



## Citizens United for Rehabilitation of Errants



### Federal Prison Chapter

*A National Effort to Reduce Crime  
Through Federal Criminal Justice Reform*

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November 13, 2007

Washington, DC

## H.R. 1593 Second Chance Act of 2007

### House Floor Debate Notes

Compiled by: Julia Fantacone, KSC&W, for FedCURE

#### Conyers

- Legislators have five days to submit, revise, and extend remarks
- As the prison population has grown over the last two decades the numbers leaving federal and state prisons are also increasing
  - They encounter the same pressures upon release as they did before entering
  - Sometimes despite their best intentions at the time of release too many of them commit crimes and end up back in prison
  - This exacts a terrible cost in financial terms as well as in human terms
- Congress has been active in strengthening our laws
  - Bipartisan legislation today compliments those efforts by giving ex offenders the tools they need to stay out of trouble
- The Second Chance Act is common-sense legislation
  - Upon re-entry prisoners lack education, job skills, stable living arrangements, health services needed for successful integration in society
  - They have trouble finding and holding a job
  - They leave prison cells and go straight to a homeless shelter
  - Leave prison with alcohol and drug habits, physically or mentally disabled, have chronic diseases
  - Some may have left spouses and young children behind when entered prison
  - Family relationships can be a tremendous value and they can be difficult to rekindle after a long a painful absence
- The Second Chance Act will provide ex-offenders with education, training, and counseling to maintain steady jobs, kick alcohol and drug habits, rebuild families and to successfully rejoin society
- These programs have been tested on a smaller scale where they have made a major difference to reduce recidivism

#### Gohmert

- People are going to need time to review and extend their remarks
- I reviewed the bill line by line last week and then yesterday there was a new version
- This bill includes \$330 million in authorizations
- Normally suspensions are non controversial but the fact that it keeps changing indicates that it is not non controversial
  - The bill that it seeks to renew and programs it seeks to renew are ones that we don't have information on. We don't know how successful they are.
- Faith based programs do a better job of dramatically reducing recidivism
- The programs included in the version I reviewed on Friday are some that our military members would love to have
  - Military members would love to have the kind of support we are proposing to provide for felons
- Paying people to teach prisoners how to get most welfare before they leave prison
- Why are we moving elderly inmates to home detention centers without the consent of the judge that sentenced them
  - Who decided that people at age 65 are harmless? Members in this congress that are age 65 are certainly not harmless
- We've all got the same goal, our lack of rehabilitating and educating and preparing people and becoming productive citizens

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- We don't have the information of what programs are successful and what aren't

### Tubbs Jones

- Your remarks are outrageous

### Gohmert

- I am reclaiming my time
- This process is outrageous without having the proper information
- The national institute of justice has the most recent information that hasn't been issued yet
- We've got honest people involved in the process but the process itself is not outrageous

### Conyers

- The day after Veteran's day we come back in good will trying to finish off the last week before thanksgiving recess
- I want to explain to Judge Gohmert as much as I can about the reservations he has raised thus far
  - This is not a partisan bill
    - The changes made to the bill were made before Friday before you read the bill
    - Please understand, this is a bipartisan bill, we had hearings and the markup, which you were vocally involved in, we have a record vote, we went to the rules committee, everything is working very smoothly according to the Chairman of the Subcommittee Bobby Scott and Congressman Danny Davis
  - It has been through a lot of changes, they started before you joined the judiciary committee
    - We think its in an improved state
  - We have 212 organizations none of them are political, all community organizations, all concerned with the reentry of people who have served their time
    - We are trying to deal with this huge problem of people trying to return from prison and in some cases they don't even have a bus ticket or a new piece of clothing, many of them don't know where they are going, that dislocation creates the need for so many of them to come back
      - One of the worst things I have heard in my own state is that the guard tells the prisoner when he leaves "I'll see you when you get back"
      - You aren't trained for anything, you aren't fit for anything
      - What we are trying to do is to change that
      - In your court you have seen your share of this kind of process even in Texas
  - I urge you to join us in being as constructive as you normally are to make everyone understand that we are trying to make rehabilitation mean something

### Gohmert

- Nothing would please me more than being involved in the process of these issues
- When I think about the lady saying my comments are outrageous, everything I said comes from this bill and from my days as being a judge
- I agree we should do a great job a reeducating and rehabilitating
- What concerns me is we throw money as a bill to get something done
- Why don't we wait to get the study that shows how effective the projects are?
- Why do we have so much trouble getting the latest versions?
- Why did Conyers have the latest version on Friday and I didn't get the latest version until today?
- This is too important an issue to not have all the information

### Conyers

- I have been told that we have been working with the minority and the judiciary on a continuing basis
- Are you aware that four of your changes have been incorporated into the version in front of us now?

### Gohmert

- No I am not aware of those four changes

### Coble

- The cost of maintaining prisons is ballooning out of control
  - Most of people who are released are likely to return

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- Successful re-entry into society is essential to reducing recidivism
- Over half of adult prisoners will be rearrested and will likely return to prison
- This cycle is costing more than \$90 billion every year
- I am in agreement that still sentences serve a purpose but when we see growing numbers of ex offenders returning to prison something in the system is not working
- We can begin to diffuse this bomb today by passing the second chance act and supporting programs that reduce recidivism
- It is costly but if it proves to be effective it will result in saving tax payers money
- I urge passage of second chance act

### Scott

- Diverse coalition of national state and local organization are supporting the bill
- National crime rates may have fallen but we have seen an explosion in prisons
- US leads world in per capita incarceration rates
  - US is first at over 700 per hundred thousand
- Unfortunately the BJS estimates that 2/3 will be rearrested in 3 years
  - If we are to reduce this number we need to provide education training, medical, health services
  - Will reduce crime and save money in the process

### Gohmert

- Has talked to many of the 212 organizations
  - Could not find but one that actually read the bill
  - All had the same goal of cutting down recidivism
  - Many that support goal but many haven't seen it
- If we really want to help the situation doesn't it makes sense to get the information on one of the biggest funding programs NIJ has ever had
- In reviewing the bill Friday it is a better bill but it still has a ways to go
- It should not be on the suspension bill, but should come up on a regular rule

### Conyers

- My question to you is how much time do you think we would need to arrive at a point where your observations about the bill and our position would intersect so we can get it before the body?
- If I gave you 24 hours what would happen differently?

### Gohmert

- I want to see newest information from NIJ on Nov 27 and 28

### Clyburn

- Want to thank Bobby Scott and Danny Davis for not giving up on legislation.
  - We have been here for 6 years.
  - If we are going to address the issue we can not give up on any human being.
- Such narrow mindedness does not prevent our youth from being indefinitely trapped in the criminal justice system.
  - We have to eliminate the criminal mindset by offering alternative for offenders in our lives of crime.
  - We have to provide education and employment.
  - Remind them confidentially of the benefits of societal behavior.
  - It goes a long way to provide juvenile offenders with the dangers of incarceration.
- Young non violent first time offenders made stupid mistakes.
  - These kids should not be denied the opportunity to remake their paths.

### Davis

- Thanked several members of congress, the CBC, the supporting organizations, etc.
- I would like to thank the working group under the leadership of Gene Guerrero, they have definitely read this bill, they know it backwards, forwards, sideways, any way you could possibly know it

### Tubbs Jones

- You know as well as I do that it is so important to have programs for ex offenders
  - When I was a prosecutor we gave a second chance to youth, we are making a difference

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- in their lives
- More than anything those young people need an opportunity
- We can't study any more, there are all kinds of studies that show that the programs work
  - They need us to say in the real world that people involved in criminal justice system need a second chance
- Your comments that have fueled the fire are what make it difficult for us to give a second chance !

### Moore

- According to 2001 sense Wisconsin had highest incarceration act for African American males in the country
- Ex offenders lacking high school diploma, estranged from families, homeless, drug and alcohol problems
- We need a Second chance for our communities
  - Prisons are currently tethered to billion dollar budgets
  - Can't we use that money for more productive and constructive purposes

### Gohmert

- I came from being fair but also having tough love
- You do want to help them get out of the cycle rather than becoming an enabler.
  - We do not want to become enablers
  - If you do evil there are consequences
- It is a worthy goal to want to stop recidivism
  - We may be enabling by throwing money at a problem
- With additional more helpful information we could work together

### Holmes Norton

- There is a special benefit and burden that has to be spoken of on this bill
- 40 percent in federal prisoners are African American, non violent drug offenders
  - Sentencing guidelines and mandatory minimums are part of this problem
  - This plays a major role in destroying African American families and children
- Lets not make it any worse by condemning them under the crack cocaine guidelines

Schultz moved to suspend the rules and pass the bill as amended  
Yeas and nays demanded and ordered under objection by Gohmert  
Further proceedings on this motion will be postponed until after 630pm

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*Serving Federal Prisoners and Their Families  
Working to Reinstate Parole and to Increase Good Time Allowances*

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