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The Will to Reform Re-Entry

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Sheriff Gabe Morgan testifies before the U.S. Congress on behalf of evidence-based intervention and prevention programs aimed at the nation's youth.

"I realize that I've been given an opportunity that so many others, whether ex-felon or not, could only hope for in this current economic situation where money is tight and jobs are hard to come by," said Jason Brumbaugh of his good fortune in finding employment. Brumbaugh is a success story. He was one of three ex-offenders to speak May 3, 2011 at a prisoner re-entry breakfast held in Newport News, VA. Each provided valuable insight into what aided their successful transition from prison to community.

The breakfast was the start of an effort to develop a coordinated strategy to address the issue of prisoner re-entry. What better way to bring people together than through food. It is the shared flavor of community. Some of the best conversations are had at mealtime.

Some sixty stakeholders were in attendance, including a cross section of political interests. Republicans and democrats came together at the table. There were political leaders from the local and state level, and representatives from the U.S. House of Representatives. There was law enforcement from both the city's police department and sheriff's office, and from the Virginia Department of Corrections. Also participating in this effort was a coalition from the faith-based community, the private business sector, probation & parole, and various human service organizations.

Prison re-entry is a critical part of public safety. Each year, 17,000 are released from state prisons. Of those, 95% return to their communities. "How do we want them to come back? How do we want to *accept* them back?" asked Sheriff Gabe Morgan. "Do we accept them back by making their transition somewhat easier because they've already paid their debt to

society? Or do we make it difficult?" The latter almost assuredly leads to re-offending and more victimization. Statistics show that within three years of release, two-thirds recidivate because they were not successful making the transition.

In his speech, Brumbaugh echoed the sentiments of so many other ex-offenders, "Unemployment and idle time increases the chance that a person may commit a crime and go to jail. Then when that person is released, he/she is now more likely to stay unemployed, mainly because private business owners do not often hire convicted felons anymore. The door keeps revolving."

It is becoming evident that prison reform is taking shape through the reform of how society thinks about incarceration. And the matter is hitting the national stage. The Supreme Court ruled in May that California State Prisons must reduce their prison population. The New York Times ran an op-ed piece in June from former President Jimmy Carter calling for the end of a failed war on drugs. Both of these opinions point to a need to find new ways of doing business.

"We want the police department to do the things we hired them to do," said Sheriff Morgan. "And that's to effectively reduce crime. However, we cannot arrest our way out of this thing," he implored.

The close Supreme Court vote illustrates just how contentious *incarceration* is as a subject. A bitterly divided U.S. Supreme Court ordered California to reduce its prison population by some 33,000 prisoners within the next two years. By a 5-to-4 vote, the high court ruled that severe overcrowding in state prisons results in cruel and unusual punishment in violation of the Eighth Amendment to the U.S. Constitution.

Sheriff Gabe Morgan, Rep. Bobby Scott (D-VA), and Los Angeles, CA Councilman Tony Cardenas in 2009. Morgan and Cardenas were on Capitol Hill to endorse Scott's Youth PROMISE Act.

Justice Anthony Kennedy noted that a prison system that fails to provide basic medical care is “incompatible with the concept of human dignity and has no place in a civilized society.” The dissenting opinion was voiced by Justice Antonin Scalia when he accused the majority of “gambling with the safety of the people of California.”

Experts point to a variety of ways that California can reduce overcrowding, including the realignment of prisoners from state facilities to county or local jails. Jeanne Woodford, former warden of San Quentin Prison and former head of the California Department of Corrections went on record stating, “I don’t think the state of California has to release anyone. This is really about making our minds up that prisons are for violent offenders and that less serious offenders should be kept at the local level.”

There is growing consensus that there are better ways to run criminal justice systems. The ruling from the Supreme Court comes amid efforts in many states to reform their own prisons; and while proposals vary, many appear to be accelerated by budget gaps.

Virginia Governor Bob McDonnell (R-VA) signed legislation that strengthens re-entry policies. In a June 21, 2011 press release Governor McDonnell said it is good government, “We must provide offenders who are leaving our prisons with the tools and resources they need to become productive, law-abiding members of society. We do not want to see offenders come back to jail; we want to see them go to work. That is good public policy that helps the offenders, saves taxpayer dollars, and makes our communities safer.”

President Carter is in favor of sending fewer people to prison in the first place. In an op-ed piece printed in the New York Times on June 16, 2011... forty years to the day that America declared its “war on drugs”... he cited the results of a recently released report by the Global Commission on Drug Policy. The commission is comprised of presidents or prime ministers from five countries, a former secretary general of the United Nations, human rights leaders, and business and government leaders. “The report describes the total failure of the present global antidrug effort. Its primary recommendations are to substitute treatment for imprisonment for people who use drugs but do no harm to others, and to concentrate more coordinated international effort on combating violent criminal organizations rather than nonviolent, low-level offenders,” wrote President Carter.

At the end of 1980 when he left office, 500,000 people were



incarcerated in America compared to the 2.3 million at the end of 2009. “And the single greatest cause of prison population growth has been the war on drugs, with the number of people incarcerated for nonviolent drug offenses increasing more than twelvefold since 1980,” wrote Mr. Carter. In the opinion piece, he expressed concern about the human toll of punishment and the financial strain on state and local budgets.

On this, conservative and left leaning thinkers agree. America can no longer afford to be held captive by our present prison system. David Fathi, director of the ACLU national prison project favors implementing rehabilitative programs that lower recidivism rates and create safer communities. He also says reducing California’s prison population would save that state’s taxpayers half a billion dollars annually. It is no wonder that Virginia’s republican governor is focusing on the implementation of effective re-entry initiatives as a means of both fiscal responsibility and government focus on public safety. Governor McDonnell appointed Virginia’s first state-wide prisoner re-entry coordinator and established a prisoner and juvenile offender re-entry council to assist state agencies in developing a coordinated strategy.

That “juvenile” component resonates with Sheriff Morgan. He continues to advocate for intervention and prevention as a means to intercept behaviors that could lead to violent and criminal offenses. In 2009, he testified before the U.S. Congress and endorsed the Youth PROMISE Act, a bill introduced by Congressman Bobby Scott (D-VA 3rd District). The

acronym stands for Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education. The legislation supports evidence-based intervention and treatment that have been shown to reduce youth crime and delinquency.

In March of 2011, Morgan was back on Capitol Hill asking members of Congress to maintain funding for juvenile justice programming for Fiscal Year 2012. On behalf of “Fight Crime: Invest in Kids,” an anti-crime organization of over 5,000 police chiefs, sheriffs, prosecutors, and violence survivors, Morgan testified how Title V Local Delinquency Prevention Grants are vital federal dollars for preventing youth crime. “Every year, thousands of juveniles will be arrested for serious crimes in our state, and there is no substitute for tough law enforcement when it comes to ensuring public safety,” Morgan said, “but it’s also clear that certain research-based interventions are an effective way to turn around young offenders, reduce repeat offenders, and make our communities safer.”

And just this past May, 2011, Sheriff Morgan was invited to speak at the American Jail Association’s national training conference about preventing youth violence by supporting programs that put caring adults into the lives of children. “Re-entry preparation must start early,” said Sheriff Morgan. “We must first try and stop criminal behavior from occurring in the first place.”

In Newport News, once an adult offends, preparation for their re-entry begins at the moment of incarceration into the Newport News City Jail. Information gathered at intake helps the Sheriff’s Office determine which rehabilitative programs are most appropriate for which individuals. Not only are needs assessed, so too are skills. Personnel can direct an inmate into specific classes like substance abuse treatment, anger management, parenting, GED, English as a second language, etc. If an individual has a vocational skill, work release may be the best option. Of course, not all offenders will take advantage of programs provided. Even those willing to change may not succeed as challenges, frustrations, and obstacles will be too much for some. But efforts must be made for the security of the community and the future of its children.

Creative solutions to successful prisoner re-entry are being discussed at all levels. The goal is to remove barriers that get in the way and to develop tactics to reduce recidivism. The

Ex-offender Jason Brumbaugh speaks at the prisoner re-entry breakfast, an event televised on a half-hour long news program called “Inside Newport News.”



State Delegate Glenn Oder (R-VA 94th District) was among dozens of stakeholders attending the prisoner re-entry breakfast meeting.



Jane B. Brown, Office of the Virginia Governor, talks with Fred Watson, Newport News Department of Human Services and Mike Kuhns, Peninsula Chamber of Commerce.

Newport News re-entry breakfast indicates that the city is in-step with the state of Virginia in its efforts to work collaboratively with faith-based and non-profit organizations, state and local agencies, and with legislators to identify the path by which an individual with a criminal record can become a productive and active member of society.

Ex-offenders who have turned their lives around are effective spokespersons. Jason Brumbaugh earned his GED while incarcerated and learned vocational trades while imprisoned. He tried to better himself through education and maintaining a positive attitude about his future. He admitted to committing a crime and expressed remorse for the harm it caused. But he also pointed to the guilt of society for imposing what amounts to double jeopardy: being judged and punished by the community even after completing a prison sentence. He said, “I humbly ask that everyone here would patiently hear what I have to say about this terrible plague of recidivism that I fear is going to destroy this city, maybe even this whole state if some very well calculated decisions are not made.” He continued by asking, “Who do you think is the greater risk to the community: an ex-felon *without* a job and with plenty of idle time, or an ex-felon *with* a job? That should be fairly simple to answer.” ★