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September 5, 2006

The Honorable F. James Sensenbrenner, Jr.
Chair, Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn Office Building
Washington, DC 20515

The Honorable John Conyers, Jr.
Ranking Member
Committee on the Judiciary
U.S. House of Representatives
2142 Rayburn Office Building
Washington, DC 20515

The Honorable Arlen Specter
Chair, Committee on the Judiciary
U.S. Senate
711 Hart Office Building
Washington, DC 20510

The Honorable Patrick J. Leahy
Ranking Member
Committee on the Judiciary
U.S. Senate
433 Russell Office Building
Washington, DC 20510

Dear Representative Sensenbrenner, Conyers, Senators Specter and Leahy:

We understand that negotiations between the House and Senate are nearing a consensus on the final form of H.R.1704, the Second Chance Act, bipartisan legislation to support targeted reforms to bring about successful reentry of prisoners into our communities and to reduce recidivism. I write on behalf of the American Bar Association to express our strong support for your efforts in bringing this much-needed legislation to this point. We believe further, with your continued leadership, that the Second Chance Act will pass both the House and Senate with overwhelming support, either as an amendment to other legislation or as a separate bill, if the leadership finds an opportunity for its consideration on a busy September floor schedule.

The ABA strongly supports efforts to improve correctional policies to increase the chances that prisoners, once released, will be equipped to become productive citizens and not engage in criminal activity. In August 2003, the ABA adopted a set of standards, *Collateral Sanctions and Discretionary Disqualification of Convicted Persons*, which seek to establish a legal framework for dealing with unreasonable discrimination against convicted persons, and to limit laws that unfairly disqualify offenders from a multiplicity of benefits and opportunities solely because of their criminal conviction record. In 2004, the ABA House adopted policy that urges jurisdictions to adopt programs and policies to prepare prisoners for release back into

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the community and to assist prisoners after their release with transitional housing, job placement assistance, and substance abuse avoidance.

Each year, on average, 650,000 people, including 100,000 juveniles, are released from prisons back into our communities. Of these, almost two-thirds are expected to be rearrested for a felony or serious misdemeanor within three years. This high rate of recidivism is attributable at least in part to a lack of effective reentry programs, either in prison or after release.

Prisoners upon release face countless barriers when trying to reenter society, and societal costs are high when they fail. Many of the more than 650,000 ex-offenders who are released annually have little or no money, no home, and no one to whom they can turn. Our failure to prepare people leaving prison for reentry into the community is a major cause of homelessness. The 650,000 people leaving prisons and the thousands more leaving jails each year often return to communities where persistent poverty, lack of jobs and affordable housing makes finding a permanent home difficult. According to the Bureau of Justice statistics, expenditures on corrections alone rose from \$9 billion in 1982 to \$44 billion in 1997. Add to that the enormous cost of both arrest and prosecution, and it is evident that this is an area in need of serious reform.

The Second Chance Act of 2005 is an important first step toward reducing the unacceptably high recidivism rate among ex-offenders and saving taxpayers money. In helping to transform the lives of many ex-offenders, H.R. 1704 would also have a positive impact on the families and communities from which they came and to which they will return. The unquantifiable cost of broken family relationships is often overlooked in calculating the cost of crime, but there is no doubt that children growing up without one or both parents are more likely themselves to get into trouble with the law. By providing a second chance to criminal offenders, the bill will also provide a second chance to their children and families.

We urge you to give special priority to the Second Chance Act in the limited time remaining in this legislative session.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Evans".

Robert D. Evans

cc: Honorable J. Dennis Hastert, House Speaker
Honorable Nancy Pelosi, House Minority Leader
Honorable Bill Frist, Senate Majority Leader
Honorable Harry M. Reid, Senate Minority Leader