

# ProjectNewOpportunity

TESTIMONY PRESENTED TO COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION  
COUNCIL OF THE DISTRICT OF COLUMBIA  
COUNCILMEMBER ANITA BONDS, CHAIR  
1 MAY 2017

Malcolm C. Young, Project Director  
Norman Brown, Deputy Project Director  
Project New Opportunity  
Washington, D. C. 20005

Thank you for the opportunity to appear today. My name is Malcolm C. Young and I am Project Director for Project New Opportunity here in Washington, D. C. With me is Deputy Project Director Norman Brown.

I would like to begin by outlining Project New Opportunity's recommendations to the Committee I will then introduce Deputy Project Director Norman Brown whose perspective should be helpful to you. After Mr. Brown concludes we will be available for questions.

We appreciate your time. We'll strive to be brief and will ask that our comments be augmented by our prepared written statement.

Today on behalf of the Center for Community Alternatives and Project New Opportunity, Norman Brown and I respectfully recommend:

- That the Committee accept the Council for Court Excellence's proposal to add sufficient funds to MORCA's budget to support strategic planning and the addition of two full time case managers
- That the Committee reject funding requested for a Returning Citizen's Portal to be managed by the DOC

Reasons for supporting the Council for Court Excellence's proposal include:

1. Strategic planning is needed. Jurisdictions find they need to engage in strategic planning and inter-agency planning when they attempt to address reentry. All of the locations in which the Center for Community Alternatives, Project New Opportunity, and myself have worked or with which we are familiar established reentry coordinating councils, agencies and offices: New York City; Chicago-Cook County, IL; Philadelphia in the Mayor's office and city-wide; the state of Virginia which require localities to plan for reentry; San Francisco and the Bay Area in California, both very active in reentry, to name a few. There is also the example of the Federal Interagency Reentry Council established by former Attorney General Eric Holder.



Yet even in these jurisdictions many issues remain unresolved and the approach to reentry remains remarkably ad hoc and fragmented when looked at from the returning citizen's perspective. And in most of these jurisdictions, planning outpaces another critical element: funding for actual services and programs. Talk, even excitement and commitment, is seldom matched by public funding for services delivered where to it is needed.

For reasons well known to this Committee, the District of Columbia operates a uniquely disconnected system. Its sentenced felons are housed in distant locations in the federal BOP, "completely detached from the resources, community, and network to which he or she will eventually return."<sup>1</sup> The District and its residents must contend with the bureaucracy at the BOP, and a halfway house that seems unresponsive to critical reviews of the assistance and support it provides, or does not provide, to returning citizens.

Add to this that key agencies that deal with returning citizens have overlapping and inconsistently-defined roles and operating under different governing authorities: CSOSA under the federal Executive; MORCA in the D. C. Mayor's office; a remote parole board; United States Probation; and now emerging, a new jail in the early design stages with as of yet undefined capacity and unknown reentry-related services and programs. In addition of course there is the Commission on Re-entry and Returning Citizen Affairs and the Criminal Justice Coordinating Council and about 17 agencies with at least nominal interest in one or another aspect of reentry. The list grows longer when private contractors, volunteers and citizen groups are included.

But right now, returning citizens are not being fully or even well served. Competent strategic planning to address their needs in a complex, multi-party system is sorely needed.

2. MORCA is the logical base for strategic planning for reentry services. MORCA is the lead D. C. agency charged with coordinating and monitoring service delivery to citizens returning to the District following incarceration, (D. C. Code Sec. 24-1302)

In addition to its statutorily-defined coordinating role, however, MORCA is the logical base for strategic planning because it is the agency closest to --- aligned with the interest of --- the returning citizen. This is important because reentry works best when it is undertaken from the perspective of the returning citizen with the objective of meeting the returning citizen's needs. Reentry planning is more productive if it is focused on the needs and the characteristics of the returning citizen.

I have read the assessment of MORCA's past performance in the OIG's 2015 report, and MORCA's responses. It appears that inadequate staffing was part of the problem. But the task of assimilating the views and interests of all the agencies and pulling them together behind a coherent reentry plan or strategy is daunting to say the least. The bureaucracy thrives, there are many meetings, and there is a proposal to draft and agree to another MOU.

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<sup>1</sup> Committee on the Judiciary Fiscal Year 2017 Budget Report, p. 71. Deficiencies in communications and coordination on reentry matters between the BOP, its halfway houses and federal probation are not restricted to the District of Columbia, see: *Transforming Prisons, Restoring Lives Final Recommendations of the Charles Colson Task Force on Federal Corrections* January 2016 at p. 50 – 54.

Coordination is important, but I would urge that coordination might be achieved if MORCA were to focus its strategic planning on the needs of returning citizens, its clients, paying a lot of attention to how returning citizens describe those needs. I respectfully offer that planning process focused on the returning citizen might make MORCA's task of defining and advising government and of finding solutions more manageable and productive.

PNO strongly endorses adding additional resources for strategic planning, we think MORCA is the right place for this to take place, and we would urge a planning process in which MORCA's staff, members of D. C.'s Reentry Task Force, the Reentry Network for Returning Citizens and formerly incarcerated individuals are full participants.

3. Two additional full time case managers. This is a minimum number that the Council should add to MORCA's staff. It is abundantly clear from the OIG Report and to those of us who have worked, even tangentially, on reentry in the District, that MORCA has been understaffed. There is much that can be done and there is no need to wait for a strategic plan to start to do it. One could write several position descriptions, fill them, and assign duties that would benefit returning citizens in a fortnight without any risk of duplicating services provided elsewhere or failing to have clients to work for.

Of course there are impediments: lack of access to returning citizens and poor flow of information between BOP, Hope Village, and D. C. entities. Don't let these problems deter you from making this modest addition to MORCA's staff. Strategic planning and action by D. C. government can resolve some of these problems. In the meantime, I simply share our experience at Project New Opportunity to say that we have been able to work around the lack of information from BOP and the shortcomings in the halfway house system for our clients. Staff or consultants at MORCA can do so as well.

We also know that there is a great demand, a waiting population, and ways to provide needed services to keep MORCA and organizations like ours productively busy.

Fully respecting CCE's judgment in recommending two positions, PNO would urge this Committee to add funding for at least two and preferably three – five program staff or consulting at MORCA by experienced reentry service providers.

#### Reasons for rejecting the concept of a Returning Citizen's Portal to be managed by the DOC

1. Mission conflict. I respectfully suggest that the Committee not recommend turning a community-based reentry program into a Department of Corrections operation. Corrections and reentry-related services have different missions. While there are many individual corrections and probation leaders and staff who provide excellent, insightful reentry-related assistance, guidance and counsel to people who are incarcerated, generally reentry support is not part of a corrections officer's skill set. Corrections and probation supervise and monitor, make decisions on the basis of risk assessments, and exercise police powers. Reentry counselor's help clients navigate around obstacles, improve themselves, gain confidence, and overcome setbacks and disappointment. They are skilled in everything from employment and housing assistance. They perceive needs. They advise on how to use

the Metro and can talk a returning citizen conditioned by years in a prison cell through difficulties getting along with a family member or significant partner. They develop a trust relationship. They do not arrest or punish. The returning citizen is their client.

2. Misdirected priorities. Related to mission conflict, the Committee might be concerned about the priorities of a reentry or returning citizen's portal" operated by a Department of Corrections. The only similar-named program I have found is operated by the Florida Department of Corrections. Significantly, six out of seven "benefits" which the Department lists on its web site are important primarily to law enforcement or corrections functions, or to a bureaucracy. (See Text Box)

#### Benefits of the Portal

- Provides a Criminal Registration Site.
- Allows for *immediate* connection to Community Corrections.
- Allows for the law enforcement and the community to easily identify those inmates returning from prison and those offenders residing in the community under court-ordered supervision.
- Creates a pre- and post-release continuum for F[lorida] D[eartment of] C[orrections] and the community.
- Serves as a "Single Point of Entry" for released inmates and offenders to access community-based reentry resources.
- Allows for DC staff to transport offenders to one central location.
- Allows family members to meet newly released inmates at the site and sign up for additional services.

<http://www.dc.state.fl.us/orginfo/reentry/portals.html>

The only benefit to the inmate or "offender" is a "single point of entry" to access community-based reentry resources. However, there's little reason to believe that a Department of Corrections-staffed office would be as capable in this function as an office or program employing and contracting with who are equipped and totally dedicated to providing returning citizens with the direction, counsel and resources when they need them and where in the city they need them. In the District, that office would be MORCA.

3. Misdirected funding The CCE is recommending an additional two full time positions for MORCA which if approved would double its program staffing. That's an extremely modest proposal. Based on Project New Opportunity's work on behalf of federal prisoners returning from the BOP to the District of Columbia, and from what we've heard at the series of town hall meetings the Attorney General and the Reentry Task Force sponsored in February and March, there are more than enough returning citizens asking for assistance themselves or through family members to keep three or four times as many reentry consultants or staff busy. I would recommend that at least a portion of the funding which might be used to set up, administer, purchase or rent space for the "reentry portal" be used

to develop an active team of reentry consultants, staff, ancillary services and programs through the already established offices of MORCA. It just makes sense.

These are our recommendations and reasons for them. I'm happy to answer questions but I would also like you to hear from Norman Brown.

### **About Project New Opportunity**

PNO was developed by the Center for Community Alternatives and Malcolm C. Young, an attorney experienced in criminal justice sentencing and reentry programs and policies now serving as Project Director. PNO launched in Washington, D. C. in April 2016. Norman Brown, whose life sentence was commuted by President Barak Obama, is the Project's Deputy Director.

Project New Opportunity (described at <http://projectnewopportunity.org/about.html>) serves individuals who because of clemency or changes in drug law sentences are leaving the BOP in advance of their original release dates. PNO focuses most of its work on three areas: the Northern District of Illinois (Chicago), the Eastern District of Pennsylvania (Philadelphia area); and the Eastern District of Virginia. Many of our Virginia clients were actually coming back to D. C. or Maryland, and they and others were released to Hope Village, so we were quickly involved in reentry in D. C.

PNO is a partnership of social workers, formerly incarcerated people, advocates, agencies and organizations committed to the successful return of previously incarcerated individuals. The heart of PNO's work is its team of Reentry Consultants who help each incarcerated person prepare as much in advance of release as possible to reunite with family, friends and community. Reentry Consultants connect people who are leaving prison with resources which can meet their needs and maximize their assets in the location in which they expect to live. PNO's services are intended to compliment reentry programming and assistance provided by the Bureau of Prison and Federal Probation.

PNO was launched a year ago, in April 2016. To date it has served about 126 clients, 73 of them from the Eastern District of Virginia and the D. C. area. PNO's clients include 46 clemency recipients and 64 individuals whose sentences were reduced by "Drugs Minus Two" sentence modifications. There is a wide age spread: the youngest client is 25 years old; the oldest almost 73. About half come to PNO without birth certificates; one third have no idea where they will live after their release. Seven were veterans. Almost 41% of our PNO clients thought they had jobs lined up while 59% were unsure or did not have employment. PNO has closed 34 cases.

### **Project Director Malcolm C. Young**

Malcolm Young has more than four decades' experience in American criminal justice. After attending Catholic University Law School in Washington, D. C., he began his career in 1974 as a criminal defense attorney in Chicago, Illinois.

In 1980 Young returned to Washington, D. C., and joined the National Legal Aid and Defender Association. In 1981, Young launched a project which ultimately helped improve sentencing advocacy in more than 20 states. In 1986, Young founded and for 19 years served as Executive

Director of The Sentencing Project, well-known today for its ground-breaking research and publications on criminal justice policy.

In 2005, Young returned to Chicago to direct the John Howard Association of Illinois, providing public oversight of the state's prisons, jails, and juvenile correctional facilities. He observed close-up and through the eyes of former prisoners the challenge of finding employment in the depths of the 2007 – 2008 recession. Young was awarded a 2010 Soros Justice Fellowship to explore innovative approaches to employment-related prisoner reentry.

During the summer and fall of 2015, Young was challenged to design a reentry program serving federal prisoners whose sentences for drug law violations were reduced as the result of changes in federal sentencing guidelines (“Drugs Minus Two”) and for individuals whose sentences were commuted by President Obama. Working with Marsha Weissman of the Center on Community Alternatives in New York, Young was subsequently asked to implement those recommendations in what is now Project New Opportunity.

#### **Deputy Project Director Norman Brown**

Norman Brown is a returning citizen who just finished serving 24 ½ years in the BOP. He was commuted by President Obama after being sentenced to three life sentences for a non-violent drug offense.

He is now employed as the Deputy Project Director, Project New Opportunity, where he assists people coming home from prison. He also goes to Juvenile Detention Centers five days a week. Under the Department of Youth Rehabilitation Center, he is working with youth, guiding them on how to avoid a life of crime and the pipeline to prison. He completes this work under the organization, Grow-Up Grow Out. While he was incarcerated, he designed classes for BOP in self-improvement, anger management, and coping skills, etc.

Even today, Norman Brown continues to work with others to encourage them to realize the power of thought and transformation. He has participated in numerous panels at the White House, Google, Innovation Lab, and reentry conferences and forums discussing mass incarceration as well as how to rebuild your life after being incarcerated.