



Transcript: Justice Matters – Making Second Chances Work, Conference Remarks by James H. Burch, II

Hello, friends and colleagues. I'm Jim Burch for the Bureau of Justice Assistance, and I want to welcome you to another edition of BJA's Justice Podcast Series.

The podcast that you are about to hear was recorded at the Making Second Chances Work National Conference held on May 25–27 here in Washington, D.C., and was the first national conference bringing together communities from around the country that have been funded by BJA under the Second Chance Act.

Signed into law on April 9, 2008, the Second Chance Act, or Public Law 110-199, was designed to improve outcomes for people returning from prisons and jails. This first-of-its-kind legislation authorizes federal grants to government agencies and nonprofit organizations to provide both assistance and accountability to help reduce recidivism in communities.

Sponsored by the National Reentry Resource Center, the Making Second Chances Work National Conference was created to provide Second Chance Act grantees with several things. First, a forum for peer-to-peer networking and the ability to share solutions across communities. Second, an opportunity for grantees to learn from subject matter experts [the] key issue areas related to reentry. And third, more information about the types of training and technical assistance that is available through BJA's National Reentry Resources Center.

This podcast is a recording of my remarks at the conference, which covered BJA's views on reentry as well as the Second Chance Act and talked about our responsibilities in administering this very important federal program. My remarks follow those by Senator Sam Brownback of Kansas, Congressman Danny Davis of Illinois, and Congressman Bobby Scott of Virginia, all three of which were a part of a bipartisan group of champions in Congress to improve reentry, improve our justice systems, and to improve our communities. We welcome your feedback regarding these remarks. For more information about the conference, or about the Second Chance Act itself, please visit the National Reentry Resource Center's web site at www.nationalreentryresourcecenter.org.

Thank you and I hope you enjoy the podcast.

Thank you, Mike¹. I appreciate that introduction. I have to say, listening to the speeches this morning from our Congressional champions, I was nervous enough as it was, but when Mike talked about testifying before the program is officially kicked off, I'm even more nervous now. But I have faith in all of you, that testifying will be nothing but an absolute pleasure. Just as being here today is an absolute pleasure.

I am really excited about this opportunity to be here with you, and we are so excited to kick this initiative off, finally. I think there is certainly some irony in the title of the conference, the Second Chance, given the snow-pocalypse that we had. And there were some people that were actually here, as I understand it. So this really is the second conference on the Second Chance initiative.

But it is great to be here. And the words that were spoken this morning could not have been better, and could not have been better delivered. And in fact, there was even a moment where I was listening to each of our speakers this morning where I thought, it makes absolutely no sense for me to get up and repeat some of the same things. But, I was reminded very quickly that I do run a federal office and therefore I have to take advantage of the podium.

But I do want to share with you some remarks, and I was struck by some of the comments made by the folks this morning, because we really didn't coordinate ahead of time with regard to our remarks. But I thought on a number of occasions, that the things that they were saying to you were really sort of common threads that run across this table from both sides; right to left, left to right. And these are really important messages for you all, I think, to understand. And I don't think that anyone intends for these messages to come across as parochial, if you will, or us talking down to local communities. We see ourselves; we are humbled to be in this room with you all and those of you who do this work every single day on the streets of America. But we work with you in partnership. And part of partnership requires us to be honest with you about the situation that we are all in and the expectations that are upon all of us, and the expectations that are upon you all as the first cohort, if you will, of Second Chance grants that have been made. And so my remarks are

¹ In this speech, Mike refers to Michael Thompson, Director, Council of State Governments Justice Center. At the Making Second Chances Work Conference, Michael Thompson gave an introduction prior to Jim Burch's speech. For more information about the Council of State Governments Justice Center, please visit www.csg.org.

really in that context and that spirit of partnership and working together with you.

I have been at OJP, as Mike said, for many years. For almost 16 and a half years at OJP and for several years prior to that as a contractor, so I've been there for the intensive aftercare program that our friends at OJJDP ran for many years, the Serious Violent Offender Reentry Initiative, or SVORI as we call it, but also for the Prisoner Reentry Program, or PRI, that just ended a couple of years ago. So obviously I have seen these kinds of initiatives develop in the past. But I think that this is very different. The Second Chance Act really is a very different opportunity for all of us, and that's the reason why we are all so excited to be here today.

I just want to take a brief moment and say how great it is to be here, not just as BJA, and we have staff here in the room that are going to be with you for the remainder of the conference, but also to be here in partnership with our colleagues at the Office of Juvenile Justice and Delinquency Prevention. The Acting Administrator Slowikowski is represented by Maria Swineford who is here, she's the Deputy Associate Administrator at OJJDP, and we see this as a partnership. And so please think, as you hear my comments today and as I talk about the justice system, please know that we're referring to both the juvenile justice system, which we recognize as distinct and separate, as well as the adult justice system and so we really are in partnership. We are also in partnership with the National Institute of Justice, and NIJ will be involved with us throughout this initiative and with this cohort and future cohorts around evaluation strategies because we do need to tell the story, and I'm going to talk more about that in just a few minutes.

But I also want to just share with you how great it is to work together at the Office of Justice Programs with such a great, dedicated, and talented leader as we have in Assistant Attorney General Laurie Robinson. She is just a fantastic champion for these efforts and has really breathed new life into the Office of Justice Programs and encouraged us to work in partnership, just as the Attorney General has as well.

But I want to really start my remarks this morning by recognizing the importance of those of you in this room. The opportunity of a lifetime is in our hands, and I think you heard that this morning in some of the comments from our champions on Capitol Hill. I have often described this opportunity as the perfect storm. We have the Second Chance Act, but we also have support from Capitol Hill around critical other pieces of the puzzle, if you will, that are designed to make our system more effective, and they are together, part of our shared vision at the department for reentry, and at the Office of Justice Programs in particular. We're not just talking about what happens on the back end. Reentry is not just what happens behind the walls and in community corrections. Reentry really is about the entire justice system, it is not just the folks that work in corrections. And so, what we are talking about here is that reentry is a continuum of activities that exists from the moment of first contact, to the very last contact. And when I talk about first contact, what I am talking about is not necessarily what many people think of as the door to the

justice system, the public side of the justice system, but we're talking about those groups that Representative Davis talks so much about, those community-based organizations that are on the streets providing critical prevention services. That really is the first contact that is part of the reentry continuum.

And so we really reflect on reentry. Our vision is about a broader system of efforts. And so we mentioned the Second Chance Act, and you know that a couple of years ago, the Second Chance Act was appropriated about \$25 million. President Obama's budget asked for that to be increased to \$100 million, and Congress granted that request. A hundred million dollars dedicated to Second Chance alone was a huge step forward.

But this also comes at a time of other very important investments and resources. So the Justice Reinvestment Initiative that Congress this year appropriated on their own \$10 million to the Department of Justice to continue working with nearly 20 states around the country, and multiple counties around the country who want to examine on a statewide basis or countywide basis why it is that their correctional systems have grown so much in a way that is unsustainable for them, and they want to adjust those policies and adjust those practices so that they can begin to reinvest resources in the front end of the system as opposed to continuing to put them in the back end of the system.

I also want to talk about the increase in the Residential Substance Abuse Treatment Program that many of our corrections administrators around the country depend on to provide substance abuse treatment within the correctional environment. The President requested that program be increased to \$30 million, which Congress then, thankfully, granted.

We also have a lot of lessons learned now that are coming out of our mental health collaboration program that has been going on for many years with the help of our friends at CSG [Council of State Governments Justice Center] and others. We've begun to learn lessons about how to bring mental health services to the table as a part of the reentry effort. We're also building and implementing these programs on the great work of other organizations that's been going on for many, many years. Carl Wicklund, the American Probation and Parole Association [APPA, www.appa-net.org/], has been working with us to design model practices for reentry around particular types of offenders that need specialized support. We're talking about those who may have methamphetamine addiction. We're talking about those who may be gang involved. We need specialized approaches to deal with these situations, and APPA has risen to the challenge with us over the years to develop those approaches.

We're talking about the work that has been done by ASCA, the American Society of Correctional Administrators [<http://asca.net/>], who has been such a great champion in working with us to identify new and more effective ways to build bridges between the correctional environment and the community. But I also want to be clear we're talking about the front end of our system as much as we are talking about the back end of our system.

And so this year, in fiscal year 2011, in his budget request, the President has asked for a new program to be funded, called Ensuring Justice in the Criminal Justice System.² And this is a program that will provide resources on the front end of our justice system. And what we're talking about here, for example, is the very, very critical decisions that are made at the pre-trial level. Pre-trial justice has to be present. Our friends at the Pretrial Justice Institute have talked about this a lot—how important pre-trial is to making sure that we are doing reentry right, not just on the back end, but also on the front end. And those decisions that are made at pre-trial are so important.

We also want to make sure that as part of the Ensuring Justice Program that the President has asked the Congress to fund, that we provide support to the courts, and we make sure that judges have the resources that they need to make the right decisions as well. We want to make sure that public defenders are at the table and engaged in decisionmaking. We want to make sure that prosecutors are making the right decisions in the context of successful reentry, and that's what Ensuring Justice in the Justice System will do.

But we can't stop there. We know that law enforcement has to play a role in reentry as well. And so the President has asked in FY '11 in his budget request for funding for a program called Smart Policing [www.smartpolicinginitiative.com]. And this is a program that will ask law enforcement agencies to implement evidence-based strategies that are not measured on their ability to make arrests, but are measured on their ability to prevent crime. This program, this proposal is complemented by another proposal called Smart Probation, where we want to bring those same evidence-based strategies, that same data-driven effort to community corrections; because we know that they are critical, critical in reentry efforts. And it's the same effort there to measure our success in returning offenders successfully, not in holding people accountable alone. And that's a critical piece of Smart Probation.

We also need to make sure though that we continue to support the community-based efforts that are so critical to the justice system working correctly. And that is exactly what Congressman Davis talked about here today. Those people, who go out with passion and love every day into the communities, put themselves in positions that most of us never would think of doing and work together with offenders to provide them with a service—with the services that they need to stay out of the justice system and to prevent crime and to prevent violence and make our communities safer. They too are part of the justice system that we must serve.

But the centerpiece of all of this, or the eye of the storm to stay with the metaphor, is really you all. It is what you have signed up for. It is what you are here for today and the rest of this week. I want to ask you to think differently about what you're doing. I want you to know as you go forward in this initiative that you are not just working on a grant. I want you to know that you are not just running a program. We see reentry as

a change in business practice, a new business model for the justice system—and you are changing the face of and improving the effectiveness of our entire justice system. Not just a grant program. Not just a program. It's a new way of doing business.

So we've learned from our efforts. We've learned from our experiences under the Serious Violent Offender Reentry Initiative. We've learned from our lessons in the Prisoner Reentry Initiative. And we've learned about the outcomes that can be associated with effective reentry—we've seen that through the evaluations. We've learned from the communities that have implemented those programs, both from what worked for them and what didn't work for them. And when we talk about lessons learned, we can't just always focus on successes, we have to be open to hearing about what didn't work, as you've heard both sides talk about today, and the importance of finding something else that will work. That is a critical piece of lessons learned. And we've also learned a lot from those initiatives about our evaluation needs and we are taking those lessons learned into consideration as we move forward.

So while we start our Second Chance Act work with all of these lessons in mind, we really do start today anew. And we start with the greatest expectations of all. And this brings me back to you. It really is up to you. It really is up to us together in partnership to demonstrate that reentry done right is reentry effective. We know that it can work as you heard people talk about this morning. So also, as you heard, the entire nation is watching what it is that you all do. They want to see how you use the lessons learned from previous initiatives, and how you will rely on the research literature to inform your efforts. We hope that you will look at this as a change in business practice. Again, not just in terms of what is implemented strategically, but also how you use research, how you use evidence to drive what it is that you do. We know that a critical part of that will be the assistance that's going to be provided from the National Reentry Resources Center and our friends at CSG and the partner organizations. There's nearly 20 different national organizations that are part of a broad coalition that has been brought together to run the National Reentry Resource Center. Many of them, here with you today, are prepared to help you every single day through this challenge. They are prepared to help you change the business practice around reentry and around our justice system.

But as you do this and as you go forward, I too have two things that I'd like to ask of you to think about, and these are very, very critical issues that Senator Brownback in particular mentioned the importance of. Number one is telling the story. We have got to tell the story in terms of what happens in your local communities—what it is that you are doing—so that others can learn from your efforts. But your end of the bargain in this, as a part of this initiative and as a part of helping everyone around the country learn about reentry,

² Ensuring Fairness and Equity in the Criminal Justice System is an initiative that addresses the social context underlying America's criminal justice and corrections policies in order to break the cycle of successive involvement of generations of offenders in the criminal justice system and reduce recidivism. Through this project, BJA will invest in the entire court process to encourage policymakers and practitioners to examine front-end decisionmaking practices. By considering the roles that prosecution, pre-trial service programs, adjudication, and sentencing can play in making the criminal justice process more effective, justice, fairness, and public safety will be enhanced.

is going to be the part that not many people really look favorably on, but it is data collection. And you heard this morning; I couldn't have asked folks to talk about it better, our champions on the Hill. They've stepped up. They've done what we asked them to do. They've provided the resources for all of us. Now it's our turn, and they've asked clearly what they need—and they need data. They need to show that it works. They need to show return on investment, and that can't happen from BJA. That's got to happen at the local level. You are our partners. We've got to help you in this, but we've got to now together, all of us, step up to the challenge and provide that information back to our champions who have really fought for us. And without this, we won't be successful in demonstrating how effective reentry is. And I can assure you we won't see an opportunity like this ever again if we don't come through on our end of the bargain. We have to hold ourselves accountable for the results in these initiatives, and we're talking about weekly, we're talking about monthly, we're talking about quarterly, we're talking about annually. We're not talking about what unfortunately has been done in some cases in the past, where we look at data at the end of the program. What I think you heard our champions talk about this morning is constantly assessing where we are and making changes in our practices, and continually watching the data to see if our changes are having a positive effect. That is what we mean by a data-driven program, and I think that's what has been asked of us.

So the bottom line is that our efforts—our efforts in Washington, D.C., and yours at home—must be all the things that we need it to be. We've talked about evidence based;

we've talked about innovation. Innovation has got to be a part of this. We talked about data driven; we have to be accountable. And you've heard the term "cost effective" from many of our champions this morning. If we are all of these things together and, I have to add with a little bit of passion—on the streets—which we know you all have and you bring to this work every single day, we will be effective at making safer communities and changing lives and helping families.

So the stakes are high as well as the expectations. But we selected this group of grantees because we know, and we saw in your proposals, that this group of folks is ready for the challenge. You have the capacity to do this. You are ready to meet those expectations. And we know that it is our responsibility to assist you—assist you in any way possible—to demonstrate results.

And so I want to thank you all for being here this week. We wish you all the very, very best. And we look forward to working closely with you and implementing very, very positive changes in your communities—and being back here a year from now to celebrate some of those successes with our Congressional champions back here again. Thank you all very much.

Thank you for taking the time to join us for this conversation. If you found the discussion interesting, we encourage you to visit the BJA web site for more innovative ideas and best practices at www.ojp.gov/BJA. From all of us here at BJA, thank you for tuning in to today's podcast. We hope you will join us again for another edition of BJA's Justice Podcast Series.

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