

**Statement Of Senator Patrick Leahy (D-Vt.),
Ranking Member, Senate Judiciary Committee,
On Introduction of the Second Chance Reauthorization Act
June 4, 2015**

Today I join with Senator Portman to reintroduce the bipartisan Second Chance Reauthorization Act. This legislation builds on the success of the original law and takes important new steps to ensure that people coming out of prison are given a fair chance to turn their lives around. When inmates are released from prison, they face many challenges, including finding housing and employment, combating substance abuse, and accessing physical and mental healthcare. This legislation aims to improve their ability to reenter society, become productive members of their families and communities, and reduce the likelihood that they will reoffend. Investing in reentry services has been proven to reduce recidivism and bring down prison costs. It is also the right thing to do.

This legislation is urgently needed. While the United States is home to less than 5% of the world's population, we have nearly 25% of the world's prison population. With more than two million people behind bars, and 650,000 ex-offenders being released each year, we need to reauthorize these critical programs that reduce crime and increase public safety.

Budgets at the state and federal level are strained by our system of mass incarceration, and we all suffer as a result. The truth is that when so much money goes to locking people away, we have fewer resources for programs that actually prevent crime in the first place. Investing in reentry programs that break the cycle of crime helps reduce prison costs and keeps us all safer. That is why law enforcement groups like the National Association of Police Organizations support this bill. They understand better than most that we cannot afford to stay on our current path.

My home state of Vermont was recently awarded a grant to implement a Statewide Recidivism Reduction Program through the Second Chance Act. The Commissioner of the Vermont Department of Corrections, Andrew Pallito, says that he sees the positive impact of Second Chance programming every day. In Commissioner Pallito's words, "The Second Chance Act is not just about giving incarcerated individuals another opportunity to succeed, it is about significantly improving the outcomes we all want for children, families and communities."

We have seen that these programs are succeeding in states across the country. North Carolina, with the help of six Second Chance grants, has reduced its recidivism rate by 18.1 percent since 2007. It has focused on individualized case planning, use of evidence-based practices, and coordination of services through local reentry councils.

Georgia has reduced its recidivism rate by 13.5 percent since 2007 by directing greater resources to rehabilitation, community supervision, and programs addressing reentry needs. Thirteen Second Chance grants have helped support these successful efforts and the statewide incarceration rate has decreased by 4.8 percent.

These programs are working, and it would be irresponsible not to continue supporting these critical efforts that are improving public safety and bringing down prison costs.

I am introducing this bill so that it can be a part of our conversation in the Judiciary Committee and the full Senate about the urgent need for criminal justice reform. Recidivism rates at the state and local levels are unacceptably high - nearly two-thirds of former inmates are rearrested within three years of release and about half of them end up back behind bars. Any serious effort to address reform must include efforts to support reentry. Nearly all prisoners will return to our communities at some point and it is wise policy to help make that transition successful. We all benefit – our families, our neighborhoods, our economy – when people become productive, stable members of society. That’s the goal of the Second Chance Act. That is why it is supported by American Probation and Parole Association, the National Association of Counties, the American Bar Association, and the United Methodist Church, among many others.

Let me be specific. This bill will help former inmates overcome some of the obstacles they face in finding a job, a place to live, and accessing healthcare services. Meeting these basic needs has become increasingly difficult because people coming out of jail are too often treated as second class citizens for the rest of their lives. As a former prosecutor, I believe in tough sentences for those who break out laws. However, once someone has paid their debt to society, he should not be burdened by past mistakes forever.

Chairman Grassley convened a Judiciary Committee hearing last month that highlighted just this issue. The hearing focused on the importance of the right to counsel for poor defendants charged with misdemeanors. During that hearing, we heard testimony about Melinda, a single mother in Ohio who suffered a seizure while cleaning her house. When the police and paramedics arrived, they found unsecured cleaning supplies and Melinda ended up with a conviction for child endangerment. Years later, she was fired from her job when her employer learned of her criminal record. This left her unable to pay her rent, buy food for her family, or lead a productive life. This is just not right, and it certainly does not make any of us safer.

Any criminal conviction, no matter how minor, can hinder a person’s chances of success for their entire lives. The Second Chance Act equips people to deal with this difficult environment, and that assistance starts before inmates are even released. Grants under this program have enabled states to hire case managers who meet with inmates while they are in jail to plan for their release, and continue to be a resource once they have returned home. Case managers help former offenders identify where to continue substance abuse treatment, apply for jobs, and enroll in parenting classes. They also help them build conflict resolution skills and avoid certain people or places that threaten their recovery.

A key component to remaining crime-free is getting and keeping a job, and this reauthorization implements a new “Transitional Jobs Strategy” to help identify and address the root causes of chronic unemployment for ex-offenders. This new strategy will support those individuals committed to working hard and getting their lives back on track by offering programs like vocational education, life skills training, or child care services. I am proud of this addition to the bill and believe it will improve lives and stimulate our economy.

We have learned from recent reports by the General Accounting Office and the Inspector General that our Nation’s aging prison population is costing the Federal Bureau of Prisons

millions every year due to their increasing medical needs. Many of these older prisoners no longer represent a threat to public safety, so this bill increases the discretion of prison officials to determine when inmates over 60 should be released to home detention. It simply doesn't make sense to spend money incarcerating and caring for elderly inmates who are not dangerous.

Although the Second Chance reauthorization has passed with strong bipartisan support through the Judiciary Committee each of the last two Congresses, the Act expired in 2010. We need to pass this legislation this Congress as part of comprehensive criminal justice reform.

I am hopeful that with partners like Senator Portman and Representatives Sensenbrenner and Davis we will finally reauthorize it this Congress. We have been working hard to reach an agreement that is fair, fiscally responsible, and meets the needs of key stakeholders. We have the support of faith groups, law enforcement, and groups who provide services to the mentally ill and those struggling with addiction. This broad coalition has one thing in common - we all want to see our justice system work better.

I thank Senator Portman, Representative Sensenbrenner, and Representative Davis for their hard work and cooperation. We have come together in a truly exceptional way in this bipartisan, bicameral effort. I look forward to joining with Democrats and Republicans to get this bill passed and signed into law.

I ask unanimous consent that my full statement be printed in the Record.

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