shifting sands of policies on sex offenders underscore the need for careful development of new reentry paradigms. Few areas of sentencing policy have seen redefinition as extensive as this one. Currently, 49 States require that communities be notified so residents know when a convicted sex offender comes to live in their midst. Every State now has a sex offender registry (some of them are even online or on CD-ROM, with photos of the offenders) maintained by law enforcement agencies. A National Sex Offender Registry, ordered by the President in 1996, became fully operational in 1999. Some States subject sex offenders who are on parole or probation to regular polygraph tests to ascertain whether they have experienced the urge to commit new sex offenses (or have already done so). Chemical castration is advocated by some as an appropriate form of punishment. The Supreme Court recently ruled (see *Kansas v. Hendricks*, 117 S.Ct. 2072) that a State may hold sexual predators beyond their sentence if they are found "mentally abnormal" and likely to commit new crimes, and that this confinement does not constitute punishment.¹⁴

Questions in search of answers. These remarkable pressures on previously settled doctrines of jurisprudence and theories of punishment are worthy of study on their own terms. They raise a number of questions: Where should sex offenders live—clustered together or scattered so that each community

has its "share"? Can a person have his name legitimately removed from a sex offender registry? (Indeed, what constitutes a "sex offender"?) How should communities react when notified that a new neighbor is on such a list? How should sex offenders be treated when in mental institutions that look like prisons? On what basis will they be determined ready for release and with what conditions? The rapidly changing policies on these issues are also noteworthy because the research on sex offenses and offenders is notably weak. Not much is known about sex offenders beyond the fact that there are many types. Adult rapists, child rapists, pederasts, pedophiles, child abusers—all are quite different from each other. Little is known about the trajectory of behavior over the lifetime of an offender. What triggers the behavior? What causes desistance? What treatments work?

Could a case study offer answers? A focused study of sex offender programs would shed light on the way reentry issues are defined in the crosscurrents of correctional policy, sentencing policy, and the politics of crime in this highly charged atmosphere. Ohio's experience suggests the possibilities: Almost 20 percent of the State's corrections population consists of inmates classified as sex offenders.¹⁵ The Sex Offender Risk Reduction Center, established in 1995 by Reginald Wilkinson, Director of Ohio's Department of Rehabilitation and Correction, offers an integrated approach involving outpatient and residential programs directed by mental health professionals and the requirement that all sex offenders continue and complete programming after release. The extensive psychological programming and the links to community-based programs are impressive and suggest intriguing comparisons with the drug treatment continuum discussed earlier.

A focused, pragmatic inquiry would examine the relationship between what is available on

the inside and the outside and could pose questions such as the following: How are sex offenders prepared for their new status on release? How are their families and support systems made part of the equation? How are relapse issues handled, and what is expected of the offender and his support system when relapse becomes a real possibility? How are the police involved in the process? How are mental health providers involved? How are communities engaged in the parole decision? What convincing arguments can be made against the predictable sex-offender version of NIMBY? This inquiry would enable us to refocus some of the policy questions inherent in reentry management broadly defined.

The public safety rationale for community corrections

Reconsideration of reentry issues is timely also because of a new sentiment in the community corrections profession that can make community supervision, if redefined, a major contribution to public safety.

The approach in practice. "Exhibit A" in this line of argument is the Boston experience. A coalition of criminal justice entities spanning the range of Federal and State agencies, from enforcement to probation, systematically set out to reduce gun violence among youth gang members. The results have been breathtaking. In the 2 years following implementation in 1996, homicide victimization among young people in Boston (those under 24) fell more than 70 percent—to levels below even those of the years preceding the youth violence epidemic.¹⁶ A critical component of the experiment was the probation department, which notably did not act alone but, rather, in close concert with the police. In "Operation Night Light," as the probation-police component of the program is called, the courts agreed to set and enforce conditions of probation tailored to chronic youthful offenders. These new expectations were communicated expressly and clearly to the targeted youth population by a broad array

of agencies that then enforced those expectations when violence resurfaced.

"Exhibit B" is the Neighborhood Based Supervision (NBS) program of Washington State's Department of Corrections, which takes community corrections officers out from behind their desks and places them directly in neighborhoods. There they join forces with community policing officers to work with the community in supervising released offenders. With NBS in Spokane, the traditional monitoring role of probation and parole has expanded to include that of information and resource broker, mediator, adviser, advocate, and counselor, and the community is brought into the process to help hold offenders accountable for their behavior.

"Exhibit C" is the demonstration project now under way in two Wisconsin counties. The premise is that released offenders can be a resource for reducing crime. Judges, probation and parole agents, and prosecutors work together to develop strategies for imposing and carrying out sentences that reflect a contextual assessment of an offender's risk to the community. In this pilot project, the concept of risk is redefined to reflect the day-to-day realities of the offender's life in his community. This movement from a strict "just deserts" mode of sentencing to a risk-based model also provides the foundation for new sentencing legislation in Washington State.

What these programs have in common is the idea that offenders under community supervision are a valuable asset. Stated differently, the research finding that offenders under probation and parole supervision commit a disproportionate amount of crime presents a rare opportunity to produce a commodity—safety—that is highly valued. Set against the low expectation of probation and parole agencies being able to deliver this commodity, such a view of community corrections becomes imbued with the enthusiasm usually

seen in high-risk business ventures and too rarely seen in criminal justice reform efforts.

New goals and roles. This approach turns traditional notions of offender-community relationships upside down. Dennis Maloney has spearheaded the reinvention of community corrections in Oregon's Deschutes County under the banner of the community justice movement, a change in organizational culture suggested in the agency's new name: the Department of Community Justice. He rallies his troops (the probationers) as though they were being sent to work in Civilian Conservation Corps camps during the Depression, assigning them to highly visible public works projects as their reparation for the harm they have caused. Michael E. Smith and Walter J. Dickey, in Wisconsin, envision a street corner drug market where paroled offenders, parole officers, police officers, and young people likely to enter the drug market develop and implement strategies to reduce the level of violence and drug selling taking place there. Former Washington Corrections Administrator Chase Riveland, in his work with Neighborhood Based Supervision in Spokane, put parole officers and police officers in the same room, told them to go talk with community residents about the offenders living in their midst, and was pleased when a parole officer told him the new team goal is to see increased home ownership because that will mean the community is safer. In his work in Boston, Harvard's David Kennedy highlights the importance of bringing all gang members together to meet with the U.S. attorney and every other relevant law enforcement official to hear the message that violence will no longer be tolerated and then enforcing that message with action when necessary.¹⁷

These initiatives are a far cry from traditional social work approaches to parole and probation. Anonymity is replaced with in-your-face contact. The prohibition against consorting with known criminals is replaced with

the activism of community justice teams. Deskbound, 9-to-5 casework is replaced with enforcing curfews by camping outside the probationer's door at 10 p.m. to make sure he is home. The organizational boundaries and cultural incompatibility that kept police and probation apart are replaced by common purpose. Offenders are seen as assets to be managed rather than merely liabilities to be supervised. The organizing principle of community corrections work is no longer a caseload organized by level of risk determined by a scoring instrument, by type of offender, or randomly. In the new model, the work of community corrections can be organized by the neighborhood where the offender lives, the location of the crime problem to be addressed, or the place where the community justice project is located. Finally, the role of the community corrections officer is radically different. It is that of partner with the police in enforcement (as in Boston), community outreach worker (as in Spokane), and jobs and service broker (as in Deschutes County).

Finding the links to reentry. What still needs to be considered are the implications of these initiatives for reentry—just how the offender is released into this new world of supervision. A study of Boston's experience would illustrate how judges, police officers, and probation officers explained to young offenders on probation just what the new terms of probation really mean. A study of Washington's Neighborhood Based Supervision would reveal what the parole and police officers working in Spokane have learned about setting community norms for offenders' behavior following reentry. A study of Deschutes County would demonstrate whether the organizational transformation to a community justice department has translated into new expectations among prisoners awaiting release. Do inmates know, for example, that the parole they are about to receive is unlike any other they have experienced? How has the language of the street conveyed new messages

about behavior and its consequences? With these insights in hand, we could ask how a seamless system of reentry could reinforce these messages.

Restorative justice

Finally, the reentry discussion is timely because of innovations on the restorative justice frontier. Although this is a grassroots movement, much of the innovation is taking place within the structure of the criminal justice system. Thus, some is court based, with the formal hearing giving way to an alternative dispute resolution process involving the victim, offender, lawyers, and community residents, in addition to the judge, in decisionmaking.¹⁸ Some is police based, with officers facilitating family group conferences that involve victims, family members, and the offender.¹⁹ Some is corrections based, as exemplified by the Reparative Citizen Boards, designed by Vermont Department of Corrections head John Gorczyk, on which community members interact with offenders to draw up a contract stipulating probation conditions.²⁰ Some is prosecution based, as exemplified by the Neighborhood Conference Committees developed under Travis County, Texas, District Attorney Ronald Earle, where panels of citizens meet with juvenile offenders and, separately, with their parents and together draw up a contract spelling out the conditions of diversion from court.²¹ The range of these restorative innovations and the energy behind them are truly exciting.

Reintegration the goal. For purposes of this exploration of reentry, there is great power in the notion, implicit in restorative justice initiatives, that an important purpose of the criminal sanction is reintegrating the offender into the community following his acceptance of personal responsibility for the harm done to victim and community and his "payment" of appropriate penance. Of all the attention paid to various "shaming" programs, little focuses on the implications of the term "reintegrative," which, according to the literature, is

the key modifier. Shaming without a reintegrative purpose, the literature suggests, is at best wasted effort and at worst counter-productive.¹²

Victims and the community. The second dimension of restorative justice philosophy relates to the victim and the community wronged by the crime. Victims cannot be restored to the *status quo ante*, nor can offenders be expected to repair all financial harm they caused their victims. Yet the social and psychological "restoration" of victims is, in my view, a major societal purpose that can be accomplished in the administration of justice. Our current approach frustrates this purpose, however. Progress is piecemeal. Meaningful participation of victims in court proceedings is a good beginning; it is accomplished to a larger degree in restorative programs. Restitution can be enhanced by the involvement of victims. Respect for the processes of government can be enhanced. Fear of offenders can be reduced. Unfortunately, however, victim involvement, now increasingly required by statutes and constitutional amendments, is often seen by the agencies of justice as a burden rather than an opportunity to advance the interests of justice. Restorative justice initiatives break new conceptual ground for the possibilities of substantive victim participation.

Restorative justice initiatives also represent, without stating it in so many words, significant new processes for defining the terms of reentry. The negotiation of relationships among the parties affected by the crime results in a new contract—with reentry of the offender understood in terms of that contract. The victim, the family, the offender, and other interested parties have a direct role in negotiating the contract and consequently an interest in its enforcement. "Supervision" is privatized by allowing the forces of informal control—family, neighbors, police officers, victims—to be part of the supervisory process. These networks—the forces thought

by researchers to be most effective at reducing crime¹³—are explicitly and formally given new tasks to accomplish in managing the reintegration of the offender.



A provocative proposal

Let's imagine a world unconstrained by budgetary realities, legal conventions, or implementation considerations. In that world, let's consider a model of reentry that draws on and applies the lessons learned from the innovations described here. We make two assumptions: that people are still sent to prison, and that they are released back into the community with some portion of their sentence still to be served.

Judges as reentry managers

If a new vision were written on a clean slate, the role of reentry management would best be assigned, in my view, to the sentencing judge, whose duties would be expanded to create a "reentry court." At the time of sentencing, the judge would say to the offender, "John Smith, you are being sentenced to X years, Y months of which will be served in the community under my supervision. Our goal is to admit you back into our community after you pay your debt for this offense and demonstrate your ability to live by our rules. Starting today, we will develop, with your involvement, a plan to achieve that goal. The plan will require some hard work of you, beginning in prison and continuing—and getting harder—after you return to the community. It will also require that your family, friends, neighbors, and any other people interested in your welfare commit to the goal of your successful return. I will oversee your entire sentence to make sure the goal is achieved, including monitoring your participation in prison programs that prepare you for release. Many other criminal justice agencies—police, corrections, parole, probation, drug treatment, and others—will be part of a team committed to achieving the goal. If you do not

keep up your end of the bargain, I will further restrict your liberty, although only in amounts proportionate to your failure. If you commit a crime again after your release, all bets are off. If you do keep up your end of the bargain, it is within my power to accelerate the completion of your sentence, to return privileges that might be lost (such as your right to hold certain kinds of jobs or your right to vote), and to welcome you back to the community."

At the time of sentencing, the judge would also convene the stakeholders who would be responsible for the offender's reentry. They would be asked to focus on that day, perhaps years in the future, when John returns home. How can he be best prepared for that day and for a successful reentry? What does his support network commit to doing to ensure that success? A "community justice officer" (who could be a police officer, probation officer, or parole officer) would also be involved, since there might be special conditions, geared to the neighborhood, that the offender would have to meet.

The judge-centered model described here obviously borrows heavily from the drug court experience. Both feature an ongoing, central role for the judge, a "contract" drawn up between court and offender, discretion on the judge's part to impose graduated sanctions for various levels of failure to meet the conditions imposed, the promise of the end of supervision as an occasion for ceremonial recognition.

Incarceration as a prelude to reentry

If John goes to prison, a significant purpose of his activities behind bars would be preparation for reentry. What does that mean? It depends on the type of offender and the offense, and could include sex offender treatment, job readiness, education and/or training, a residential drug treatment program, and anger management. These activities would also involve people, support systems,

and social service and other programs based in John's neighborhood. Drug treatment in prison should be linked to drug treatment in the community, job training should be linked to work outside, and so forth. In other words, mirror support systems should be established so that John can move from one to the other seamlessly upon release.

Even while in prison, John would continue to pay restitution to his victim or to the community he has harmed—tangible, measurable restitution. A lot of time would be spent with John's family, to keep family ties strong and to talk about what John will be like when he returns home. As the release date approached, the circle would widen, as the support system was brought into the prison to discuss how to keep the offender on the straight and narrow after release. Buddy systems would be established and training in the early warning signs of relapse provided. Again, the community justice officer could broker this process. All the while, the judge would be kept apprised of progress.

Setting the terms of release

When released, John would be brought back to court, perhaps the same courtroom where he was sentenced. A public recognition ceremony would be held, before an audience of family and other members of the support team, and the judge would announce that John has completed a milestone in repaying his debt to society. Now, the judge would declare, the success of the next step depends on John, his support system, and the agencies of government represented by the community justice officer.

The terms of the next phase would be clearly articulated. If John's case were typical, he would have to remain drug free, make restitution to his victim and reparation to his community, work to make his community safer, participate in programs that began in prison (work, education, and the like), avoid situations that could trigger relapse, and refrain

from committing crime. He would be required to appear in court every month to demonstrate how well the plan was working.

Making the contract work

The judge presiding over a reentry court would be responsible for making sure that John held up his end of the bargain and that the government agencies and the support system were doing their parts. As in drug courts, the court appearances need not be long, drawn-out affairs; the purpose of invoking the authority of the court would be to impress on John that he has important work to do and to mobilize the support network. The power of the court would be invoked sparingly when John failed to make progress. The court would view relapse in its broadest sense and would use the powers at its disposal (to impose prison sentences, greater restrictions on liberty, fines, and similar sanctions) to ensure that John toes the line. His family and other members of his support system would be encouraged to attend these court hearings. The community justice officer would keep the court apprised of neighborhood developments involving the offender. To the extent John became involved in programs that made his community safer, there would be occasion for special commendation. The judge would be empowered by statute to accelerate the end of the period of supervision, to remove such legal restrictions as the ban on voting, and to oversee John's "graduation" from the program—his successful reentry into the community.

This approach would have several benefits. It cuts across organizational boundaries, making it more likely that offenders are both held accountable and supported in fulfilling their part of the reentry bargain. By involving family members, friends, and other interested parties in the reentry plan, it expands the reach of positive influences upon the offender. By creating a supervisory role for judges, the approach gives them far greater capacity to achieve the purposes of sentencing. Most

important, by focusing on the inexorable fact that the prison sentence will one day be completed and the offender will come back to live in the community, the approach directs private and public energies and resources toward the goal of successful reintegration.

■ ■ ■

Conclusion

To be sure, the reentry model outlined here would not find easy acceptance. Even if it were embraced in principle, too much may be invested in the current system to consider undertaking such a major overhaul. Then there are the multiple logistical challenges, with workload considerations—particularly those of judges and community corrections officers—paramount. The main challenge would be to build the interagency relationships essential to making the model work. That would involve, among other things, creating a link on the conceptual level between incarceration on the one hand and probation and parole on the other.

Perhaps the rationales for revisiting reentry outlined here—among them current sentencing policies that mean more returning offenders, the issue of relapse, the eclipse of traditional parole—are not convincing on their own. But add to them the array of innovations under way on such fronts as drug courts, the pretrial phase of justice processing, and restorative justice, as well as in projects nationwide that are marshaling the forces of corrections in the service of public safety, and the times seem to offer that rare mix of policy challenge and opportunity for new ways of doing business.

Notes

1. Bureau of Justice Statistics, unpublished data for 1998; *Prisoners in State and Federal Institutions on December 31, 1980*, National Prisoner Statistics Bulletin, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, March 1982: 2, 7, NCJ 80520; *Correctional Populations in the United States, 1996*.

Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, April 1999: 86, NCJ 170013.

2. Ditton, Paula M., and Doris James Wilson, *Truth in Sentencing in State Prisons*, Special Report, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, January 1999: 3, NCJ 170032.

3. The latest figure, for 1997, indicates that 18.6 percent of prisoners released from State prison leave without correctional supervision (Ditton and Wilson, *Truth in Sentencing*, 10).

4. *Ibid.*, 2.

5. Glaser, Daniel, *The Effectiveness of a Prison and Parole System*, Indianapolis, IN: Bobbs-Merrill, 1969; Martinson, Robert, "What Works?—Questions and Answers About Prison Reform," *Public Interest* 35 (2) (1974): 22–54; Sechrest, Lee, Susan White, and Elizabeth Brown, *The Rehabilitation of Criminal Offenders: Problems and Prospects*, Washington, DC: National Academy of Sciences, 1979; DiIulio, John, "Reinventing Parole and Probation," *Brookings Review* 15 (2) (1997): 40–42; Citizens' Inquiry on Parole and Criminal Justice, *Report on New York Parole*, New York: Citizens' Inquiry, 1974; Petersilia, Joan, and Susan Turner, "Intensive Probation and Parole," in *Crime and Justice: A Review of Research*, vol. 17, ed. Michael Tonry, Chicago: University of Chicago Press, 1993: 281–335.

6. The rhetorical point is not the literal fact. A certain proportion of prisoners do not return to the community. Of the 1.2 million prisoners, a small number (about 3,300 per year) die in prison as a result of illness or other natural causes, suicide, execution, or for another reason. *Correctional Populations in the United States, 1996*, 95.

7. Bureau of Justice Statistics, *Correctional Populations in the United States, 1996*, iii, 9; Snell, Tracy L., *Correctional Populations in the United States, 1993*, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, October 1995: 12, NCJ 15(241).

8. Figure for 1991 calculated from *Correctional Populations in the United States, 1996*; figure for 1998 figure is from unpublished Bureau of Justice Statistics data.

9. Petersilia, Joan, "Parole and Prisoner Reentry in the United States," in *Prisons*, ed. Michael Tonry and Joan Petersilia (Crime and Justice: A Review of Research, Volume 26), Chicago: University of Chicago Press, 1999: 513.

10. Inciardi, James A., *A Corrections-Based Continuum of Effective Drug Abuse Treatment*, Research Preview, Washington, DC: U.S. Department of Justice, National Institute of Justice, June 1996, NCJ 152692; and Martin, Stan, et al., "Three-Year Outcomes of Therapeutic Community Treatment for Drug-Involved Offenders in Delaware: From Prison to Work Release to Aftercare," *Prison Journal* 79 (3) (September 1999): 294–320.

11. See *Looking at a Decade of Drug Courts*, Drug Court Clearinghouse and Technical Assistance Project, American University, Washington, DC: U.S. Department of Justice, Office of Justice Programs, Drug Courts Program Office, June 1998: 4, NCJ 171140.

12. Rawson, Richard A., *Treatment for Stimulant Use Disorders (Treatment Improvement Protocol [TIP] Series, 33)*, DHHS Publication No. SMA 99–3296, Rockville, MD: U.S. Department of Health and Human Services, Center for Substance Abuse Treatment, 1999.

13. *Reforming Sentencing and Corrections for Just Punishment and Public Safety*, Research in Brief, Sentencing and Corrections: Issues for the 21st Century, Washington, DC: U.S. Department of Justice, National Institute of Justice and Corrections Program Office, September 1999, NCJ 175724.

14. 521 U.S. 346, 1997.

15. Information from the Bureau of Research, Ohio Department of Rehabilitation and Correction. Figure is as of 1999.

16. Boston Police Department, "Operation Cease Fire," unpublished document, no date (abstract page).

17. Kennedy, David, "Pulling Levers: Getting Deterrence Right," *National Institute of Justice Journal* 236 (July 1998): 2–8.

18. Stuart, Barry, "Circle Sentencing in Canada: A Partnership of the Community and the Criminal Justice System," *International Journal of Comparative and Applied Criminal Justice* 20 (2) (Fall 1996): 291–309; Bazemore, Gordon, "Conferences, Circles, Boards, and Mediations: The 'New Wave' of Community Justice Decision-making," *Federal Probation* 61 (2) (June 1997): 25–37; and Stuart, Barry, "Circle Sentencing: Turning Swords Into Ploughshares," in *Restorative Justice: International Perspectives*, ed. Burt Galaway and Joe Hudson, Monsey, NY: Criminal Justice Press, 1996: 193–206.

Jerome Travis, former Director of the National Institute of Justice, is a Senior Fellow with The Urban Institute.

This study was supported by cooperative agreement 97-MUMU-K006 between the National Institute of Justice and the University of Minnesota.

Findings and conclusions of the research reported here are those of the author and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

This and other NIJ publications can be found at and downloaded from the NIJ Web site (<http://www.ojp.usdoj.gov/nij>).

NCJ 181413

19. An example is the Bethlehem, Pennsylvania, Police Family Group Conferencing program. The report of the NIJ-sponsored evaluation is "Restorative Policing Experiment: The Bethlehem Pennsylvania Police Family Group Conferencing Project," by Paul McCold and Benjamin Wachtel, final report submitted to NIJ, May 1998 (grant no. 95-IJ-CX-0042).

20. Vermont Reparative Probation, "Program Overview," n.p., 1999; and Vermont Reparative Probation, "Fact Sheet," n.p., 1999.

21. The procedure followed by the Neighborhood Conference Committees is described in *Travis County Neighborhood Conference Committees Training Manual, Version VI*, n.p., June 1999.

22. Braithwaite, J., *Crime, Shame and Reintegration*, New York: Cambridge University Press, 1994: 55, 81, 102; and Braithwaite, J., "Reintegrative Shaming, Republicanism, and Policy," *Crime and Public Policy*, ed. Hugh D. Barlow, Boulder, CO: Westview, 1995: 193–194.

23. See *Neighborhood Collective Efficacy—Does It Help Reduce Violence?* by Robert J. Sampson, Stephen W. Raudenbush, and Felton Earls, Research Preview, Washington, DC: U.S. Department of Justice, National Institute of Justice, April 1998, FS 000203.

THE EXECUTIVE SESSIONS ON SENTENCING AND CORRECTIONS

Convened the following distinguished panel of leaders in the fields:

Neal Bryant
Senator
Oregon State Senate

Harold Clarke
Director
Department of Correctional Services
State of Nevada

Cheryl Crawford
Deputy Director, Office of
Development and Communications
National Institute of Justice
U.S. Department of Justice

Barbara Damchik-Dykes
Project Coordinator
Executive Sessions on Sentencing
and Corrections

Walter Dickey
Evjue-Bascom Professor of Law
University of Wisconsin

Ronald Earle
District Attorney
Austin, Texas

Tony Fabelo
Director
Texas Criminal Justice Policy Council

Richard S. Gebelein
Superior Court Judge
Wilmington, Delaware

John Gorczyk
Commissioner
Department of Corrections
State of Vermont

Kathleen Hawk Sawyer
Director
Federal Bureau of Prisons
U.S. Department of Justice

Sally T. Hillsman
Deputy Director
National Institute of Justice
U.S. Department of Justice

Martin Horn
Secretary
Department of Corrections
Commonwealth of Pennsylvania

Susan M. Hunter
Chief, Prisons Division
National Institute of Corrections
U.S. Department of Justice

Leena Kurki
Research Associate
Law School
University of Minnesota
Project Associate
Executive Sessions on Sentencing
and Corrections

John J. Larivee
Chief Executive Officer
Community Resources for Justice

Joe Lehman
Secretary
Department of Corrections
State of Washington

Dennis Maloney
Director
Deschutes County (Oregon)
Department of Community Justice

Larry Meachum
Director
Corrections Program Office
Office of Justice Programs
U.S. Department of Justice

Mark H. Moore
Guggenheim Professor of Criminal Justice
Policy and Management
John F. Kennedy School of Government
Harvard University

Norval Morris
Emeritus Professor of Law and Criminology
University of Chicago

Joan Petersilia
Professor of Criminology,
Law and Society
School of Social Ecology
University of California, Irvine

Kay Pranis
Restorative Justice Planner
Department of Corrections
State of Minnesota

Michael Quinlan
Former Director
Federal Bureau of Prisons
U.S. Department of Justice

Chase Riveland
Principal
Riveland Associates

Thomas W. Ross
Superior Court Judge,
18th Judicial District
Chair, North Carolina Sentencing
and Policy Advisory Commission

Dora Schriro
Director
Department of Corrections
State of Missouri

Michael Smith
Professor of Law
University of Wisconsin

Morris Thigpen
Director
National Institute of Corrections
U.S. Department of Justice

Michael Tonry
Director
Institute of Criminology
University of Cambridge
Sonosky Professor of
Law and Public Policy
University of Minnesota
Project Director
Executive Sessions on Sentencing
and Corrections

Jeremy Travis
Senior Fellow
The Urban Institute
Former Director
National Institute of Justice
U.S. Department of Justice

Reginald A. Wilkinson
Director
Department of Rehabilitation
and Correction
State of Ohio



SENTENCING & CORRECTIONS

ISSUES FOR THE 21ST CENTURY

NOVEMBER 2000

PAPERS FROM THE EXECUTIVE SESSIONS ON SENTENCING AND CORRECTIONS

No. 9

When Prisoners Return to the Community: Political, Economic, and Social Consequences

by Joan Peterstila

State prisons admitted about 591,000 people in 1999 and released almost the same number. If Federal prisoners and young people released from secure juvenile facilities are added to that number, nearly 600,000 inmates arrive yearly on the doorsteps of communities nationwide.¹

Virtually no systematic, comprehensive attention has been paid by policymakers to dealing with people after release, an issue termed "prisoner reentry."² Failure to address the issue may well backfire, and gains in crime reduction may erode if the cumulative impact of tens of thousands of returning felons on families, crime victims, and communities is not considered.

Inmates have always been released from prison, and officials have long struggled with helping them succeed. But the current situation is different. The numbers of returning offenders dwarf anything known before, the needs of released inmates are greater, and corrections has retained few rehabilitation programs.

A number of unfortunate collateral consequences are likely, including increases in child abuse, family violence, the spread of infectious diseases, homelessness, and community disorganization. As victim advocates are well aware, the implications for public safety and risk management are major factors in reentry. For large numbers of people in some communities, incarceration is becoming almost a normal experience. The phenomenon may affect the socialization of young people, the power of prison sentences to deter, and the future trajectory of crime rates and crime victimization.

■ ■ ■

Parole: Managing more people less well

Changes in sentencing practices, coupled with a decrease in prison rehabilitation programs, have placed new demands on parole. Support and funding have declined, resulting in dangerously high caseloads. Parolees sometimes abscond from supervision; more than half of all parolees are rearrested.³

DIRECTORS' MESSAGE



It is by now a commonplace that the number of people under criminal justice supervision in this country has reached a record high.⁴ As a result, the sentencing policies driving that number, and the field of corrections, where the consequences are felt, have acquired an unprecedented salience. It is a salience defined more by issues of magnitude, complexity, and expense than by any consensus about future directions. Are sentencing policies, as implemented through correctional programs and practices, achieving their intended purposes? As expressed in the movement to eliminate indeterminate sentencing and limit judicial discretion, on the one hand, and to radically restructure our retributive system of justice, on the other, the purposes seem contradictory, rooted in conflicting values. The lack of consensus on where sentencing and corrections should be headed is thus no surprise.

Because sentencing and corrections policies have such major consequences—for the allocation of government resources and, more fundamentally and profoundly, for the quality of justice in this country and the safety of its citizens—the National Institute of Justice and the Corrections Program Office (CPO) of the Office of Justice Programs felt it opportune to explore them in depth. Through a series of Executive Sessions on Sentencing and Corrections, begun

CONTINUED

DIRECTORS' MESSAGE

CONTINUED

in 1998 and continuing through the year 2000, practitioners and scholars foremost in their field, representing a broad cross-section of points of view, were brought together to find out if there is a better way to think about the purposes, functions, and interdependence of sentencing and corrections policies.

We are fortunate in having secured the assistance of Michael Tonry, Sonosky Professor of Law and Public Policy at the University of Minnesota Law School, and Director, Institute of Criminology, University of Cambridge, as project director.

One product of the sessions is this series of papers, commissioned by NIJ and the CPO as the basis for the discussions. Drawing on the research and experience of the session participants, the papers are intended to distill their judgments about the strengths and weaknesses of current practices and about the most promising ideas for future developments.

The sessions were modeled on the executive sessions on policing held in the 1980s and 1990s under the sponsorship of NIJ and Harvard's Kennedy School of Government.

Those sessions played a role in conceptualizing community policing and spreading it. Whether the current sessions and the papers based on them will be instrumental in developing a new paradigm for sentencing and corrections, or even whether they will generate broad-based support for a particular model or strategy for change, remains to be seen. It is our hope that in the current environment of openness to new ideas, the session papers will provoke comment, promote further discussion and, taken together, will constitute a basic resource document on sentencing and corrections policy issues that will prove useful to State and local policymakers.

Julie E. Samuels
Acting Director
National Institute of Justice
U.S. Department of Justice

Larry Meachum
Director
Corrections Program Office
U.S. Department of Justice

Determinate sentencing means automatic release

Parole has changed dramatically since the mid-1970s. At that time, most inmates served open-ended, indeterminate terms, and a parole board had wide discretion to either release them or keep them behind bars. In principle, offenders were paroled only if they were rehabilitated and had ties to the community—such as a family or a job. This made release a privilege to be earned. If inmates violated parole, they could be returned to prison to serve the balance of their term—a strong disincentive to commit crime.

Today, indeterminate sentencing and discretionary release have been replaced in 14 States with determinate sentencing and automatic release.¹ Offenders receive fixed terms when initially sentenced and are released at the end of their prison term, usually with credits for good time. For example, in California, where more than 125,000 prisoners are released yearly, there is no parole board to ask whether the inmate is ready for release, since he or she *must* be released once his or her term has been served. After release, most California offenders are subject to 1 year of parole supervision. Generally, a parolee must be released to the county where he or she lived before entering prison. Since the vast majority of offenders come from economically disadvantaged, culturally isolated, inner-city neighborhoods, they return there upon release.

Indeterminate sentencing lost credibility in part because it is discretionary. Research revealed that there were wide disparities in sentencing when the characteristics of the crime and the offender were taken into account and that sentencing was influenced by the offender's race, socioeconomic status, and place of conviction. But most corrections officials believe *some* power to individualize sentences is necessary, since it is a way to take into account changes in behavior or conditions that occur during incarceration. Imprisonment can cause psychological breakdown, depression, or other mental illness or can reveal previously unrecognized personal problems. When this is discovered, the parole board can adjust release dates.

More parolees have unmet needs

The States and the Federal Government have allocated increasing shares of their budgets to building and operating prisons. California, for example, has built 21 prisons since the mid-1980s, and its corrections budget grew from 2 percent of the State's general fund in 1981 to nearly 8 percent in 2000. There are similar patterns nationwide, with spending on prisons the fastest growing budget item in nearly every State in the 1990s.

Increased dollars have funded operating costs for more prisons, but *not* more rehabilitation. Fewer programs, and lack of incentives to participate, mean fewer inmates leave prison having addressed their work, education, and substance abuse problems. Yet sentences for drug offending are the major reason for increases in prison admissions since 1980.² In-prison substance abuse programs are expanding but are often minimal. The Office of National Drug Control Policy reported that 70 to 85 percent of State prisoners need treatment; however, just 13 percent receive it while incarcerated.³

Mental illness is another growing issue. As a result of deinstitutionalization, more mentally ill people are sent to prison and jail than in the past. Nearly 1 in 5 inmates in U.S. prisons reports having a mental illness.⁴ Confinement in overcrowded prisons and in larger, "super max" prisons can cause serious psychological problems, since prisoners in such institutions spend many hours in solitary or in segregated housing. The longer the time in isolation, the greater the likelihood of depression and heightened anxiety.⁵

Gang activity, a major factor in many prisons, has implications for in-prison and postprison behavior. The existence of gangs and the related racial tension mean that inmates tend to be more preoccupied with finding a safe niche than with long-term self-improvement. Gang conflicts that start (or continue) in prison also continue in the community after gang members are released. One observer of this phenomenon has noted, "There is an awful lot of potential rage coming out of

prison to haunt our future."⁹ If these needs remain unmet, there will be effects not just for returning inmates, but for community members who are at risk for further crime victimization.

Parole supervision replaces services

Eighty percent of returning prisoners are released on parole and assigned to a parole officer. The remaining 20 percent (about 100,000 in 1998), including some who have committed the most serious offenses, will "max out" (serve their full sentence) and leave prison with no postcustody supervision. This means offenders who are presumably the *least* willing to enter rehabilitative programs are often *not* subject to parole supervision and receive no services.

For parolees, the parole officer plays a vital role. He or she enforces the conditions of release, including the prohibition on drug use and on associating with known criminals, and the requirement that the offender find and keep a job. Parole officers also provide crime victims with information about the offender's whereabouts, conditions of parole, and other issues affecting victim safety.

Despite the essential work of parole officers, their numbers have not kept pace with demand. In the 1970s, one agent ordinarily was assigned 45 parolees. Today caseloads of 70 are common. Most parolees are supervised on "regular" rather than intensive caseloads, which means less than two 15-minute, face-to-face contacts per month.¹⁰ Parole supervision costs about \$2,200 per parolee per year, compared to 10 times that much per prisoner. The current arrangements do not permit much monitoring. Parole agents in California reportedly lost track of about one-fifth of the parolees they were assigned to in 1999.¹¹ Nationally, about 9 percent of all parolees have absconded.¹²

Most parolees return to prison

People released from prison remain largely uneducated and unskilled and usually have little in the way of a solid family support system. To these deficits are added the

unalterable fact of their prison record. Not surprisingly, most parolees fail and do so quickly: Most rearrests occur in the first 6 months after release.

Fully two-thirds of all parolees are rearrested within 3 years. The numbers are so high that parole failures account for a growing proportion of all new prison admissions. In 1980, they constituted 17 percent of all admissions, but they now make up 35 percent.¹³



Collateral consequences

Recycling parolees in and out of families and communities has a number of adverse effects. It is detrimental to community cohesion, employment prospects and economic well being, participation in the democratic process, family stability and childhood development, and mental and physical health and can exacerbate such problems as homelessness.¹⁴

Community cohesion and social disorganization

The social characteristics of neighborhoods—particularly poverty and residential instability—influence the level of crime. There are "tipping points" beyond which communities can no longer favorably influence residents' behavior. Norms start to change, disorder and incivility increase, out-migration follows, and crime and violence increase.¹⁵

Sociologist Elijah Anderson explains the breakdown of cohesion in socially disorganized communities and how returning prisoners play a role in that process and are affected by it. Moral authority increasingly is vested in "street smart" young men for whom drugs and crime are a way of life. Attitudes, behaviors, and lessons learned in prison are transmitted to free society. He concludes that as "family caretakers and role models disappear or decline in influence, and as unemployment and poverty become more persistent, the community, particularly its children, becomes vulnerable to a variety of social ills, including crime, drugs, family

disorganization, generalized demoralization and unemployment."¹⁶

Prison gangs have growing influence in inner-city communities. Sociologist Joan Moore notes that because prisons are violent and dangerous places, new inmates seek protection and connections. Many find both in gangs. Inevitably, gang loyalties are exported to the neighborhoods when inmates are released. "In California . . ." she commented, "I don't think the gangs would continue existing as they are without the prison scene."¹⁷ She warned that as more young people are incarcerated earlier in their criminal career, more will come out of prison with hostile attitudes and will exert strong negative influences on the neighborhoods to which they return.

Researchers explored similar effects by looking at crime rates in Tallahassee 1 year after offenders who had been sent to prison from there had returned to that community. Rather than reducing crime, releasing offenders in 1996 led to an increase the following year, even after other factors were taken into account.¹⁸ One explanation focuses on individuals—offenders "make up for lost time" by resuming their criminal careers with renewed energy. But the researchers who studied Tallahassee focus on the destabilizing effect of releasing large numbers of parolees. They argue that "coerced mobility," like voluntary mobility, is a type of "people-churning" that inhibits integration and promotes isolation and anonymity—factors associated with increased crime.

Work and economic well-being

The majority of inmates leave prison with no savings, no immediate entitlement to unemployment benefits, and few job prospects. One year after release, as many as 60 percent of former inmates are not employed in the legitimate labor market. The loss of much of the country's industrial base, once the major source of jobs in inner-city communities, has left few opportunities for parolees who live there. Employers are increasingly reluctant to hire ex-offenders. A recent survey in five major U.S. cities revealed that 65 percent of all employers said they would not knowingly hire an ex-offender (regardless of the

offense), and 30 to 40 percent said they had checked the criminal records of their most recent hires.¹³ It is possible, however, that current low unemployment may cause employers to reevaluate ex-offenders.

Unemployment is closely correlated with drug and alcohol abuse. Losing a job has similar effects. It can lead to substance abuse, which in turn is related to child abuse and family violence. Moreover, prisoners who have no income because they have no job are unlikely to be able to meet court-ordered restitution owed to their victims.

The "get tough" movement of the 1980s increased employment restrictions on parolees. In California, for example, they are barred from the law, real estate, medicine, nursing, physical therapy, and education. Colorado prohibits them from becoming dentists, engineers, nurses, pharmacists, physicians, or real estate agents. Parolees are not barred from all jobs, but the list of proscribed professions suggests a contradictory approach.¹⁴ The States spend millions of dollars to rehabilitate offenders, convincing them they need to find legitimate employment, but then frustrate what was accomplished by barring them from many kinds of jobs.

Underemployment of ex-felons has even broader economic implications. One reason the U.S. unemployment rate is so low is that 2 million mainly low- and unskilled workers—precisely those unlikely to find work in a high-tech economy—are in prison or jail and thus not part of the labor force. If they were included, the unemployment rate would be 2 percent higher than it is now.¹⁵ Recycling ex-offenders into the job market with reduced job prospects will increase unemployment in the long run.

There are, however, a number of organizations that help ex-offenders find employment. Prominent among them is the Chicago-based Safer Foundation, which offers a full range of services, including job counseling and placement, education and life skills training, and emergency housing. Since its establishment in 1972, the foundation has helped more than 40,000 participants find jobs; nearly

two-thirds have stayed on the job for at least 30 days.¹⁶

Family matters

More than 1.5 million children in the United States have parents in prison.¹⁷ Among incarcerated men, more than half are fathers of minor children. For women inmates the percentage is larger—about two-thirds have minor children. On average, women inmates have two dependent children.¹⁸ Although women constitute only about 7 percent of the U.S. prison population, their incarceration rates are increasing faster than those of men, so the number of children whose mothers are incarcerated will rise proportionately.

Little is known about the effects of a parent's incarceration on childhood development, but it is likely to be significant. When mothers are incarcerated, their children are usually cared for by grandparents or other relatives or placed in foster care. Roughly half these children do not see their mothers the entire time they are in prison. The vast majority of imprisoned mothers, however, expect to resume their parenting role and live with their children after release, although it is uncertain how many actually do.¹⁹

Mothers released from prison encounter difficulties finding housing, employment, and such services as childcare. Children of incarcerated and released parents often become confused, unhappy, and socially stigmatized. The frequent outcome is school-related difficulties, low self-esteem, aggressive behavior, and general emotional dysfunction. If their parents are negative role models, children fail to develop positive attitudes toward work and responsibility. They are five times more likely to serve time in prison when they become adults than children whose parents are not incarcerated.²⁰

There are no data on parolees' involvement in family violence, but it may be significant. Risk factors for child abuse and neglect include parental poverty, unemployment, substance abuse, low self-esteem, and ill health—attributes common among parolees. Concentrated poverty and social disorganization increase the likelihood of child abuse and neglect and

other problems related to life after prison, and these in turn are risk factors for other kinds of crime and violence.

Mental and physical health

Prisoners have significantly more medical and mental health problems than the general population, because they often live as transients or in crowded conditions, tend to be economically disadvantaged, and have high rates of substance abuse, including intravenous drug use. In prison, people aged 50 are commonly considered old, in part because the health of the average 50-year-old prisoner approximates that of the average 60-year-old person in the free community. While in prison, inmates have State-provided health care, but upon release most cannot easily obtain health care. In recent years, escalating health care costs, high incarceration rates and, in particular, the appearance of HIV and AIDS have made the health care of prisoners and soon-to-be-released prisoners a major policy and public health issue, one whose complexity can only be intimated here.

Inmates are particularly prone to spread disease (especially such conditions as tuberculosis, hepatitis, and HIV), and thus pose public health risks.²¹ In New York City, a major multidrug-resistant form of TB emerged in 1989, with 80 percent of the cases traced to jails and prisons. By 1991, New York's Rikers Island Jail had one of the highest TB rates in the Nation. In Los Angeles, a meningitis outbreak in the county jail spread to surrounding neighborhoods.

At year-end 1997, 2.1 percent of all State and Federal prison inmates were infected with HIV, a rate five times higher than in the general population.²² Public health experts predict the rate will continue to climb, and eventually HIV will manifest itself on the street, particularly as more drug offenders, many of whom use drugs intravenously and share needles or trade sex for drugs, are incarcerated.²³

As noted before, larger numbers of mentally ill inmates are imprisoned—and released—than in the past. Even when mental health services are available, many people who are mentally ill fail to use them because they fear

being institutionalized, deny their condition, or distrust the mental health system.

Political alienation

As of 1998, an estimated 3.9 million Americans were permanently unable to vote because they had been convicted of a felony. Of these, 1.4 million were African-American men—13 percent of all black men. Assuming incarceration rates increase, the numbers of incarcerated black men will also increase. A young black man aged 16 in 1996 had a 29-percent chance of spending time in prison at some time in his life. The comparable figure for white men was 4 percent.²⁹

Some observers may see the disenfranchisement of felons as an acceptable part of the penalty for crime. Nevertheless, denying large segments of the minority population the right to vote is likely to cause further alienation. Disillusionment with the political process also erodes citizens' feeling of engagement and makes them less willing to participate in local political activities and to exert informal social control in their community.

Housing and homelessness

The most recently available figures indicate there are about 230,000 homeless people in the United States. The number is surely higher now, as many cities report a shortage of affordable housing. In the late 1980s, an estimated one-fourth of homeless people had served prison sentences. In California, 10 percent of all parolees are homeless, but in urban areas such as San Francisco and Los Angeles, the rate is as high as 30 to 50 percent.³⁰

The presence of transients and vagrants, and the panhandling they sometimes engage in, increase citizens' fears, ultimately increasing crime and violence. Crime often becomes worse when people are afraid to go out on streets defaced by graffiti or frequented by transients and loitering youths. Fearful citizens eventually yield control of the streets to people who are not intimidated by the signs of decay and who often are those who created the problem. A vicious cycle then begins. Criminologists James Q. Wilson and George L. Kelling famously illustrated the phenomenon

by describing how a single broken window can influence crime rates. If the first broken window is not repaired, people who like to break windows may assume no one cares and break more. As "broken windows" spreads—as homelessness, prostitution, graffiti, and panhandling—businesses and law-abiding citizens move out and disorder escalates, leading to more serious crime.³¹



Rethinking parole

Government officials voice growing concern about the problems posed by prisoner reentry. Attorney General Janet Reno called it "one of the most pressing problems we face as a nation."³² In response, several jurisdictions throughout the country have launched a new approach to the public safety challenge posed by released offenders. In a project sponsored by the U.S. Department of Justice, eight jurisdictions are serving as pilot sites of the Reentry Partnerships Initiative, whose goal is better risk management via enhanced surveillance, risk and needs assessment, and prerelease planning. The Department's new Reentry Courts Initiative, with nine sites participating, is based on the drug court model and taps the court's authority to use sanctions and incentives to help released offenders remain crime free.

The usefulness of initiatives like these depends to a great extent on their grounding in scientifically sound analysis and debate. It is safe to say that parole has received less research attention in recent years than any other part of corrections.³³ I have spent many years working on *probation* effectiveness but know of no similar body of knowledge on *parole* effectiveness. Without better information, the public is unlikely to permit corrections officials to invest in rehabilitation and job training for parolees. With better information, it might be possible to persuade voters and elected officials to shift from solely punitive sentencing and corrections policies toward those that balance incapacitation, rehabilitation, and just punishment.

Revisiting the parole board

The eclipse of discretionary parole *release* also needs to be reconsidered. In 1977, more than 70 percent of all prisoners in the United States were released after appearing before a parole board, but 20 years later that figure had declined to less than 30 percent. Parole was abolished in many States because it symbolized the alleged leniency of a system in which hardened criminals were "let out" early. If parole were abolished, politicians argued, parole boards could not release offenders early, and inmates would serve longer terms. However, this has not happened. A recent study of inmates released in States that had abolished parole showed they served 7 months *less* than inmates released in States with discretionary parole.³⁴ Similar experiences in Florida, Connecticut, and Colorado caused those States to reinstate discretionary parole after discovering that abolition meant shorter terms served.

Parole experts have long held that the public is misinformed when it labels parole as lenient. By exercising discretion, parole boards can single out the more violent and dangerous offenders for longer incarceration. When States abolish parole or reduce the discretion of parole authorities, they replace a rational, controlled system of "earned" release for *selected* inmates with "automatic" release for nearly *all* inmates.³⁵ No-parole systems sound tough but remove a gatekeeping role that can protect victims and communities.

Parole boards can demand that released inmates receive drug treatment, and research shows that coerced treatment is as successful as voluntary participation.³⁶ If parole boards also require a plan for the released offender to secure a job and a place to live in the community, the added benefit is to refocus prison staff and corrections budgets on transition planning.

Involving victims in parole hearings has been one of the major changes in parole in recent years. Ninety percent of parole boards now provide victims with information about the parole process, and 70 percent allow victims to attend the parole hearing.³⁷ Parole boards

also can meet personally with the crime victim. Meeting victims' needs is a further argument for reinstating parole.

Perhaps most important, when information about the offense and the offender has been gathered and prison behavior observed, parole boards can reconsider the tentative release date. More than 90 percent of offenders in the United States are sentenced because they plead guilty, not as the result of a trial. Without a trial, there is little opportunity to fully air the circumstances of the crime or the risks posed by the offender. A parole board can revisit the case to discover how extensive the victim's injuries were and whether a gun was involved. The board is able to do so even though the offense to which the offender pled, by definition, involved no weapon. As one observer commented on this power of the parole board, "In a system which incorporates discretionary parole, the system gets a second chance to make sure it is doing the right thing."⁸ Again, this can make a difference for crime victims.

Toward a balanced system

Ironically, no-parole systems also significantly undercut postrelease supervision. When parole boards have no authority to decide who will be released, they are compelled to supervise a parolee population consisting of more serious offenders and not one of their own choosing. Parole officers believe it is impossible to elicit cooperation from offenders when the offenders know they will be released, whether or not they comply with certain conditions. And because of prison crowding, some States (for example, Oregon and Washington) no longer allow parolees to be returned to prison for technical violations. Field supervision of parolees tends to be undervalued and, eventually, underfunded and understaffed.

No one would argue for a return to the unfettered discretion that parole boards exercised in the 1960s. That led to unwarranted disparities. Parole release decisions must incorporate explicit standards and due process protections. Parole guidelines, used in many States, create uniformity in parole decisions and can be used to objectively weigh factors known to be associated with recidivism.

Rather than *entitle* inmates to release at the end of a fixed time, guidelines specify when the offender becomes *eligible* for release.

The question of *who* should be responsible for parole release decisions is also worth rethinking. In most States, the chair and all members of the parole board are appointed by the Governor. In two-thirds of the States, there are no professional qualifications for parole board membership. While this may increase public accountability of parole boards, it also makes them vulnerable to political pressure. Ohio is an example of an alternative approach. There, parole board members are appointed by the director of the State's department of corrections, serve in civil service positions, and have an extensive background in criminal justice.



The public policy challenge

Parole supervision and release raise complex issues and deserve more attention. Nearly 700,000 parolees are "doing time" on the streets. Most have been released to parole systems that provide few services and impose conditions that almost guarantee failure. Monitoring systems are becoming more sophisticated, and public tolerance for failure is decreasing. All this contributes to the rising tide of parolees who are returning to prison. As the numbers increase, they put pressure on the States to build more prisons and, in turn, siphon funds from rehabilitation programs that might help offenders stay out of prison. Parolees will then continue to receive fewer services to deal with underlying problems, ensuring that recidivism rates and returns to prison (not to speak of crime victimization) remain high and public support for parole remains low.

This presents formidable challenges for policymakers. The public will not support community-based sanctions until they have been shown to "work," and they will not have an opportunity to work without sufficient funding and research. But funding is being cut, as California's situation exemplifies. In 1997, spending on parole services was cut 44

percent, causing caseloads to nearly double. When caseloads increase, services decline, and even parolees who are motivated to change have little opportunity to do so.

In 2001, there will likely be more than 2 million people in jail and prison in this country and more people on parole than ever before. If parole revocation trends continue, more than half the people entering prison that year will be parole failures. Given the increasing human and financial costs of prison—and all the collateral consequences parolees create for their families, victims, and communities—investing in effective reentry programs may be one of the best investments we make.

Notes

1. Calculations based on data provided by the Bureau of Justice Statistics, U.S. Department of Justice.
2. The issue was addressed in another paper in this series. See Travis, Jeremy, *But They All Come Back: Rethinking Prisoner Reentry*, Research in Brief—Sentencing & Corrections: Issues for the 21st Century, Washington, DC: U.S. Department of Justice, National Institute of Justice, May 2000, NCJ 181413.
3. Petersilia, Joan, "Parole and Prisoner Reentry in the United States," in *Prisons*, ed. Michael Tonry and Joan Petersilia (*Crime and Justice: A Review of Research*, Volume 26), Chicago: University of Chicago Press, 1999: 512.
4. Tonry, Michael, *Reconsidering Indeterminate and Structured Sentencing*, Research in Brief—Sentencing & Corrections: Issues for the 21st Century, Washington, DC: U.S. Department of Justice, National Institute of Justice, September 1999, NCJ 175722.
5. Blumstein, Alfred, and Allen J. Beck, "Population Growth in U.S. Prisons, 1980–1996," in *Prisons*, ed. Michael Tonry and Joan Petersilia (*Crime and Justice: A Review of Research*, Volume 26), Chicago: University of Chicago Press, 1999: 20–22.
6. Byrne, Candice, Jonathan Foley, Lesley Flaim, Francisco Pícol, and Jill Schmidlein, *Drug Treatment in the Criminal Justice System*, Washington, DC: Executive Office of the President, Office of National Drug Control Policy, August 1998, NCJ 170012.
7. Ditton, Paula M., *Mental Health and Treatment of Inmates and Probationers*, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, July 1999, NCJ 174463.
8. Liebtag, Allison, "Prison Suicide and Prisoner Coping," in *Prisons*, ed. Michael Tonry and Joan Petersilia (*Crime and Justice: A Review of Research*, Volume 26), Chicago: University of Chicago Press, 1999: 283–359.

9. Abramsky, Sasha, "When They Get Out," *Atlantic Monthly* 283 (6) (June 1999): 30-36.
10. Petersilia, "Parole and Prisoner Reentry in the United States," 505.
11. Petersilia, Joan, "Challenges of Prisoner Reentry and Parole in California," *CPRC Brief* 12 (3) (June 2000), Berkeley, CA: California Policy Research Center.
12. *Los Angeles Times*, quoted in "State Agencies Lost Track of Parolees," *Santa Barbara News Press*, August 27, 1999: B9; and Beck, Allen, Bureau of Justice Statistics, personal communication, March 28, 2000.
13. Snell, Tracy L., *Correctional Populations in the United States*, 1993, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, October 1995, NCJ 156241: 12; and Beck, Allen, and Christopher Mumola, *Prisoners in 1998*, Bulletin, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, August 1999, NCJ 175687: 12.
14. Hagan, John, and Ronit Dinovitzer, "Collateral Consequences of Imprisonment for Children, Communities, and Prisoners," in *Prisons*, ed. Michael Tonry and Joan Petersilia (*Crime and Justice: A Review of Research*, Volume 26), Chicago: University of Chicago Press, 1999: 121-162. This discussion focuses primarily on the consequences for prisoners. For crime victims, of course, the consequences of imprisonment and reentry are equally serious, because victim safety is put at risk when offenders are released.
15. Wilson, William Julius, *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*, Chicago: University of Chicago Press, 1987.
16. Anderson, Elijah, *Streetwise: Race, Class, and Change in an Urban Community*, Chicago: University of Chicago Press, 1990: 4.
17. Moore, Joan, "Bearing the Burden: How Incarceration Weakens Inner-City Communities" (paper presented at the Conference on the Unintended Consequences of Incarceration, New York, January 1996), 73.
18. Rose, Dina, Todd Clear, and Kristen Scully, "Coercive Mobility and Crime: Incarceration and Social Disorganization" (paper presented at the American Society of Criminology meeting, Toronto, November 1999).
19. Holzer, H., *What Employers Want: Job Prospects for Less-educated Workers*, New York: Russell Sage, 1996.
20. Simon, Jonathan, *Poor Discipline: Parole and the Social Control of the Underclass, 1890-1990*, Chicago: University of Chicago Press, 1993.
21. Western, Bruce, and Katherine Beckett, "How Unregulated Is the U.S. Labor Market? The Penal System as a Labor Market Institution," *American Journal of Sociology* 104 (4) (January 1999): 1030-1060.
22. Finn, Peter, *Chicago's Safer Foundation: A Road Back for Ex-Offenders*, Program Focus, Washington, DC: National Institute of Justice, National Institute of Corrections, and Office of Correctional Education (U.S. Department of Education), June 1998, NCJ 167575.
23. Hagan and Dinovitzer, "Collateral Consequences of Imprisonment for Children, Communities, and Prisoners," 137.
24. Snell, Tracy L., and Danielle C. Morton, *Women in Prison (Survey of State Prison Inmates, 1991)*, Special Report, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, March 1994, NCJ 145321: 6.
25. Bloom, Barbara, and David Steinhart, *Why Punish the Children: A Reappraisal of the Children of Incarcerated Mothers in America*, San Francisco: National Council on Crime and Delinquency, 1993.
26. Beck, Allen, Darrell Gilliard, Lawrence Greenfeld, Caroline Harlow, Thomas Hester, Louis Jankowski, Danielle Morton, Tracy Snell, and James Stephen, *Survey of State Prison Inmates, 1991*, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, March 1993, NCJ 136949: 9.
27. McDonald, Douglas C., "Medical Care in Prisons," in *Prisons*, ed. Michael Tonry and Joan Petersilia (*Crime and Justice: A Review of Research*, Volume 26), Chicago: University of Chicago Press, 1999: 427-478.
28. Maruschak, Laura M., *HIV in Prisons 1997*, Bulletin, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, November 1999, NCJ 178284: 1.
29. May, John P., "Feeding a Public Health Epidemic," in *Building Violence: How America's Rush to Incarcerate Creates More Violence*, ed. J.P. May and K.R. Pitts, Thousand Oaks, CA: Sage Publications, 2000.
30. Borczar, Thomas P., and Allen J. Beck, *Lifetime Likelihood of Going to State or Federal Prison*, Special Report, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, March 1997, NCJ 160092: 2; and Maurer, Marc, *The Race to Incarcerate*, New York: The New Press, 1999.
31. *Beyond Bars: Correctional Reforms to Lower Prison Costs and Reduce Crimes*, Sacramento, CA: Little Hoover Commission, 1998.
32. Wilson, James Q., and George L. Kelling, "Broken Windows," *Atlantic Monthly* (March 1982): 29-38.
33. Reno, Janet, "Remarks of the Honorable Janet Reno on Reentry Court Initiative," John Jay College of Criminal Justice, New York, February 10, 2000. Retrieved May 19, 2000, from the U.S. Department of Justice database, on the World Wide Web: <http://www.usdoj.gov/ag/speeches/2000/doc2.hun>.
34. A congressionally mandated study of crime prevention programs included just one evaluation of parole among hundreds of recent studies examined. See Sherman, Lawrence, Denise Gottfredson, Doris MacKenzie, John Eck, Peter Reuter, and Shawn Bushway, *Preventing Crime: What Works, What Doesn't, What's Promising*, College Park, MD: University of Maryland, 1997.
35. Stivers, Connie, "Impacts of Discretionary Parole Release on Length of Sentence Served and Recidivism," unpublished paper, Irvine, CA: School of Social Ecology, University of California, Irvine, 2000.
36. Burke, Peggy B., *Abolishing Parole: Why The Emperor Has No Clothes*, Lexington, NY: American Probation and Parole Association, 1995.
37. Anglin, Douglas M., and Yih-Ing Hser, "Treatment of Drug Abuse," in *Drugs and Crime*, ed. Michael Tonry and James Q. Wilson, (*Crime and Justice: A Review of Research*, Volume 13), Chicago: University of Chicago Press, 1990.
38. Rhine, Edward E., "Parole Boards," in *The Encyclopedia of American Prisons*, ed. Marilyn McShane and Frank Williams, New York: Garland, 1996.
39. Burke, *Abolishing Parole*: 7.

Joan Petersilia, Ph.D., is Professor of Criminology, Law and Society at the University of California, Irvine.

This study was supported by cooperative agreement 97-MJMU-K006 between the National Institute of Justice and the University of Minnesota.

Findings and conclusions of the research reported here are those of the author and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

This and other NIJ publications can be found at and downloaded from the NIJ Web site (<http://www.ojp.usdoj.gov/nij>).

NCJ 184253

THE EXECUTIVE SESSIONS ON SENTENCING AND CORRECTIONS

Convened the following distinguished panel of leaders in the fields:

Neal Bryant
Senator
Oregon State Senate

Harold Clarke
Director
Department of Correctional Services
State of Nevada

Cheryl Crawford
Deputy Director, Office of
Development and Communications
National Institute of Justice
U.S. Department of Justice

Barbara Damchik-Dykes
Project Coordinator
Executive Sessions on Sentencing
and Corrections

Walter Dickey
Evjue-Bascom Professor of Law
University of Wisconsin

Ronald Earle
District Attorney
Austin, Texas

Tony Pabelo
Director
Texas Criminal Justice Policy Council

Richard S. Gebelein
Superior Court Judge
Wilmington, Delaware

John Gorczyk
Commissioner
Department of Corrections
State of Vermont

Kathleen Hawk Sawyer
Director
Federal Bureau of Prisons
U.S. Department of Justice

Sally T. Hillsman
Deputy Director
National Institute of Justice
U.S. Department of Justice

Martin Horn
Secretary
Department of Corrections
Commonwealth of Pennsylvania

Susan M. Hunter
Chief, Prisons Division
National Institute of Corrections
U.S. Department of Justice

Leena Kurki
Research Associate
Law School
University of Minnesota
Project Associate
Executive Sessions on Sentencing
and Corrections

John J. Larivee
Chief Executive Officer
Community Resources for Justice

Joe Lehman
Secretary
Department of Corrections
State of Washington

Dennis Maloney
Director
Deschutes County (Oregon)
Department of Community Justice

Larry Meachum
Director
Corrections Program Office
Office of Justice Programs
U.S. Department of Justice

Mark H. Moore
Guggenheim Professor of Criminal
Justice Policy and Management
John F. Kennedy School of Government
Harvard University

Norval Morris
Emeritus Professor of Law and
Criminology
University of Chicago

Joan Petersilia
Professor of Criminology,
Law and Society
School of Social Ecology
University of California, Irvine

Kay Pranis
Restorative Justice Planner
Department of Corrections
State of Minnesota

Michael Quinlan
Former Director
Federal Bureau of Prisons
U.S. Department of Justice

Chase Riveland
Principal
Riveland Associates

Thomas W. Ross
Superior Court Judge,
18th Judicial District
Chair, North Carolina Sentencing
and Policy Advisory Commission

Dora Schriro
Director
Department of Corrections
State of Missouri

Michael Smith
Professor of Law
University of Wisconsin

Morris Thigpen
Director
National Institute of Corrections
U.S. Department of Justice

Michael Tonry
Director
Institute of Criminology
University of Cambridge
Sonosky Professor of
Law and Public Policy
University of Minnesota
Project Director
Executive Sessions on Sentencing
and Corrections

Jeremy Travis
Senior Fellow
The Urban Institute
Former Director
National Institute of Justice
U.S. Department of Justice

Reginald A. Wilkinson
Director
Department of Rehabilitation
and Correction
State of Ohio

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

Washington, DC 20531

Official Business
Penalty for Private Use \$300

PRESORTED STANDARD
POSTAGE & FEES PAID
DOJ/NIJ
Permit No. G-91



RPI Report

The Newsletter of the Reentry Partnerships Initiative

Issue 1

July 2000

This is the inaugural issue of a quarterly newsletter, the RPI Report, published to facilitate peer sharing among the Reentry Partnerships Initiative (RPI) sites and other interested parties.

Sponsors of the initiative include the National Institute of Justice and the Corrections Program Office in partnership with the Executive Office for Weed and Seed and the Office of Community-Oriented Policing Services.

About the Initiative

The Reentry Partnerships Initiative (RPI) is an effort to enhance public safety and offender accountability as the Nation faces the return to communities of more than 500,000 State and Federal prisoners released from institutions each year.

The focus is close collaboration among key partners, such as institutional and community corrections, local law enforcement, social service agencies, and community organizations, to address the challenges presented by the return of offenders from prison to community. To that end, the initiative seeks to test various approaches aimed at improving offender risk management.

Reducing the Threat of Recidivism

In eight jurisdictions nationwide, criminal justice and community-based practitioners are taking part in an unfunded initiative whose goal is to address the challenges presented by the return of offenders from prison to community. The Reentry Partnerships Initiative (RPI) is being implemented in Florida, Maryland, Massachusetts, Missouri, Nevada, South Carolina, Vermont, and Washington. Launched in 1999, the initiative is a concentrated effort to assist jurisdictions in meeting the challenges to public safety presented by the return of offenders from correctional institutions to the community.

Currently, well over 500,000 offenders return from State and Federal prisons each year, many of them ill-equipped to remain crime-free. Nearly two-thirds of the offenders returning from State prisons will be arrested on new charges within three years of release. Local law enforcement agencies often cannot track offenders in the community adequately enough to ensure proper risk management and protection for victims. Corrections officials also may not have sufficient resources or procedures to determine individual support needs, gauge the resources available in the reentry community, or match available resources to the identified needs.

The goal of this initiative is to improve risk management of released offenders. This is achieved by enhancing surveillance, risk and needs assessments, and pre-release planning. Priorities in this process include: accountability to the community and victims, substance abuse and mental health treatment, life skills training, and employment preparation and placement. Accomplishing this requires partners—State institutional and community corrections agencies, local law enforcement, and community-based organizations—to develop offender reentry plans. Support from the sponsoring offices is provided in the form of peer-sharing opportunities such as cluster meetings, Federal agency liaison site visits and telephone conferencing, a process evaluation, and technical assistance.

This reentry initiative is one of two under way in the Office of Justice

In this issue

Reducing Recidivism	1
Partnership Sites	2
Process Evaluation	2
Reentry in the News	2
Related Research	3
Technical Assistance	3
Announcements	3
Reentry Resources	4

through more efficient surveillance and enhancing offenders' viability as productive members of society.

The participating States are Florida, Maryland, Massachusetts, Missouri, Nevada, South Carolina, Vermont, and Washington. Their efforts are supported by the Federal sponsoring offices through cluster meetings, technical assistance, Federal agency site visits, and a process evaluation. The initiative began in 1999 and the sites are approaching implementation in June-September 2000.

Additional information about the initiative is available through e-mail to AskRPI@ojp.usdoj.gov

Cheryl Crawford
RPI Co-Manager
Office of Development & Communications

National Institute of Justice
310 7th Street, NW
Washington, DC 20531

Phillip Merkle
RPI Co-Manager
Corrections Program Office
Office of Justice Programs
310 7th Street, NW
Washington, DC 20531

Partnership Sites

Florida

The reentry initiative in Florida will be based in Lake City and will target all offenders returning to Columbia County. Implementation will be in July.

Maryland

The reentry program in Maryland will focus on male offenders returning to three designated

Programs (OJP). The Reentry Courts Initiative, under the leadership of the Office of the Assistant Attorney General, OJP, evolved from the successful drug court model used throughout the country. The approach draws on the authority of the court to apply sanctions and incentives necessary to increase the likelihood that offenders will become crime-free and productive members of their communities. The Reentry Courts projects, like the RPI sites, will draw heavily on strong collaboration among such essential partners as the judiciary, institutional and community corrections, law enforcement agencies, social service agencies, and community organizations.

Both the Reentry Partnerships and the Reentry Courts initiatives seek to mitigate the negative effects of the transition from prison to community. This is accomplished by devising strategies that balance surveillance and sanctions with efforts to reduce recidivism, while providing support services to improve long-term individual viability. Public safety is enhanced thereby.

Embarking on a Process Evaluation

The National Institute of Justice (NIJ) recently announced support of a grant to evaluate the Reentry Partnerships Initiative. The purpose is to document the program rationale and conduct a process evaluation for site planning phases. Evaluators will compare proposed models to implemented models, and address issues relating to divergence from the original model specifications. Particularly, they will analyze obstacles encountered as programs are implemented and examine various solutions. Promising practices will be shared across sites and will allow future sites to draw on lessons learned in implementing reentry programs. Sites will soon be contacted about the evaluation and are

Reentry in the News

The following is a sampling of recent reentry-related articles from national media sources. To obtain articles, please check the Internet or elsewhere. Copyright restrictions prohibit the Office of Justice Programs from providing copies.

- Ex-cons on the Street as Crime Crackdown Produces a Record Flow of Ex-offenders with Nowhere to Go. by Merril Glasse. *USA News and World Report*, May 1, 2000, 18-20.
- Life After Prison: Lack of Services Has High Price. by Peter Stevin. *Washington Post*, April 24, 2000, A1.
- Unready, Unrehabilitated and Up for Release. by Kevin Johnson. *USA Today*, February 10, 2000.
- Prison Labor With Unemployment: Now a New Group is in Demand. Ex-cons. by Mark Lane. *Wall Street Journal*, April 24, 2000.



Announcements

■ OJP recently established an e-mail account to which questions about the Reentry Partnership Initiative may be directed. We also welcome comments about the program or suggestions for future newsletter articles. The address is: AskRPI@ojp.usdoj.gov.

■ The National Institute of Corrections (NIC) has posted a solicitation for a \$250,000 cooperative agreement: *Transition from Prison to the Community*. The cooperative agreement will be awarded to a service provider who will in turn work with two States (to be selected later) to develop a model reentry approach. For more information, contact Cranston Mitchell, Corrections Program Specialist (800-995-6423) or consult the NIC webpage: www.nicic.org/mst/coop-00transition.htm. Though the current deadline recently passed, there will be another solicitation this fall.

encouraged to collaborate with these researchers. For more information about this upcoming evaluation, sites may contact their OJP liaison. (The submission deadline for grant proposals was June 12.)

Related Research

The Department of Justice's Bureau of Justice Statistics (BJS) recently released statistics describing the Nation's prison and jail population. The bulletin is titled *Prison and Jail Inmates at Midyear 1999* (NCJ-181643), by Allen J. Beck, Chief, Corrections Statistics Program. Single copies may be obtained by calling the BJS clearinghouse number: 800-732-3277. Also, copies may be downloaded from the BJS web site: www.ojp.usdoj.gov/bjs.

Technical Assistance Update

The following are examples of RPI site technical assistance (TA) requests to date:

- Maryland requested guidance from the Safer Foundation in Chicago, a community-based provider of education, life skills, and employment services for ex-offenders.
- Massachusetts is seeking expertise regarding risk and needs assessment tools, a continuum of substance abuse treatment, a review of vocational education programs, and crime mapping software selection and training.

Written TA requests should be submitted through site liaisons. The Corrections Program Office coordinates fulfillment of requests throughout OJP bureaus and offices, the Office of Community Oriented Policing Services, and the National Institute of Corrections.

Baltimore neighborhoods. Offenders under community supervision, as well as offenders who are released without supervision will participate. A beginning date has not yet been determined and the site continues to seek funding sources.

Massachusetts

Offenders returning to the city of Lowell who complete their sentence will participate in the reentry initiative underway in Massachusetts. The site successfully launched its program in May.

Missouri

The task force in Missouri has designated five zip codes corresponding to the Weed and Seed neighborhood in Kansas City as a reentry test site. Participants include offenders returning to the target site who have children under 18 years of age living in the area. The program is scheduled to begin in July.

Nevada

Several zip codes in Clark County will function as a pilot area for Nevada's reentry initiative. Offenders returning to this area will take part in the program, which will be underway in August.

South Carolina

The city of Columbia will be the test site for South Carolina's reentry program, which will target both supervised and unsupervised male and female offenders returning to a specified zip code. A start date has not yet been determined.

Vermont

Offenders returning to the Old North End neighborhood in Burlington will participate in the reentry initiative. Furloughed offenders will be the primary focus. Offenders under other forms of supervision will also be considered. The implementation date is pending.

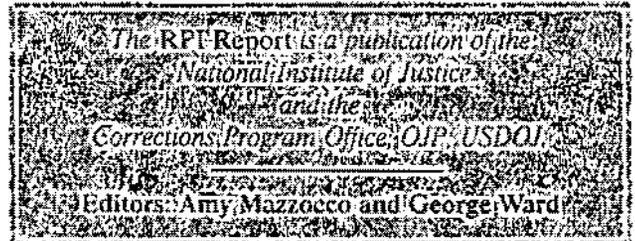
Washington

Officials in the state of Washington developed a reentry program that emphasizes preventing victimization while reintegrating offenders back into neighborhoods. The reentry project will be piloted in Spokane as a predecessor to statewide implementation and will target high risk offenders. The program is anticipated to begin in July.

Reentry Resources

The Legal Action Center is working with OJP to provide technical assistance to its Reentry Partnerships and Reentry Courts sites on the legal barriers returning offenders face in several areas, including employment, housing, and public assistance. The Legal Action Center is a nonprofit law and policy organization whose mission is to fight discrimination against people with histories of addiction, HIV/AIDS, or criminal records and to advocate sound policies in these areas.

The Legal Action Center has prepared the following guidance documents for reentry pilot sites: *Housing Laws Affecting Individuals with Criminal Convictions*, *Employment Laws Affecting Individuals with Criminal Convictions*, and *Public Assistance Laws Affecting Individuals with Criminal Convictions*. For more information or guidance, contact Debbie Mukamal, Staff Attorney, Legal Action Center (212- 243-1313) or dmukamal@lac.org. Technical assistance can be requested through OJP liaisons.



U.S. Department of Justice
Office of Justice Programs

Washington, DC 20531

Official Business
Penalty for Private Use \$300

FIRST-CLASS MAIL
POSTAGE & FEES PAID
DOJ/NIJ
Permit No. G-91



Reentry Report

The Newsletter of the Reentry Courts and Partnerships Initiatives

Issue 2

October 2000

InfoSharing Across Reentry Initiatives

The July issue of the *Reentry Report* focused on the Reentry Partnerships Initiative. In February 2000, the Office of Justice Programs (OJP) launched the Reentry Court Initiative that is exploring an additional approach to improving offender reintegration into the community.

We are pleased to expand this newsletter to include the nine Reentry Court Initiative sites in the following states: California, Colorado, Delaware, Florida, Iowa, Kentucky, Ohio, New York, and West Virginia. We hope this publication will facilitate information sharing across all OJP-sponsored reentry sites, because it is already clear that the 17 sites involved in the two initiatives face many of the same challenges in developing strategies to improve supervision and support for offenders as they leave prison and return to the community.

The reentry court concept draws upon the authority of the court to promote positive behavior of returning offenders similar to the approach

Message from the Attorney General

With approximately 585,400 offenders being released from prison this year, communities across the Nation cannot afford to release offenders without supervision as they have in the past. Communities need to create support networks and accountability systems to enhance offenders' chances for successful reintegration. That is why the work you are doing in piloting reentry partnership and reentry court projects is so important. Finding innovative ways of integrating returning offenders into their communities is vitally important. We must help returning offenders help themselves by holding them accountable even as we assist them with job placement, life-skills training, education, and appropriate treatment options. We must also prepare and harness the strength of the community to monitor and support returning offenders. We have a unique opportunity here. If we can prevent returning offenders from committing new crimes, we have so much to gain. We can substantially reduce crime, while improving the health and safety of our Nation's communities. And we can ultimately reduce the prison population, relieving a great fiscal burden on State corrections systems. I applaud your efforts and look forward to learning from you as you continue your hard work in designing effective ways of managing offenders in the community.

Janet Reno
U.S. Attorney General

In this Issue

Message from the Attorney General	1
Reentry Bill Before the U.S. Senate	2
Attorney General Visits Partnership Site in Spokane	2
Partnership Sites	3
The Victim Component of Offender Reentry	3
Related Research	5
Court Sites	5
Technical Assistance Update	6
Program Evaluation Update	6
Reentry Resources	7

drug courts use in managing the behavior of drug offenders. Various tools, such as graduated sanctions and incentives, are integral to this process. Like the Reentry Partnerships Initiative, the Reentry Courts Initiative relies on the involvement of other crucial partners—such as institutional and community corrections, law enforcement, faith-based organizations, social services, victim support groups, and neighborhood organizations—to build the necessary monitoring, coordinated services, and community linkages necessary to support the offender's successful reentry and enhance public safety.

While the reentry partnership and reentry court models have aspects that are unique to each, the foundation of both efforts is broad partnership building to achieve effective offender reintegration. Core elements of the OJP reentry initiatives include prerelease assessment and planning, active oversight of offenders and their reentry plans, follow-up upon release, management of a broad array of support services, established mechanisms for community accountability, and graduated sanctions and incentives.

*The Reentry Report is a
publication of the Office of
Justice Programs,
U.S. Department of Justice*

Editors: Amy Mazzocco and
George Ward

Reentry Bill Before the U.S. Senate

In July, Senator Joseph Biden of Delaware introduced a bill (S.2908) that brings significant attention to the reentry initiatives. Citing the concerns regarding the approximately 585,400 prisoners returning to communities this year, Biden proposed legislation to fund demonstration programs that assist offenders with their transition into society. Called *The Offender Reentry and Community Safety Act of 2000*, the bill targets high-risk, high-need individuals most likely to recidivate, based on their lack of job skills, education, and home stability and their limited access to mental health and substance abuse treatment services.

The bill establishes:

- Reentry demonstration projects in Federal, State, and community jurisdictions that are designed to promote successful reintegration of offenders returning to the community while mitigating the risk to public safety;
- Court-based programs that utilize sanctions, when necessary, to monitor recently released offenders;
- Aftercare demonstration projects crafted to meet the unique needs of juveniles by coordinating the efforts of numerous agencies, including juvenile correctional agencies, courts, and parole agencies; law enforcement agencies; social service providers; and local Work Investment Boards.

The proposed legislation secures funds to maintain and evaluate the reentry court and partnership demonstration projects. Victims, offenders, and communities across the country stand to profit from the funding provided in this bill. As Biden declared, "The promise of this legislation is to . . . determine which measures and strategies can be promoted nationally to address the growing national problem of released prisoners."

The text of the bill and Biden's speech can be accessed online at: <http://thomas.loc.gov/>.

Attorney General Visits Partnership Site in Spokane

On July 24, the Department of Justice reentry initiatives received a significant boost. During her visit to Spokane, Washington, Attorney General Janet Reno participated in a roundtable discussion with city officials, institutional and community corrections, law enforcement personnel, victims, former offenders, volunteers, and community representatives and saw first hand the kind of partnership that is needed – and being created – in reentry sites around the county. Speaking of Spokane's reentry efforts, the Attorney General encouraged the

entire community to get involved with reintegrating offenders' into the community. When asked what message she would take to Washington, DC, concerning community involvement in the reentry process, Ms. Reno replied that responsibility lies with "the whole community, the Department of Corrections, State officials, the university, private citizens, parents of offenders, everybody together, that's what I'm going to take back." The Attorney General also applauded the *Offender and Reentry and Community Safety Act of 2000* (see the preceding article) introduced by Senator Biden the same morning.



The Attorney General speaks at a roundtable discussion in Spokane, Washington. From right to left: Roger Bragdon, Spokane Police Chief; Attorney General Reno; Joseph Lehman, Secretary of the Washington Department of Corrections; and Mark Sterk, Spokane County Sheriff.

The Victim Component of Offender Reentry

As offenders prepare to reenter the community from incarceration or detention, it is critical to ensure that crime victims' needs and concerns are addressed. The American Probation and Parole Association – with support from the Office for Victims of Crime, U.S. Department of Justice – is identifying and developing a resource manual to help correctional agencies and communities understand victims' most salient issues and better prepare to meet them.

A national survey of APPA members conducted in early 2000 asked respondents to identify the victims' most important concerns relevant to offender reentry. Overwhelmingly, the response was "victim safety." Crime victims have a right to feel safe as their offenders are reintegrated into the community. Therefore, the project is developing

Partnership Sites

Florida

The Florida Department of Corrections has selected 50 prisoners from across the State as the initial reentry partnership group. The pilot group, consisting of both men and women, is housed in two facilities that have work programs and work release sections. Involving the offenders in these pre-release programs is the next step.

Maryland

Maryland's partners continue to develop the process release and support services in the community in which they have received significant support and encouragement. The projected start date is January 2001.

Massachusetts

The Massachusetts partnership hopes, in time, to expand its efforts to other communities throughout the State. The team continues to develop strategies to involve the Lowell community in its target site.

Missouri

Missouri implemented its reentry program at the August 9 meeting between the partnership's reparations panel and the first group of released offenders. A spectrum of stakeholders—including target neighborhood residents—is represented on the panel and the advisory board, which serves as a steering group for the initiative.

Nevada

The mayor of Las Vegas has identified a community college that is interested in providing housing for offenders under this project. The Division of Parole and Probation has provided a full-time, onsite director to oversee project implementation. Additionally, two case managers have recently been hired—one who is stationed within the prison and another who is stationed at the project site.

South Carolina

South Carolina's reentry site in Columbia is continuing in the planning and implementation stages. The program will include both male and female offenders returning to a specified area of Columbia.

Vermont

Vermont's planning efforts for its reentry site in the Old North End neighborhood of Burlington now include a victim advocate's involvement. The partnership will focus on implementation upon receiving community ownership of the initiative.

Washington

Washington's reentry program, which began on July 1, includes Community Offender Accountability Teams (including corrections officials, law enforcement personnel, victims advocates, community representatives, and service providers) who work with offenders 180 days before release to develop an offender

Victim Issues for Reentry Pilot Projects

Victims are a crucial component of the reentry process. When implementing reentry initiatives, the considerations outlined below help to assure that victims' needs are met.

Does the initiative:

- Have an advisory council that includes representatives from system- and community-based victim assistance programs, as well as crime victims?
- Provide an assessment of victims' needs specific to offender reentry (i.e. focus groups, surveys, one-on-one interviews with victims and service providers, etc.)?
- Identify a list of relevant system- and community-based victim services?
- Address victims' core rights (i.e. notification, participation/victim impact statement, protection, restitution and information/referrals)?
- Consider victims' safety issues and concerns?
- Consider the types of victim/offender programming available (i.e. dialogue meetings, victim awareness classes or panels, community conferencing, etc.)?
- Consider agency and interagency policies that address the victim component of reentry?
- Have the basic capacity to provide quality information and referral services to victims within the jurisdiction (local, State and national)?
- Institute measures to assess victim satisfaction with offender reentry processes?
- Involve the community in providing supportive services to victims throughout the process?

protocols to promote victim safety and security throughout the reentry process.

Survey respondents also identified "crime victims' rights, needs, and concerns," ranking them in order from least to most important.

The top four responses ranked "most important" all relate to victim safety:

- Information about whom to contact if the victim has concerns: 75 percent
- Notification of offender location: 75 percent

- Notification of offender status: 65 percent
- Protective or "no contact" orders: 64 percent

In addition, the APPA Project--in conjunction with the Reentry Partnerships Initiative--conducted a focus group of national leaders in community corrections and victim services. These findings, along with in-depth interviews of corrections leaders who have begun reentry partnerships, will be included in a resource manual that highlights promising practices, programs, and protocols that inform and involve victims and service providers throughout the offender reentry process.

For additional information about the "Victim Component of Offender Reentry" portion of the Promising Practices and Strategies in Probation and Parole Project, please contact Project Consultant Anne Seymour at: annesey@erols.com.

Anne Seymour is a consultant to APPA's Promising Practices and Strategies in Probation and Parole Project and Chair of the APPA Victim Issues Committee.

Related Research

Correctional Population Reaches Record High. The Bureau of Justice Statistics recently released a bulletin titled *Prisoners in 1999* (NCJ 183476), describing prison population trends across the Nation at the end of 1999. Highlights include:

- 2,026,596 people in the United States were incarcerated as of December 31, 1999.
- Average time behind bars increased from 22 months in 1990 to 28 months in 1998.
- Between 1990 and 1999, the number of parole violators returning to prison grew by 54 percent.

Imprisoned Parents. State and Federal prisons housed more than 720,000 parents of minor children during 1999. A special report released in August by BJS, *Incarcerated Parents and their Children* (NCJ 182335), provides demographic data about offenders and their families. Highlights include:

- In 1999, there were 1,498,800 minor children with a parent in State or Federal prison.
- Since 1991, the number of minor children with a parent in State or Federal prison rose by over 500,000.
- Only 46 percent of incarcerated parents reported living with their children before being imprisoned.

accountability plan. Spokane has also created a network of individuals and organizations to assist offenders and protect communities upon release.

Court Sites

California

The reentry court in San Francisco targets violent, felony offenders and builds on a related initiative that provides them with counseling, education, and treatment while in custody. Critical next steps include developing a process to identify individuals who qualify for reentry court services and seeking out community partners to provide postrelease services for offenders.

Colorado

Colorado's reentry court targets a population in which alcohol and drugs were a factor in the commission of a crime. The program will provide pre-release and post-release services as well as graduated sanctions for offenders. Next steps include defining the courtroom model and examining the organizational structure of the court to determine how it will operate within the community.

Delaware

The reentry court pilot in Delaware targets domestic violence offenders in one county and offenders sentenced to community service as a condition of release in a second county. Delaware will next collect baseline data, develop incentives to attract offenders to

the program, and resolve operational issues.

Florida

Florida's reentry court serves all nonviolent, third-degree felons with substance abuse problems through split sentencing and prison-based treatment programs. Next steps include developing sanctions and rewards that focus on the reentry population and marketing the reentry court to ensure community involvement and support.

Iowa

Iowa is implementing two pilot programs: one targets individuals with mental health disorders and one targets offenders who would otherwise be discharged from prison without supervision. Next steps include securing additional partners, developing strategies to educate the community, accountability boards, and defining the target population.

Kentucky

Kentucky's reentry court initiative targets shock probationers with substance abuse problems. Next steps include shifting emphasis from shock probation to the prerelease probation statute and focusing on the final period of the offender's incarceration. Additionally, the site is seeking to obtain funds to provide for the special needs of reentering offenders.

New York

The New York reentry court is based on a model of community policing and community courts. The court will use administrative

- 22 percent of minor children with a parent in prison were less than 5 years old.
- 40% of fathers and 60% of mothers in State prison reported weekly contact with their children.

Both reports are accessible online at: <http://www.ojp.usdoj.gov/bjs>

Technical Assistance Update

The following are examples of technical assistance requests to date:

Partnerships technical assistance. Nevada is requesting assistance in developing outcome measures, determining program impact, and linking participating agencies that record data (i.e., assessment results, services recommended, reentry plan development, support services and progress, vocational training, and recidivism) so the information can be shared.

Courts technical assistance. Liaisons have been assigned to the Reentry Court Initiative sites and are prepared to provide technical assistance. Several of the RCI initial proposals anticipated the following needs: developing a database tracking system for offenders, structuring an evaluation design, providing guidance in involving victims and other community constituencies in the reentry process, and assisting in coordinating participating agencies.

To begin the process of getting technical assistance through the Office of Justice Programs, sites should submit requests through site liaisons. The Corrections Program Office coordinates fulfillment of requests throughout OJP bureaus and offices, the Office of Community Oriented Policing Services, and the National Institute of Corrections.

Program Evaluation Update

The National Institute of Justice (NIJ) is pleased to announce a grant to the Bureau of Governmental Research, University of Maryland at College Park, to conduct a process evaluation documenting the efforts being developed in the eight States involved in the Reentry Partnerships Initiative. The principal investigator is Dr. Faye S. Taxman. Dr. Taxman will be attending the October RPI cluster conference and is looking forward to meeting representatives from each RPI site.

NIJ has also recently announced support of a grant to evaluate the Reentry Courts Initiative. The purpose is to document the program rationale and conduct a process evaluation for site planning and implementation. The RCI evaluation is co-funded by NIJ, the Bureau of Justice Assistance, the Corrections Program Office, and the Executive Office for Weed and Seed, Office of Justice Programs.

Reentry Resources

Resource Guide for Practitioners. The Department of Justice's Office of Policy and Development is compiling a reentry handbook entitled "Resource Guide for Practitioners: States' Approaches to Reentry," a listing of States' authority over and programs addressing returning offenders. The guide includes a chart of all 50 States, and their reentry activities in nine substantive areas, such as substance abuse programs or sex offender treatment. The draft is nearly complete and will be posted on DOJ's forthcoming Reentry Web site. Hard copies will be provided at the Reentry/Courts/Initiative cluster meeting on September 28 and 29 and the Reentry/Partnerships cluster meeting on October 2 and 3.

Public Safety and Reentry. An article recently published in the *Federal Sentencing Reporter* explores the challenges presented to communities by the reentry of offenders. Highlighting the reentry courts and partnership initiatives and their respective sites, the authors discuss the current measures pursued at the State and local level to preserve public safety while minimizing recidivism. Laurie Robinson, former Assistant Attorney General at OJP, and Jeremy Travis, former director of the National Institute of Justice, coauthored the article titled "Managing Prisoner Reentry for Public Safety," which is available in the March/April 2000 issue of the *Federal Sentencing Reporter*. Copies of the journal can be ordered through the Web site: <http://www.ucpress.edu/journals/fsr>.

Missouri's New Approach to Prison Management. Keeping the end in mind, Missouri recently developed a strategy to improve prison outcomes called Parallel Universe. The initiative is designed to help inmates develop skills, habits, and values that will aid them in their transition after being released. The revamped management approach seeks to mirror life outside prison through various corrections programs. This Research in Brief is part of the *Sentencing and Corrections* series that spotlights papers from the Executive Sessions on Sentencing and Corrections. Authored by Dora Schro, Director of the Missouri Department of Corrections, the paper is titled "Correcting Corrections: Missouri's Parallel Universe." Copies can be downloaded from the NIJ Web site: <http://www.ojp.usdoj.gov/nij>.

Rethinking Reentry. Citing concerns with nearly one in five offenders leaving prison without any form of postrelease supervision, the author explores reentry issues in the current environment. As skepticism mounts concerning parole, new alternatives must be considered to minimize recidivism and bring positive outcomes to the offender's prison experience. This Research in Brief is part of the *Sentencing and Corrections* series that spotlights papers from the Executive Sessions on Sentencing and Corrections. The essay, written by Jeremy Travis, Senior Fellow at the Urban Institute, is titled "But They All Come Back: Rethinking Prisoner Reentry." Copies may be obtained on the NIJ Web site: <http://www.ojp.usdoj.gov/nij>.

law judges and emphasize problem solving, partnerships, and community involvement. Next steps include refining the system of sanctions and incentives and mapping to learn more about the communities where offenders return.

Ohio

Ohio's reentry court targets offenders who are subject to postrelease control/supervision. Released offenders will meet monthly with an integrated judge/parole board team, which will monitor compliance. Next steps include defining the composition and relationship among team members and clearly identifying the population to be served.

West Virginia

This reentry court is expanding on an existing aftercare program that targets violent juvenile offenders who will be released to selected counties. Critical steps to implementation include identifying the target population of incarcerated juveniles, partnering with public defenders, and identifying a local research partner to develop evaluation strategies.

Reentry Web Site Under Construction

Preparations are underway at the Office of Justice Programs to launch a Web site dedicated to the Reentry Courts and Partnerships Initiatives. In addition to an electronic version of the *Reentry Report*, features will include important links, articles and other information pertaining to offender reentry. The Web site is set to be completed later this fall.

For More Information:

Reentry Partnerships. Additional information about the Reentry Partnerships Initiative is available through e-mail to: AskRPI@ojp.usdoj.gov. Inquiries may also be directed to:

Cheryl Crawford
National Institute of Justice
Office of Justice Programs
810 7th Street, NW
Washington, DC 20531

Phillip Merkle
Corrections Program Office
Office of Justice Programs
810 7th Street, NW
Washington, DC 20531

Reentry Courts. Additional information about the Reentry Courts Initiative is available from:

Judith McBride
Office of the Assistant
Attorney General
Office of Justice Programs
810 7th Street, NW
Washington, DC 20531

Nancy LaVigne
Office of the Assistant
Attorney General
Office of Justice Programs
810 7th Street, NW
Washington, DC 20531

U.S. Department of Justice
Office of Justice Programs

Washington, DC 20531

Official Business
Penalty for Private Use \$300

FIRST-CLASS MAIL
POSTAGE & FEES PAID
DOJ/NIJ
Permit No. G-91

The Clinton Administration's Crime Control Strategy:

A Commitment to End Violence Against Women



**Taking Back Our Neighborhoods
One Block at a Time**

June 2000

Executive Summary

When the Congress and President Clinton teamed up to make the Violence Against Women Act become law in 1994, the nation took a giant step forward in its recognition of, and response to, violence against women, particularly domestic violence, sexual assault, and stalking. This law not only strengthened criminal laws and provided funding to enhance their enforcement, but also provided a foundation for a successful long term criminal justice effort to end violence against women. By encouraging collaboration

among police, prosecutors, and victim services providers, the Violence Against Women Act is building a comprehensive community response to violence against women all across America.

"The Violence Against Women Act provides us with a powerful tool with which to fight the scourge of domestic violence, sexual assault, and stalking. While we have made significant progress, we must continue to use all necessary means and available information to help reduce -- if not eliminate -- all types of violence against women." Attorney General Janet Reno

"This is not a women's issue, this is an issue for families and for children and for men as well. And it is an American challenge that we have to face. This issue has been swept under the rug for too long. We have tried to take it out into the daylight, to let people talk about it, to give people a chance to find courage in the efforts of others and to know that they can find help. That's what the Violence Against Women Act is all about." President Bill Clinton

Since the passage of the Violence Against Women Act (VAWA), the Department of Justice has launched a multifaceted initiative to combat domestic violence, stalking, and sexual assault. The Department's efforts have been guided by two key principles: ensuring the safety of victims and holding perpetrators of violence accountable for their acts. The Department has focused on issues of violence against women in three important ways: bringing prosecutions under the federal domestic violence, stalking, and firearms laws; raising awareness of the VAWA and the issues of domestic violence, stalking, and sexual assault in communities throughout the country; and forging partnerships among police, prosecutors, and victim services providers at the state, local, and tribal levels through the STOP Violence Against Women Formula Grant Program and other VAWA grant programs.

The Justice Department has awarded more than \$800 million dollars in VAWA grant funds to law enforcement officials, prosecutors, victim advocates, and courts to address the problem of violence against women at the state, local, and tribal levels. The Department, through the Offices of the United States Attorneys, has prosecuted over 250 cases involving interstate domestic violence, interstate stalking, interstate violation of a protection order, or possession of a firearm while under a protection order or after conviction for a misdemeanor crime of domestic violence.

Although progress has been made in recent years, domestic violence -- violence by intimates -- still accounts for over 20 percent of all violent crimes against women and about 30 percent of all murders of women in America. More than one million women are stalked each year, and 307,000 sexual assaults against women were perpetrated in 1998 alone. The Clinton Administration has laid the groundwork for a strong and effective strategy for building collaborative community partnerships to keep women safe and hold perpetrators accountable. Now, as the goal of a safer America is within reach, it is essential to continue this effort in order to bring an end to violence against women.

President Clinton, Attorney General Reno, and others have led an historic effort to reduce crime in our nation's communities. As part of that effort, President Clinton signed into law the Violence Against Women Act (VAWA), which was enacted as part of the Violent Crime Control and Law Enforcement Act of 1994. The law takes a comprehensive approach to fighting violence against women. It combines tough new penalties with programs to prosecute offenders and aid victims of such violence. This groundbreaking law has transformed the legal landscape, bringing these issues from behind closed doors into the center of public debate, and thereby helping to shift social attitudes toward violence against women.

The VAWA recognizes the devastating consequences that violence has on women, families, and society as a whole. For the first time, federal resources, federal law enforcement, and federal prosecutors joined the front lines in the struggle to end violence against women. The VAWA encourages federal, state, local, and tribal governments to collaborate -- to work together to figure out how to end the terrible scourge of domestic violence, sexual assault, and stalking that has shattered the lives of so many of our nation's women, children, and families. Today, law enforcement, prosecutors, judges, and victim advocates are working together, sharing information and ideas to keep women safe and hold offenders accountable.

There is no question that the VAWA is making a difference. Under the VAWA, communities across the country and all levels of government are creating coordinated, community-wide responses and are setting up the infrastructure needed to improve our response to violence against women:

- States and tribes are changing their laws to treat violence against women as a serious crime. Twenty-four states and the District of Columbia mandate arrest for most domestic violence offenses and forty-nine states now authorize law enforcement to make an arrest based on a probable cause determination that a protection order has been violated.¹
- Jurisdictions are changing the way they handle domestic violence cases to make sure these cases are given the attention they need. Court systems in thirty-six states have some type of special court jurisdiction, structure, or services to handle domestic violence cases.
- States are acting to lift some of the costs imposed on women who have been victimized by violence. As required by the VAWA, all states and the District of Columbia now have some provision for covering the cost of a forensic rape exam.
- States are increasingly recognizing that domestic violence hurts children too. Forty-seven states and the District of Columbia require courts to consider domestic violence in child custody decisions.
- United States Attorneys, at the Attorney General's request, have each appointed special VAWA points of contact in their offices to help coordinate prosecution of federal VAWA and VAWA-related crimes. Over 250 indictments on such crimes have been brought since the enactment of the law.

¹See Miller, N., *Domestic Violence: A Review of State Legislation Defining Police and Prosecution Duties and Powers*, Domestic Violence Legislative Review, Institute for Law and Justice, Alexandria, VA, August 1998.

- The Bureau of Justice Statistics (BJS) estimates that in 1999, approximately 13 percent of handgun sales blocked through pre-sale background checks (approximately 27,000 applications) were denied because of a domestic violence misdemeanor conviction or a valid restraining order.

Although we are making progress, violence still devastates the lives of many women:

- Although the number of women murdered by an intimate² has dropped, the percentage of women murdered by an intimate has remained constant at about 30 percent since 1976. Women are three times more likely than men to have been murdered by an intimate.
- Violence by intimates accounts for about 20 percent of all violent crimes against women. In 1998, about one million violent crimes were committed by an intimate. Among those, about 85 percent of victimizations by intimate partners were committed against women.
- 307,000 sexual assaults were perpetrated against women in 1998 alone.
- Over one million women are stalked annually, and fully eight percent of all women in this country have been stalked at some time in their life. Overall, most stalkers are men (87 percent) and most stalking victims are women (78 percent).

Simply put, violence against women remains a critical problem in this country, and continues to call all of us to action.

Federal Funds Are Making a Difference

The Violence Against Women Act (VAWA) established grant programs that are being used to forge focused and effective partnerships among federal, state, local and tribal governments, and between the criminal justice system and victim advocates. There are six VAWA-related grant programs. These programs assist state, local, and tribal governments and nonprofit agencies in training personnel, enforcing laws, assisting domestic violence, sexual assault, and stalking victims, and holding perpetrators accountable. The VAWA provides federal grants to help communities across America develop innovative strategies to combat violence against women.

The Department of Justice has awarded more than \$800 million through the VAWA grant programs since 1994, directing critical resources to communities' collaborative efforts to respond to violence against women. The VAWA grants finance community initiatives involving victim services providers, victim advocates, law enforcement officers, prosecutors, court staff, and health care providers.

Federal funds have reached across the nation -- from remote, rural, and tribal communities to large urban centers; from nonprofit domestic violence shelters and rape crisis centers to state prosecutors' offices. They are making a difference in the lives of women everywhere. And they have made a difference in how communities respond to violence against women -- by bringing together police, prosecutors, advocates, judges, and others to make America safer for women and families.

²The term "intimate" includes spouse, ex-spouse, common law spouse, same sex partner, boyfriend, and girlfriend. *Intimate Partner Violence*, U.S. Department of Justice, Bureau of Justice Statistics, Washington D.C., May 2000.

STOP Formula Grant Program

The Department's largest VAWA grant program is the STOP Violence Against Women Formula Grant Program. "STOP" stands for "Services•Training•Officers•Prosecutors" -- reflecting the collaborative goals of this program. It promotes a coordinated approach by encouraging the states to pool the expertise and resources of law enforcement, prosecutors, and victim advocates. Since 1994, the STOP Program has provided more than \$549 million to all 50 states, the District of Columbia, and 6 territories, including over \$138 million in Fiscal Year 1999. Under the VAWA, states have pulled together law enforcement representatives, prosecutors, and victim services providers to design a statewide plan for the use of these funds. States have awarded over 6,500 STOP sub-grants.

We are building from these initial successes. The Department is supporting the expanded involvement of courts in STOP grant partnerships.

In Cache County, Utah, STOP funds support a sexual assault prosecutor. In the seven years before this prosecutor was hired, the County had not charged a single sexual assault case. In 1997 alone, the prosecutor's office handled more than 60 sexual assault cases.

In California, STOP funds have been used to provide training on stalking investigations to more than 6,000 law enforcement officers.

In Delaware, STOP funds have trained police officers in domestic violence investigations, and two counties are focusing on the often neglected elderly victims of domestic violence.

In Alabama, STOP funds have helped establish mobile units that provide on-site assistance to domestic violence victims in rural areas.

Communities around the country are using STOP funds to set up programs that give women who are being stalked immediate contact with police in an emergency.

STOP Violence Against Indian Women Grant Program

Under the STOP program, the VAWA sets aside funds each year to combat domestic and sexual violence against women in Indian country. Data from the National Violence Against Women Survey show that Native American and Alaska Native women are more likely to be stalked and to disclose victimization by rape and physical assault than women of other racial/ethnic backgrounds.

The Department is committed to addressing and reducing domestic violence and sexual assault against Native women. A total of \$22.6 million has been awarded to tribes, including nearly \$6.5 million in Fiscal Year 1999. Tribes are using these funds to develop and strengthen the response of tribal justice systems to violent crimes against women. The activities of the STOP Violence Against Indian Women program also have raised awareness of domestic violence among tribal leaders and communities. Under all five VAWA discretionary programs, more than \$35.5 million has been awarded to 142 Indian tribal governments and organizations serving 281 Native communities.

On the Pine Ridge Indian Reservation in South Dakota, law enforcement officers were arresting both parties in 10 percent of all domestic violence cases in 1996. After VAWA funds helped train officers on how to identify the primary aggressor, the dual arrest rate dropped to less than 2 percent in 1997. Women are less likely to be arrested inappropriately for having defended themselves against abuse.

The White Mountain Apache Tribe of Arizona uses its prosecution allocation to support an advocate who works within its prosecutor's office to assist and support victims of domestic violence and sexual assault.

Grants to Encourage Arrest Policies Program

The Grants to Encourage Arrest Policies Program has enabled communities across the country to use the power of the criminal justice system to keep victims safe and hold offenders accountable. Since the program was first funded in 1996, the Department has awarded over \$137 million, including \$28.5 million in Fiscal Year 1999. To qualify for these funds, communities must demonstrate their community-wide collaboration to prevent and stop domestic violence. The result has been the development of new partnerships and a deeper understanding of violence against women.

In order to promote the effective preparation and prosecution of domestic violence cases, Milwaukee County, Wisconsin has used funding from the Grants to Encourage Arrest Policies Program to add three assistant district attorneys and three victim liaisons to the Office of the District Attorney's Domestic Violence Unit. Additionally, Milwaukee County has used grant funds to make the services of nonprofit, non-governmental victim advocacy agencies available on weekends.

With funding from the Grants to Encourage Arrest Policies Program, St. Tammany Parish, Louisiana has strengthened its ability to provide victims of domestic violence with support, advocacy, and safety while cases against their abusers proceed through the criminal justice system. Specifically, St. Tammany Parish has made training on the proper and effective treatment of domestic violence cases available to all law enforcement officers in the Parish, created domestic violence units within the sheriff's office and the prosecutor's office, and opened a satellite office of the local shelter, Safe Harbor, in order to serve women on the Parish's west end.

Rural Domestic Violence and Child Abuse Enforcement Program

The Rural Domestic Violence and Child Abuse Enforcement Program assists rural areas in the investigation and prosecution of cases involving domestic violence and child abuse and enhances the delivery of services to such victims. The Department has already awarded over \$52 million for these efforts and expects to award another \$20 million by the end of September. Rural community members often have to travel greater distances to address domestic violence and child abuse. As a result, Rural Program funds are important for identifying and securing technology, transportation, and other means to address the geographic isolation that has resulted in limited response and services. Rural Program grants also are helping communities develop partnerships between child protective services and domestic violence advocates to address the co-occurrence of domestic violence and child abuse, as well as to ensure the safety of battered women and their children.

In Bonner County, Idaho, where no domestic violence program existed prior to a 1997 Rural Program award, advocates respond with law enforcement to domestic violence calls and provide outreach and follow-up services to victims. VAWA funds also have supported the opening of a shelter for battered women and their children.

In rural Massachusetts, health and human services providers, law enforcement officials, clergy, and others are receiving training to address domestic violence and child victimization in their communities. The goals of the project include: prevention through community education and outreach, advocacy and counseling to children and non-offending parents, and coalition building to address victim safety and access to community resources.

Domestic Violence Victims' Civil Legal Assistance Grants Program

"These funds can help victims begin to pick up the pieces and take practical steps to bring order to their lives." Bonnie Campbell, Director, Violence Against Women Office

While the central goal of the VAWA is to improve the criminal justice system's response to violence against women, victims of domestic violence face related problems in civil matters such as custody and visitation, abuse and neglect, child support, divorce, or other civil cases where domestic violence is involved. Child custody cases involving domestic violence pose particularly difficult challenges for judges, battered women, and children. Since the creation of the Civil Legal Assistance Program in Fiscal Year 1998, the Department has awarded over \$33 million to legal services, battered women's shelters, law school clinics, and bar associations to strengthen civil legal assistance for victims of domestic violence. The Department expects to award another \$24 million later this summer.

Through the George Washington University Law School's Domestic Violence Advocacy Project in Washington, D.C., law students work with hospital emergency room personnel and are available 24 hours a day to respond to the legal needs of battered women.

In Eugene, Oregon, grant funds allow the Lane County Legal Aid Society to partner with shelters to provide representation for battered women in protection order hearings and other civil matters.

Grants to Combat Violent Crimes Against Women On Campuses

Under the newest program providing grants to combat violence against women on campuses, institutions of higher education receive support to develop comprehensive, coordinated responses to violent crimes against women on college campuses, including sexual assault, domestic violence, and stalking. This program was authorized under the Higher Education Amendments of 1998 and requires campuses to develop partnerships with nonprofit, non-governmental victim advocacy organizations and local criminal justice or civil legal agencies to enhance victim safety and offender accountability and to prevent these crimes. Congress appropriated \$10 million in each of Fiscal Years 1999 and 2000 to encourage institutions of higher education to adopt a coordinated community response to violence against women. Twenty-one institutions of higher education received grants totaling approximately \$8.1 million in Fiscal Year 1999.

COPS Domestic Violence Grants

The Department's Office of Community Oriented Policing Services (COPS) is the core component of the Clinton Administration's commitment to increase community policing as part of a community-wide response to crimes, including domestic violence. The COPS Domestic Violence Grants foster partnership and coordination between law enforcement and victim advocates at the community level. The Department's COPS office has dedicated over \$69.1 million to efforts designed to address domestic violence through community policing. Since 1996, under the Community Policing to Combat Domestic Violence program, COPS awarded over \$46 million to 394 law enforcement agencies for this purpose. Under this program, law enforcement agencies were asked to apply jointly with community service or victim advocacy organizations to execute well-planned, innovative strategies. In 1999, COPS expended \$11.3 million for training, research, evaluation, and test sites in communities where law enforcement established such partnerships to enhance coordinated responses to domestic violence.

The Bristol, Connecticut Police Department has held trainings for all officers on how to assist victims of domestic violence with safety planning and risk assessment. It also has developed a video on domestic violence for local cable television, and formed community policing partnerships with court personnel, educators, state social services officials, and the religious community to combat domestic violence.

The Colorado Springs, Colorado Police Department has created a 21-person domestic violence team representing a variety of community groups to train officers on dealing with domestic violence issues. Each officer works with the team for 100 hours to learn and develop strategies to combat domestic violence, to assist victims, and to use risk assessments to reduce future incidents.

Training and Technical Assistance Grants

Using funds drawn from each of the major VAWA grant programs, the Department also works to build the capacity of national criminal justice and victim advocacy organizations to foster community partnerships and to respond effectively to violence against women. The Department has awarded over \$36 million through Fiscal Year 1999 for this purpose. The Department also sponsors mentoring efforts and peer consultations, making it possible for those people who want to establish effective programs in their community to visit other communities and learn from experts in the field.

Technical assistance includes training, policy development, and information dissemination, for example:

- Development of Judicial Institutes, sponsored by the National Council of Juvenile and Family Court Judges and the Family Violence Prevention Fund, for assisting judges in handling civil and criminal cases involving domestic violence;
- Development by the International Association of Chiefs of Police of a model policy and procedures for handling domestic violence cases involving police officers;
- Development of a Promising Practices Manual by the STOP Violence Against Women Technical Assistance Project; and
- Development by the Washington Coalition of Sexual Assault Programs of a partnership with other state sexual assault coalitions (Minnesota, New York, Connecticut, and Illinois) for sharing resources, information, and strategies and mentoring newly-formed coalitions nationwide.

Keeping Victims Safe and Holding Offenders Accountable

The VAWA provides federal prosecutors with important tools to support and supplement state and local prosecution of domestic violence and stalking crimes. In some cases, a federal prosecution may carry a more severe and appropriate punishment for an offender than a prosecution under state law. Where a defendant has traveled from state to state, the resources of the Federal Bureau of Investigation are available to investigate and build a case for prosecution. In other cases, a state prosecutor may request that the case be referred to federal prosecution because, once detained by a federal court, a defendant is more likely to remain in custody prior to trial.

Criminal Prosecutions under the VAWA

The VAWA strengthens the penalties for sex offenders and domestic violence perpetrators -- doubling the maximum term of imprisonment for repeat sex offenders and authorizing severe sentences for abusers who cross state lines or tribal boundaries to commit acts of domestic violence. The VAWA and VAWA-related criminal provisions prohibit crossing state or tribal borders to commit domestic violence or violate a protection order, interstate stalking, and possessing a firearm while subject to a domestic violence protection order or if convicted of a misdemeanor crime of domestic violence.³ While the vast majority of domestic violence cases will continue to be prosecuted by states, localities, and tribes, these statutory tools enable federal law enforcement to prosecute and to obtain severe penalties in appropriate cases in cooperation with the state, local, and tribal authorities. Vigorous prosecution of federal domestic violence offenses is a top priority for the Department. These prosecution efforts have succeeded, and will continue to succeed, because the United States Attorneys Offices have prosecuted federal cases where appropriate and formed prosecution partnerships with their state, local, and tribal

counterparts in the nationwide fight against domestic violence.

The Department has prosecuted more than 250 cases under the VAWA and VAWA-related criminal provisions of federal law. The following cases exemplify successful federal prosecutions that resulted in convictions and lengthy sentences for defendants:

- ◆ The United States prosecuted a defendant who traveled from Alabama to Texas for interstate stalking. He had been released from federal custody in Alabama for making interstate threatening phone calls to one ex-wife. In Texas, he terrorized another ex-wife and his three grown children. The defendant was convicted. At sentencing, the court considered the defendant's lengthy history of domestic abuse against four stalking victims -- a history that included beatings, torture, abandonment, threats to kill, stabbing and burning -- and departed upward from the sentencing guidelines to impose a maximum sentence of 20 years in federal prison.
- ◆ The United States prosecuted a defendant for shooting at his estranged wife while she was working in a preschool playground. At the time of the shooting, the defendant was subject to a qualifying protection order. Although the case was initially presented to the district attorney's office, state prosecution of attempted murder would have required proof of the defendant's intent at the time of the shooting. Federal prosecution instead required only possession of the firearm while subject to a qualifying protection order. The district attorney's office referred the case for federal prosecution and the defendant pled guilty to the

³ There are five federal domestic violence offenses: (1) Interstate Domestic Violence, 18 U.S.C. §2261; (2) Interstate Violation of a Protection Order, 18 U.S.C. §2262; (3) Interstate Stalking, 18 U.S.C. §2261A; (4) Prohibition Against Possession of a Firearm While Subject to a Protection Order, 18 U.S.C. §922(g)(8); and (5) Prohibition Against Possession of a Firearm After Conviction of a Domestic Violence Misdemeanor, 18 U.S.C. §922(g)(9).

federal charge. At sentencing, the court granted the federal prosecutor's request for an upward departure, based upon the danger presented to the young children in the playground, and sentenced the defendant to a 66-month term of imprisonment.

Working to Make Nationwide Enforcement of Protection Orders a Reality

The VAWA requires states and territories to honor protection orders issued by other jurisdictions if certain statutory requirements are met. The Department has adopted a strategy for implementing this full faith and credit provision that focuses on providing training, technical assistance, and grants to law enforcement agencies, prosecutors, courts, and victim advocates. The Department funds the Full Faith and Credit Training and Technical Assistance Project of the Pennsylvania Coalition Against Domestic Violence, which provides nationwide assistance on a wide range of issues related to interstate and intertribal enforcement of protection orders. The Project also sponsored a national training conference in October 1997 that has led to several local and regional conferences. Tribes in Alaska, the southwest, and the midwest are also working to strengthen protection order enforcement between tribes, as well as between tribes and states.

The Department also has worked to develop, publish, and disseminate a series of brochures on interjurisdictional enforcement of protection orders for the different components of the criminal justice system. In October 1998, the Attorney General introduced a brochure for law enforcement that was developed with the International Association of the Chiefs of Police. A benchcard for judges was released in August 1999 at a meeting of the Conference of Chief Justices, and similar brochures for advocates, survivors, and prosecutors are being developed.

In order to help confirm the existence and terms of protection orders issued by jurisdictions nationwide, the FBI developed the National Crime Information Center Protection Order File, a national registry that came on line in May 1997. As of June 2, 2000, 29 states are

participating -- either by linking their existing state system to the national registry or by entering protection order information directly into it. The Department is assisting an ever-increasing number of states in developing their own protection order registries.

Addressing the Needs of Battered Immigrant Women

Prior to the enactment of the VAWA, many battered immigrants found themselves trapped between abuse and deportation because their abusers were authorized to act for them under the immigration law and refused to file immigration papers on their behalf. The VAWA responded to their plight by enabling the battered spouses and children of U.S. citizens and legal permanent residents to self-petition for permanent residency without depending on the help of their abusers. Since the enactment of the VAWA, the Immigration and Naturalization Service (INS) and the Violence Against Women Office have issued regulations to implement the self-petitioning provisions of the VAWA. In June 1997, INS centralized the filing of all VAWA self-petitions in the Vermont Service Center, where a specially-trained unit adjudicates these applications. To date, over 6,000 immigrant victims of domestic violence have been approved for lawful status under the VAWA.

Understanding Violence Against Women

The Department of Justice plays a unique role in collecting data on crime and increasing knowledge about the causes and consequences of crime and effective strategies for prevention and intervention. With the enactment of the VAWA, the Department has contributed to the expanding body of research on violence against women. The data and research make clear the gravity of the problem and demonstrate the need for our continuing efforts to end violence against women through the initiatives authorized by the VAWA.

The Department, through its National Institute of Justice (NIJ), a component of the Office of Justice Programs, continues to play a central role in supporting research to understand the nature, scope, causes, and consequences of violence against women. This research is used to develop strategies to prevent and respond effectively to violence against women. NIJ funds family violence research directly; it jointly conducts research with the Centers for Disease Control and Prevention; and it participates in the Interagency Consortium for Research on Violence Against Women and Family Violence. Moreover, NIJ is making special efforts to support community-driven evaluations that promote partnerships between researchers and practitioners.

The Bureau of Justice Statistics (BJS), a component of the Department's Office of Justice Programs, is the United States' primary source for criminal justice statistics. BJS collects, analyzes, publishes, and disseminates information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government.

A sampling of publications addressing violence against women include:

- *Intimate Partner Violence*, U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C., March 2000;
- Tjaden, P. and Thoennes, N., *Stalking in America: Findings from the National Violence Against Women Survey*, Research in Brief, U.S. Department of Justice, National Institute of Justice, Washington, D.C., April 1998;
- Tjaden, P. and Thoennes, N., *Findings from the National Violence Against Women Survey*, Research in Brief, U.S. Department of Justice, National Institute of Justice, Washington, D.C., November 1998;
- *Violence By Intimates*, U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C., March 1998;
- *American Indians and Crime*, U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C., February 1999; and
- American Bar Association Criminal Justice Section, *Legal Interventions in Family Violence: Research Findings and Policy Implications*, U.S. Department of Justice, National Institute of Justice, Washington, D.C., July 1998.

Providing National and International Leadership on Combating Violence Against Women

In 1995, President Clinton named former Iowa Attorney General Bonnie Campbell as the Director of the Violence Against Women Office at the Department of Justice. This office, housed in the Office of Justice Programs, administers the VAWA grant programs, coordinates Departmental efforts on violence against women, and provides national and international leadership to combat violence against women. Director Campbell works within the Federal government, representing the Department of Justice on the President's Interagency Council on Women and working to bring focus within the missions and jurisdictions of other agencies on issues of violence against women. Through the work of the Violence Against Women Office, the Department is collaborating with the Department of Health and Human Services, the Department of Housing and Urban Development, and other federal agencies on a wide variety of initiatives to address violence against women. Director Campbell has traveled to every region of the country and has, on over 250 occasions, met with and spoken to prosecutors, law enforcement groups, judges, domestic violence advocacy groups, women's centers, colleges, universities, health professionals, and many others.

As the issue of violence against women has taken on global importance, Director Campbell and other Department staff have represented the Department internationally as well. For example, in September 1998, Violence Against Women Office senior staff, together with the Department's Office for Victims of Crime, led a workshop at the World Conference on Family Violence in Singapore. In October 1998, Director Campbell led a delegation of United States experts to the United States - Russian Conference on Domestic Violence in Moscow, the first high-level meeting on this issue in Russia. Other countries look to the United States Department of Justice for our leadership and technical assistance on strategies to develop laws, change policies, and promote public discourse on violence against women within their own societies. Director Campbell has been a leader within

this country and internationally not only on the issues of domestic violence and sexual assault, but also on trafficking in women, which, with increasing globalization, appears to be a growing form of violence against women in which women and girls are taken from one country to another and forced to work in dehumanizing conditions stripped of their rights, safety, and dignity.

In addition to Director Campbell's work, the Department makes sure that everything the Department is learning about violence against women is in the hands of advocates, prosecutors, judges, and others who need it most. Through newsletters, reports, and an actively maintained and ever expanding Internet website, the Department ensures that information about violence against women research, programs, and intervention strategies is readily available and accessible.

The Justice Department's Violence Against Women Office Internet website address is
<www.ojp.usdoj.gov/vawo>.

The National Domestic Violence Hotline is a toll-free number that offers shelter referrals and assistance to anyone who is in need: 1-800-799-SAFE. Funded by the Department of Health and Human Services, the Hotline has answered 478,366 calls for help from February 21, 1996 to May 31, 2000.

Technical Assistance on the interjurisdictional enforcement of protection orders is available from the Full Faith and Credit Project, a project of the Pennsylvania Coalition Against Domestic Violence 1-800-256-5883 and from the Battered Women's Justice Project 1-800-903-0111, ext. 2.

The 43-member National Advisory Council on Violence Against Women advises the Attorney General and the Secretary of the Department of Health and Human Services on outreach strategies and implementation of the VAWA and issue-related reports. The Council's membership includes representation from law enforcement, business, health and human services, academia, the sports industry, victims service providers, advocates, and religious organizations.

The Advisory Council has produced two widely requested and disseminated pamphlets: "A Community Checklist: Important Steps to End Violence Against Women" and "Stop the Cycle of Violence: What You Can Do," handbooks on what individuals and communities can do to fight violence against women and assist victims. The National Advisory Council is currently developing an "Agenda for the Nation to End Violence Against Women in the 21st Century," which will guide communities in their efforts to address this problem in the new millennium.

PLANS FOR THE FUTURE

As we look to the future, the Department will focus not only on the need to continue and expand our current efforts but also on new and emerging issues such as cyberstalking and trafficking in women that we must address if we are to succeed in stopping violence against women. Our efforts will include the following:

◆ The Civil Justice System's Response to Violence Against Women

The Department is developing a strategy to raise awareness of domestic and sexual violence issues in civil matters, provide training to civil justice system personnel, and improve coordination among different civil courts hearing matters involving the same family and between criminal and civil courts where domestic and sexual violence issues are present.

◆ Underserved Populations

The Department has a responsibility to ensure that efforts to improve the justice system's response to violence against women work for everyone in our communities. Race, ethnicity, income, and other factors may affect the way victims respond to violence and the options available to them for dealing with it. We must ensure that efforts to build a coordinated community response to violence against women address the needs of diverse and underserved populations, including racial or ethnic minorities, Native Americans, religious minorities, immigrants, the elderly, individuals with disabilities, and gays and lesbians.

◆ Cyberstalking

At the request of Vice President Gore, the Department has studied the problem of cyberstalking and has reported back with recommendations on how to protect people from this threat.

◆ Trafficking In Women

The Department supports enacting anti-trafficking legislation that will strengthen and institutionalize advances made, as well as provide new and necessary tools in the fight against trafficking in persons and the protection of trafficking victims.

◆ Federal Legislation

The Administration strongly supports a five-year reauthorization of the VAWA grant programs and looks forward to working with members of Congress to improve and strengthen the VAWA and our nation's response to violence against women.

REMARKS OF ATTORNEY GENERAL JANET RENO

Before the

NATIONAL PRESS CLUB

Washington, D.C.

Friday, April 7, 2000

PROCEEDINGS

ROBIN REED: I'd like to introduce to you now Representative Leanna Washington from the state of Pennsylvania, who will introduce the Attorney General.

MS. WASHINGTON: Thank you. Attorney General Janet Reno is the first Attorney General --

first woman Attorney General of the United States of America. Nominated by President Clinton February 11, 1993, Attorney General Janet Reno was confirmed by the United States Senate on March 12th, 1993.

Attorney General Reno attended Harvard University Law School, one of only 16 women in a class of 500 students. She was born in Miami, Florida, and began her career in the state of Florida, serving in the Judiciary Committee of the Florida House of Representatives and in the Dade County State's Attorney General's office.

In 1978, she was appointed State Attorney General for Dade County. In November 1978, Attorney General Reno was elected to the office of State Attorney and was returned to office by the voters four more terms. Among many honors (inaudible) was awarded the (inaudible) American Judiciary Society, 1981, the Public Administrator of the Year, American Society for Public Administration 1983 (inaudible) --

(Applause.)

ATTORNEY GENERAL RENO: Thank you very much. I am delighted to

be here with you today. The National Foundation for Women Legislators has done so much to improve the quality of government and governing in America. I worked for the legislature as -- how is that? Is that better?

ROBIN REED: There is some noise back there. There was a camera that was just turned on that is making too much noise. Our audience cannot hear. The press office (inaudible).

ATTORNEY GENERAL RENO: Well, I'm going to try -- can you hear me?

AUDIENCE MEMBER: It's a speaker that needs to be unplugged.

ROBIN REED: Attorney General, do the best you can and we will listen with great effort.

ATTORNEY GENERAL RENO: Okay. I would like to talk to you about violence against women and domestic violence, and I would like to give you a perspective of how far we have come because of your efforts and the efforts of others in the court system and otherwise, who have come to realize that unless we do something about violence in the home, violence against women, domestic violence, we're never going to solve the problem of violence on the streets of America.

(Applause.)

We have a really incredible opportunity here, but we have watched the crime rates go down in America seven years in a row. There is a tendency on the part of people, when something like that happens, to become complacent and to turn their thoughts to other issues. We cannot become complacent. We have learned what can happen when Republican legislators and Democratic legislators work together, where Republican and Democratic city commissioners and county commissioners work together to approach crime from a commonsense point of view, approach it based on solid information, approach it based on evaluation of what works and what doesn't work, and then put into effect what's working.

We have seen that we can make a difference, but one area that has proven intractable in terms of real reduction in crime is in the area of domestic violence.

Where have we come from? Back in 1978, I became a State Attorney in Dade County. The medical examiner said why don't you come over and look to see who has been killed and let's see if we can do something about it based on solid information.

40 percent of the homicides in the previous 20-year period or 25-year period were related to domestic violence -- boyfriend girlfriend, ex-spouse, husband and wife. And we established a domestic intervention program. Then the courts said, but, Janet, that's just a domestic. Then the police officers said that's just a domestic.

But police departments around the country started noticing something, that those domestics were one of the most dangerous calls that a police officer receives. And something else started happening in the court system. More women got elected judges.

(Applause.)

And in the 15 years I was State Attorney, you could see the sea change and suddenly the judge who used to say, Janet, it's just a domestic would not dare be heard to say something like that.

We have come a long way because just about the time I became State Attorney, the police departments were developing sex battery units with police officers who understood how to investigate such a crime, how to work with victims, how to immediately refer them and how to provide support and encouragement during the most difficult time.

We started a rape treatment center, and that now seems commonplace, but then it was really something to behold, and the work that it has done has been so vitally important.

We, because of your efforts and the efforts of other women across this nation, have come a long, long way. But where do we go from here?

I firmly believe that if we approach crime on a community basis, and if we develop partnerships, we can really organize ourselves far more effectively than we have before.

A community understands its needs and resources better than somebody in the state capital understands it, better than somebody in the national capital understands it, and we have experience at the state and federal level about what works and what doesn't work in different communities so we can share it with you, or we can identify a wonderful program and provide technical assistance. And I'll go into in a minute the grants that we have provided pursuant to the Violence Against Women Act. But it takes more. It takes a partnership with the private sector, as well.

Why don't we get preachers and rabbis talking from the pulpit and the bimah about domestic violence and the fact that it should not happen and you should not expect it to happen?

(Applause.)

This is not a forbidden subject. Let's not wait until the violence occurs. Let's not wait until a family is shattered. Let's not wait until that child observes his father hitting his mother so that he comes to accept violence as a way of life.

Let's start in the community and start building a community feeling, sentiment and spirit, that a young woman as she starts to school, as she goes to school, as she grows up, as she goes to college, as she has a family, should absolutely never expect or in any way tolerate something like that happening to her and let us give her the courage of her convictions.

(Applause.)

How can schools come to grips with it?

How can physicians come to grips with it? I sit in my doctor's office and I look at all the pamphlets and I have never seen a pamphlet on domestic violence, but it is as much a public health problem as so many of the other issues, of smoking and nutrition and the like. Let us make sure that every pediatrician addresses that in a positive, instructive way to prevent it. Let us make sure that every family physician knows how to talk about it, provide information concerning it, and give his patient or her patient the support they need to deal with it.

We can do so much if we form partnerships, and the public health/criminal justice participate has proven to be effective. We have approached the whole problem of youth violence from that point of view. We can use the same model with physicians and criminal justice people working together in the area of violence against women.

Let us make sure that our police officers are trained, not to just respond to the call where somebody has been badly hurt or killed. Let us enhance community policing a step further. I want police officers to be known as problem solvers and peacemakers, as people who bring a community together.

There are so many wonderful professional, dedicated and caring policewomen and policemen across this country. Instead of waiting, they could notice the tension in the community, they could talk with the wife, they could have a system of referral for counseling. We can do so much if we reach out before violence occurs and prevent it, and if we develop a partnership between the federal, state, and local officials and the partnership between the private sector and the criminal justice system.

Think about it. We can do so much, but we have got to pursue in all ways possible further action that will let people know, yes, it may have been accepted long ago, yes, a judge may have said that is just a domestic, but it's a domestic that can kill, it's a domestic that can tear a child's life apart, it's a domestic that indicates too often that violence is tolerated. And in this nation the message should be no, it's not.

(Applause.)

Congress and the President join together again in a marvelous bipartisan effort, recognizing the seriousness of these crimes in the Violence Against Women Act which was signed into law in 1994.

For the first time there was a mandate for all of us to work together, to figure out what could be done.

For the first time there was a mandate to law enforcement to work together, to sit down around the same table and figure out what could be done.

Since 1995, the Department of Justice has awarded over \$800 million in grants to all 50 states, the District of Columbia, 6 territories, 142 tribal governments serving 281 native communities.

Through the grants programs of the Violence Against Women Act we have directed critical resources to state and local efforts to respond to this. These funds have reached across the nation to rural areas and to urban areas. And, ladies, we cannot forget the rural areas of America in designing our grant program.

(Applause.)

The one domestic violence case in a small town in three years can have the same searing, horrible impact that 20 in a major urban neighborhood can have. We have got to look at all America. I Now, having seen some of the successes, we call from Congress to reauthorize the Violence Against Women Act. In the nation where more than one-third of women murdered in the year are killed by their intimate partners, where domestic violence accounts for 20 percent of all violence crimes, where over 1 million women are stalked each year and more than a quarter million women were sexually assaulted in 1996 alone, we clearly still have much to do.

I look forward to working with Congress to ensure that we reauthorize the volume of grant programs this year and that we strengthen it, improve it, and expand many of the provisions. As we recognize the success --

(Applause.)

-- we must continue to build upon the foundation that we have built. I would like to talk to you about four critical areas in which I think we need to continue our ongoing collaborative efforts to end violence against women.

First, we must address violence against our young women. In 1998, BJS presented their national findings. I was struck by the high number of domestic abuse against young people aged 16 to 19.

Young women in this age group were victimized by intimates at nearly the identical rate of women age 20 to 24, about one

violent victimization for every 50 women. That is not tolerable.

What can we do? Let's look. The rate of intimate partner violence was higher for these two age groups than any other age group. Here's how we should go about it. Let's talk to the people in public health. Let's talk to specialists. Let's look together around this country and find out if there are programs aimed at these two age groups.

How can we focus on them? How can we use the knowledge we have as wisely as possible and then how can we control and evaluate to see what's working and what's not working.

We have got \$800 million in grants monies given out in the last five years. What works and what doesn't work? Let's make sure we use our grants monies as wisely as possible to ensure that we evaluate; and if it's not working, let's get rid of it. Let's not get attached to something just because good old Ms. So-and-so has been the major proponent of it for so long.

(Applause.)

Let us move on and rely on solid information to inform our efforts and to help us construct programs that work.

We need the legal tools to prosecute abusers and to make young victims safe. We need education and prevention programs directed at these young people 16 to 24. Many of those are in college and in graduate school. They are away from home for the first time. They don't know where to go to. Let us work with universities around the country to make sure that there is a support mechanism and an atmosphere in that institution of higher learning that makes clear this type of abuse will not be tolerated.

On the federal level, the Department of Justice is working with Congress to develop legislation to expand federal prosecutions and grants to include dating violence in all jurisdictions. I urge you to pass laws in your states that help victims of dating violence obtain relief by expanding state protection orders to include victims of dating violence.

Secondly, federal and state authorities must work together to ensure that perpetrators of domestic violence are prosecuted

to the full extent, whether under federal or state law.

Nearly 30 percent of all female homicides in the country are committed by a woman's intimate partner. Over 60 percent of these murders involve the use of firearms. The mere presence of a gun in the home dramatically increases the likelihood that domestic violence will escalate into murder. We have worked to address this danger at the federal level with new laws that make interstate domestic violence a federal crime and prohibit persons who are subject to a valid protection order or who have been convicted of a qualifying domestic violence misdemeanor from possessing a firearm. We should make sure that that bar continues.

(Applause.)

We have worked hard over the past six years to enforce these new laws. We have designated an assistant United States Attorney to serve as a violence against women contact in each U.S. Attorney's office. We have reached out to local law enforcement and local prosecutors to forge partnerships to ensure that appropriate cases are referred for federal prosecutions.

For example, United States Attorney in Massachusetts worked on the Brockton Safety First Initiative, a collaborative between federal and local people involved in the domestic violence effort.

With DOJ funding, the Brockton group is using police data to map incidents and identify specific areas, geographic areas of concern. They are also compiling information on multiple offenders and they are devising new protocols to deal with these offenders.

I don't know how many of you have ever spent time in a court system, but there is nothing more heartbreaking than to pick up a rap sheet of somebody who has murdered or seriously hurt somebody and see one, two, three, four times before that they have been to court; either she didn't want to prosecute, the case was dropped, it went forward, she said she didn't want him to go to prison because ... Nothing was done.

Let us make sure that we have punishment that fits the crime, but that in addition we recognize that many people are coming

out sooner rather than later. And, ladies, it makes no sense to send somebody back into the world, to the neighborhood, to the home where they committed the crime without having support mechanisms, follow-up, aftercare and efforts that make a difference.

We are proposing -- (applause).

Wait. Neither does it make any difference on a scale with respect to general crime that 400 to 500 thousand people are coming out of our prisons each year for the next five years, many of them coming out without skills that enable them to earn a living wage, without opportunities for jobs, without being able to read, without being able to do common arithmetic, without knowing how to use a computer, and oftentimes with the vestiges of an alcohol or a drug problem that was not thoroughly addressed in the prison.

Let us use the prison time to address the problem that caused the crime in the first place and then let us develop re-entry programs that give people coming back into the community a chance of success.

(Applause.)

Now, that's easier said than done, but it is so exciting to see people who want to succeed when they get out. I recently had the chance to work at a building that was being revitalized by YouthBuild young people and by AmeriCorps. It was a very rainy day so we ended up inside and they at first were suspicious of me when I arrived because I arrived with television cameras.

Well, television cameras turned off the lights and left pretty soon and I stayed so they looked at me like I might be a keeper. But they were still not sure until I hammered about 50 three-penny nails in the studding and didn't bend one of the nails, then they decided I was okay.

And they talked about their dreams and about what they were trying to do with their families. About half of them, I think, had been to prison, and they wanted so to have respect. They wanted so to succeed. Think about what we can do if we develop re-entry courts and re-entry partnerships that give people a chance to come out of prison with some defined goals, with

some opportunities, but with the duty to report back to the court on a regular basis and operate on a carrot-and-stick approach with the court and the court's resources being a commitment to that person that if they follow the rules and regulations, they are going to get the carrot; if they don't, they are going to get the stick.

We have an example in this country that has worked. In 1987, we established a drug court in Dade County because the first offender charged with possession of a small amount of cocaine was not getting either punishment or treatment. I can remember there was about five of us in the room as we talked about how we were going to establish this court. People were puzzled and they doubted us. We got it into effect and one person said don't let yourselves be spread too thin. Control the caseload.

Make sure that the caseload is such that the judge will know the people appearing before him. Make sure that the resources for treatment will match what is needed.

Ten years later I went back to Miami for the National Drug Court Conference. There were over 200 drug courts in existence, some 300 more on the drawing board, and it has been a wave that has swept across this nation. But we can use other courts in the same vein: domestic violence courts, re-entry courts. If we give them the resources to do the job and do not expect that judges are superhuman, but only human people with wisdom who care so much. I urge all of you to think in terms of what the courts can do in this country if they are given the resources and they are given caseloads they can match. This is certainly true in re-entry, and re-entry as it specifically applies to domestic violence.

In Maine, the United States Attorney's office identified domestic violence -- now, this is the United States Attorney's office -- identified domestic violence as the number one crime problem in the state and the cause of over 50 percent of all homicides in the state of Maine. They responded by reaching out to local law enforcement to again form the partnerships. We prosecuted over 17 federal domestic violence cases in Maine referred to us by state and local authorities. We're not interested in grabbing the headlines, we're not interested in claiming the credit, or we're not interested in the turf. We want to work with state and local prosecutors to make sure that the case is done the right way and in the best interest

of the state and community we all serve.

In Washington State, our United States Attorney's office worked with the Spokane County Domestic Violence Consortium and the Washington State courts to ensure that protection orders issued in the state provided notice of important issues that assist our federal prosecutors in bringing perpetrators to order. Now protection orders issued there provide notice that the orders must be enforced in other states and territories under the full faith and credit provisions of the Violence Against Women Act.

Federal law prohibits firearm possession during the pendency of the order. Violation of the order, in addition to subjecting the violator to state and local sanctions, may subject the respondent to prosecution for federal crimes, such as interstate travel to commit domestic violence, interstate stalking and interstate violation of protection orders.

These are things that we are doing and more of what can be done if we do it together and we don't worry about who gets the credit.

The third issue I would like to address is an issue that is of critical importance, the custody and safety of children. Like protection orders, custody laws have a tremendous impact on the safety of victims of domestic violence and their children.

Victims may flee across state lines or tribal lines in order to escape from abusers. When they do, they may lose custody of their children in the state from which they fled.

Interstate custody laws also come into play when perpetrators of domestic violence seize their children and cross state lines to punish victims for the long relationship they have had.

Federal and state laws can help prevent abusers from using custody cases to control and punish victims.

In many states they are already working to protect victims of domestic violence from the unintended consequence of jurisdictional custody laws.

So far, 12 states have adopted the Uniform Child Custody

Jurisdiction and Enforcement Act.

Somebody has got to get a better name for it than that. This Act contains several provisions designed specifically to protect victims of domestic violence and to deter perpetrators of abuse from manipulating custody laws. The Act expands emergency jurisdiction to include domestic violence, it requires courts to protect identifying information about a party if disclosure would harm the child or the party. It helps safeguard a domestic violence victim's address while she is in hiding. Third, the Act for the first time requires courts to consider whether domestic violence occurred and which state could best protect the parties and the child when determining which state should hear the child custody case.

Finally, the Act protects victims through its unclean hands doctrine. The law clarifies that victims should not be punished for conduct that occurred in the process of fleeing domestic violence.

And I think we have got even more to see that that thought is effective throughout the country.

I urge you to consider an adoptee act. We are working with Congress to ensure that federal law provides similar protection for families and children.

Just as it is important that victims of domestic violence should not be forced to forfeit their custody rights, it is important to ensure that visitation with children take place in a safe environment.

Finally, I would like to address one final issue, and that is the problem of stalking on the Internet. We have provided advices on this, but this is a real problem, and it helps us focus on this particular problem that affects violence against women. But there is a larger problem that all of us are going to have to come to grips with.

If a man can sit in his home halfway around the world and stalk in a terrible way a young woman here, if a man can sit in a kitchen in St. Petersburg, Russia, and steal from a bank in New York, if a man can sit on an island in the Caribbean watching the sun set and intrude in other people's lives by stealing their identifiers, by stealing their Social Security

numbers, by stealing their credit card numbers, and then extort them, if our privacy is at risk, we are going to have to deal with whole new issues in law enforcement, whether it be on stalking or in any other issue.

How do we bring that person to justice?

How do we arrange for extradition? How do we try the case? Boundaries are going to become meaningless in the cyber age, but it is very important, whether it be on the issue of stalking or any other, that this nation come together with its colleagues around the world to understand that unless we make sure that the Internet is used as our law permits, we're going to be in a more difficult situation.

I don't think I have to tell you that all of these issues sometimes as Adlai Stevenson said, stagger the imagination and convert vanity to prayer.

I think every public official should remember those lines. I do regularly.

Some people ask me why I participate in public service. I suspect you know the answer just like I do, that I have never found anything more rewarding or more half worth doing than trying to use the law to help make this a safer, healthier, better nation. Sometimes you feel like you take three steps forward and four steps back. Sometimes you get figuratively beaten around the head and cussed at and fussed at. Sometimes you get terrible editorials written about you and you think it's the end of the world.

But all I can say to you is thank you for carrying on the spirit of public service, for letting young women in colleges and elementary school everywhere around this country know that public service is so rewarding and that you can make a difference.

I salute you for all you do for your community, your state and your nation, and I look forward to continuing to work with you in the years ahead on so many issues where I know if we just sit down, get politics out of it and talk about it and get the solid information, we can make a difference.

Now I'd be happy to try to answer your questions.

(Applause.)

ROBIN REED: The Attorney General has agreed to take two questions, and also to do some pictures. I would like to alert you that we will be going into lunch, because you are our VIPs, and there are many other VIPs coming to join you, so you will be going out this way, and I will announce who will be taking the pictures, but we do need to go to your assigned seats because C-Span will be covering the lunch and we need to begin promptly at 12:15.

Roger, would you ask the first question.

We had several.

ROGER: You have already addressed the issue of violence against women, but we have a question in terms of what is the Justice Department doing about the trafficking of women, both internationally and within the U.S.?

ATTORNEY GENERAL RENO: The question is

what are we doing about trafficking in women both domestically in the United States and internationally.

With respect to domestic trafficking, we have worked with the Department of Labor to form a task force between the Immigration and Naturalization Service where we find many of the cases arising in that context, and the Department of Labor where we find the violation of labor standards indicating that there is a problem area. We are also focused in an alien smuggling task force that occasionally stumbles into an effort where people are trafficking and exploiting women.

Again, the whole principle is if we work together we can truly make a difference, both in identifying the situation, referring to the U.S. Attorneys, all of whom have been alerted to this concern, and taking action.

Now, there is also trafficking around the world. That becomes a more problematic case because you've got to find people who are willing to testify.

You don't have law enforcement authority halfway around the world, you are dependent of investigators who don't want you

to come into their country to investigate. You have witnesses that don't speak English and are frightened and you don't have a witness protection program in place in other countries. So it becomes more difficult, but this is something that we continue to focus on in every way that we can.

ROBIN REED: Thank you. Thank you. We are thrilled that the Attorney General will allow pictures, and what we will do is begin right now.

Won't you come up and just go right on through and go to your rooms.

Thank you, Attorney General, we are so grateful for your being with us.

(Applause.)

(Concluded at 12:04 p.m.)

REAUTHORIZATION OF VIOLENCE AGAINST WOMEN ACT
SPEECH OF HON. JANET RENO
ATTORNEY GENERAL OF THE UNITED STATES

Monday, October 2, 2000

Mary's Center for Maternal and Child Care

2333 Ontario Road, N.W.

Education Room

Washington, D.C.

10:04 a.m.

STATEMENT OF HON. JANET RENO, ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA

Attorney General Reno: Thank you.

I am so happy to be here today because I get to announce funding for the partnership between Ayuda and Mary's Center, a partnership that is made possible by a grant under the Violence Against Women Act.

This project will provide battered women from traditionally under-served communities with the legal assistance that they so desperately need. Again and again, this is the comment that we hear, "We don't know where to go. We don't know what to do."

We are funding this project under the Domestic Violence Victims Civil Legal Assistance Grant Program, a \$28 million grant program that provides victims with lawyers who understand domestic violence, the processes and procedures that you need to access in order to deal effectively with it.

Ayuda's project will reach out to victims in very creative ways. And we have heard how we envision a domestic violence case manager here at Mary's Center, and another on the traveling Mom-Mobile van. This is so important because people sometimes do not know to come here, or they are afraid to come. They want to -- they just want to lock themselves up and hope that it will go away. It is so important that we have that access.

And I think this is going to be an excellent addition. It will support the legal staff of Ayuda, which is doing so much with so little, and it will give them a real chance to do outreach and to have this as a base of operations.

This project is an example of how lawyers are working with community agencies and other disciplines. It is no accident that the Attorney General is here with the Secretary of HHS, because this is an Administration that has come together and said, "Lawyers aren't going to solve the problem by themselves. Public health people aren't going to solve the problem by themselves. We've got to work together."

And for the Center and for Ayuda to come together, I think, is an excellent example of how we can all be problem-solvers.

Six years ago, Congress passed the Violence Against Women Act. No single law has done more to help victims of domestic violence and violence against women. Since 1994, the Administration and Congress have provided \$1.5 billion in funding to support victims services and the works of police, prosecutors and the courts.

The VAWA grant programs have reached across the nation from large urban areas to small rural centers, from domestic violence shelters and rape crisis centers to legal service agencies.

The programs are making a difference. Violence against women by intimate partners fell by 21 percent from 1993 to 1998. There are many factors that contributed to this decline, but I think the VAWA has been one of the most significant factors.

But as the women here and on Ayuda's doorstep every morning know, violence against women continues to ravage too many homes in this country and in this city.

We cannot forget that nearly one-third of women murdered each year are killed by their intimate partners.

Over 1 million women are stalked each year. And more than 307,000 women were sexually assaulted in 1998 alone.

Yet, with all of this, with the success that VAWA has evidenced, the authorization for the VAWA grant programs comes

to an end on Saturday. Congress must act quickly to extend and strengthen its protection for victims of domestic violence, sexual assault and stalking.

Legislation would authorize the Civil Legal Assistance Program which supports the project we are visiting today. The Senate bill also would provide critical protection for battered immigrants who face unique obstacles in escaping abuse and often hesitate to call the police or go to court. They are afraid because they do not know the system, and they think they will be deported. We cannot stand by and watch this happen.

I applaud the House for passing the VAWA. And I thank Eleanor Holmes Norton for her strong support.

But time is running out. We have to make sure that we do everything possible to see that the act is reauthorized by Saturday.

Both houses of Congress have worked hard on a bipartisan basis to draft the legislation that would reauthorize and strengthen the act. What we need now is final action on the legislation before Congress adjourns.

I would like to say a special thank you to the people here at Mary's Center and to Ayuda. Sometimes this is the most rewarding work, and you know it when you see success. But you see so many instances in which you cannot reach out and help the person as you would like to help them, because of a lack of resources, or because of other circumstances.

I know how challenging it is. But I also want you to know that I think your work is that of the angels.

Thank you so very much.

[Applause.]

[Whereupon, at 10:12 a.m., the speech was concluded.]