

GOVERNMENTAL AFFAIRS
OFFICE

AMERICAN BAR ASSOCIATION

Governmental Affairs Office

740 Fifteenth Street, NW
Washington, DC 20005-1022
(202) 662-1760
FAX: (202) 662-1762

DIRECTOR
Robert D. Evans
(202) 662-1765
rdevans@staff.abanet.org

DEPUTY DIRECTOR
Denise A. Cardman
(202) 662-1761
cardmand@staff.abanet.org

SENIOR LEGISLATIVE COUNSEL
R. Larson Frisby
(202) 662-1098
frisbyr@staff.abanet.org

Lillian B. Gaskin
(202) 662-1768
gaskinl@staff.abanet.org

LEGISLATIVE COUNSEL
Kristi Gaines
(202) 662-1763
gainesk@staff.abanet.org

Kenneth J. Goldsmith
(202) 662-1789
goldsmithk@staff.abanet.org

Kerry M. Lawrence
(202) 662-1766
lawrenc@staff.abanet.org

Ellen McBarnette
(202) 662-1767
mcbarn@staff.abanet.org

E. Bruce Nicholson
(202) 662-1769
nicholsonb@staff.abanet.org

DIRECTOR GRASSROOTS
OPERATIONS/LEGISLATIVE COUNSEL
Julie M. Strandlie
(202) 662-1764
strandlj@staff.abanet.org

INTELLECTUAL PROPERTY
LAW CONSULTANT
Hayden Gregory
(202) 662-1772
gregoryh@staff.abanet.org

STATE LEGISLATIVE COUNSEL
Rita C. Aguilar
(202) 662-1780
aguilarr@staff.abanet.org

EXECUTIVE ASSISTANT
Julie Pasatiempo
(202) 662-1776
jpasatiempo@staff.abanet.org

STAFF DIRECTOR FOR
INFORMATION SERVICES
Sharon Greene
(202) 662-1014
greenes@staff.abanet.org

EDITOR WASHINGTON LETTER
Rhonda J. McMillion
(202) 662-1017

July 23, 2007

The Honorable Patrick Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Arlen Specter
Ranking Republican
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Leahy and Senator Specter:

On behalf of the American Bar Association, I write to express our strong support for S. 1060, the Second Chance Act of 2007. Its enactment will help former prisoners successfully reenter our communities and thereby reduce recidivism. The ABA strongly urges the Committee to act now to approve S. 1060 so that it may be considered by the full Senate and become law this year.

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 benefits and opportunities solely because of their conviction record. In 2004, the ABA House adopted policy that urges jurisdictions to adopt programs and policies to prepare prisoners for release back into the community and to assist prisoners after their release with transitional housing, job placement assistance, and substance abuse avoidance. In February 2007, the ABA House approved a series of recommendations dealing with employment and licensing of offenders and use of and access to criminal record information.

Each year, more than 650,000 people are released from prisons and return to their communities. Of these, almost two-thirds are expected to be rearrested for a felony or serious misdemeanor within three years. The recidivism rate for offenders returning from prison who are under the age of 21 is even higher. Many hundreds of thousands more adult and juvenile offenders are released each year from jails.

The high rate of recidivism among those being released is attributable at least in part to a lack of effective transitional programs, either in prisons and jails or in the community. The transition from confinement to “life on the outside” presents particularly great risks and opportunities for young people and society, since juveniles released from confinement still have many “prime crime years” ahead of them.

Upon release, ex-offenders face countless barriers when trying to reenter society. Societal costs are high when they fail. The legal barriers to employment and housing for convicted persons make reentry difficult under the best of circumstances, and many of those released from prison return to communities where persistent poverty, lack of jobs, limited access to drug or alcohol treatment, and lack of affordable housing are the norm. Our failure to prepare people leaving prison for reentry into the community thus becomes a major contributor to homelessness and crime.

If enacted, the Second Chance Act would be the most significant step the federal government has taken to reduce recidivism rate among ex-offenders. This will not only save the taxpayers money by reducing expenditures on law enforcement and corrections, it will also reduce the other burdens on society imposed by our high rate of incarceration. In helping to transform the lives of many ex-offenders, the Second Chance Act would 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 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.

The Second Chance Act has been carefully drafted by bipartisan sponsors and represents a modest, but critically important set of steps by Congress to strengthen cost-effective programs aimed at impacting and reducing recidivism among ex-offenders. We urge the Senate Judiciary Committee to approve S.1060 without weakening amendments and to support moving it forward to passage by the full Senate.

Sincerely,

A handwritten signature in cursive script that reads "Denise A. Cardman". The signature is written in black ink and is positioned below the word "Sincerely,".

Denise A. Cardman
Acting Director

cc: Members of the Committee