

A Federal Judge Reflects on Reentry Court

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For the past year, I participated in a federal reentry court in the Southern District of Ohio. It has proven to be one of the more rewarding things I have done as a federal judge.

Reentry court is a means to help individuals, upon their release from federal prison—having served time for felony convictions—successfully transition back to society. Such individuals, on supervised release by U.S. probation, are assisted by many others to ensure that the individual (known as a reentry court participant) has a safe place to live, begins employment and reintegrating into society and with his or her family, does not re-offend, and avoids engaging in other conduct that might cause supervised release to be revoked. The participants are each challenged to overcome their barriers, utilizing a team approach of support.

Federal courts throughout the United States operate reentry courts differently.¹ Our session ran for 18 months, but participants were expected to complete reentry court within an eight-month time frame. We met for several hours on a monthly basis. Each month, the judges and reentry court team would meet privately for one hour to discuss the participants and review their progress and setbacks for that month. A lengthy court session would then follow—with participants taking the witness stand, judges asking questions of each par-

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ticipant, and a team discussion—leading to the assignment of points for the previous month and goals being set for the next month. If time permitted, the court session would also include remarks by an inspirational speaker. Once court concluded, the participants would meet for another hour with their reentry court mentors.

In the reentry court session I participated in, participants were given up to five points each month. Points were awarded for:

1. Compliance with supervision.
2. Being free from substance abuse.
3. Attending all probation appointments and appointments with outside agencies.
4. Working or seeking employment.
5. Attaining the goals set by the court the prior month.

Once a participant reached 30 points and had two consecutive perfect months, he or she graduated from reentry court. Upon graduation, the participant was entitled to apply for an 18-month reduction in his or her supervised release term, provided he or she remained violation-free for the remainder of supervision.

Reentry court differs significantly from supervised release conducted by a probation officer. Reentry court is premised on the belief that a number of individuals, in addition to the probation officer, should be involved to ensure an individual's success and reintegration into society. Our reentry court team consisted of two U.S. probation officers, a U.S. district judge and a U.S. magistrate judge, an assistant U.S. attorney, an assistant federal public defender, a U.S. marshal, and many members from the community, to wit: representatives from Goodwill/Easter Seals (to assist with computer skills,

résumés, and clothes); a fatherhood coordinator for a county agency (to assist with child support issues); a representative from the county Office of Ex-Offender Re-Entry (to assist with employment), a representative from a behavioral health agency, and a representative from a drug treatment program, among others. Importantly, the team also had two mentors, both of whom had served time in federal prison and graduated from the court's first reentry court session. Both mentors were quite helpful to the process: They related well to the reentry court participants; they told the participants that they could overcome any and all obstacles in their path (because both mentors had done so); and they never gave up on the participants and continued to motivate them, even if the participants looked as if they might not succeed. While most of the team met with the participants on a once-per-month basis, these mentors reached out to the participants frequently (in person or by phone), and the probation officer met with the participants often for drug screens and other more common aspects of supervised release monitoring.

From my experience, the individuals in our reentry court were bewildered by the seemingly overwhelming tasks of finding a safe place to live, paying child support so they could see their children again, and finding jobs they could travel to using mass transit (as

their driver's licenses were suspended once they stopped paying child support as a result of their incarceration). I found it hard to believe at first, but I witnessed, time and time again, individuals who blossomed once they realized that reentry court team members cared about their success and desired for them to have a second chance and not return to prison. One participant suggested, for example, that he did not know how to use a computer and, therefore, could not apply for jobs online. A team member from Goodwill/Easter Seals gave this person individualized computer training and helped him apply for a job. He succeeded and found work. In another instance, an individual noted that he had an apartment but no pots or pans to cook with. Team members gave him kitchenware and, for the first time in his life, he began living alone and doing the work required to allow him to see his children. A third participant noted that he could not use mass transit to get to shift-work job. The assistant federal public defender, a team member, assisted the participant in getting limited driving privileges so he could work.

Our reentry court session succeeded for multiple reasons. First, the probation department was selective in the individuals it permitted to participate. Seeking a group no larger than 10, probation looked at risk-prediction factors for those individuals recently released from prison and new to supervised release.² It was made clear that participation in reentry court was voluntary, and no guarantee of success was promised. Those who expressed a desire to change, and who were considered a moderate to high risk to reoffend, were strongly considered. All but one of the participants graduated from our reentry court.

Second, the judges took the process seriously and devoted significant time in the hope of guaranteeing the program's success. It took

many months to get the first reentry court up and running successfully. The second session, held a year or so later with new participants, was run by U.S. District Judge Thomas Rose and myself. We spoke throughout the city to let community members know about reentry court and its success. One such evening event I attended, in a jail setting, was designed to let incarcerated individuals know there is hope following release and that the community cares about each individual's success. These speeches, in turn, helped the reentry court participants trust the judges more and trust the reentry court process more.

Third, the court carefully put together the reentry court team. At first, the team was made up of court officials and related entities such as the U.S. attorney's office and the federal public defender's office. The court then reached out to local community leaders with expertise in recovery, reentry, and restored citizens initiatives. Agency heads asked to speak to the reentry court participants or simply watch a reentry court session. Once they did so, they approached the court and asked to become involved and permitted to attend reentry court each month. This, in turn, led the participants to realize that many in the community wanted them to succeed—and helped the participants trust the team members more. Understandably, it was hard for some participants to reconcile that the very judge who sent them to federal prison years ago was now urging them to succeed as a restored citizen and reentry court participant.³

Finally, the success of the reentry court can also be demonstrated by its ancillary efforts, which occurred quickly. Once graduates from the first reentry court session became mentors in the second session and began to have a positive impact on the lives of the second session's participants, the mentors began speaking in the community on a regular basis. They formed two groups—known as the "Circle of Success" and "There is Help ... There is Hope."

Will the participants who graduated from reentry court succeed? Only time will tell. I certainly hope so. Here in Dayton, Ohio, word about the success of our reentry court has begun to spread, and our FBA chapter voted to award its annual Mona Guerrier Public Service Award not to a lawyer but to Kristin Keyer, the U.S. probation officer in charge of reentry court. Kristin exemplifies the best in government and public service. Although not required to do so, she gave her cell phone number to each of the reentry court participants and received many a late-night phone call asking for guidance. Her dedication and care for the reentry court participants has enabled them to begin the difficult process of change.

With respect to reentry court, there are some who will argue, I am sure, that this is not what federal judges should be doing with their time—that such a program is too time-intensive, that a judge's role should be limited solely to deciding cases, and that the results or success of such a program are too hard to measure. I take no position on these issues and leave that debate to others. I know I am grateful for the opportunity to participate in reentry court. I also know I work with wonderful federal judges in the Southern District of Ohio who take their responsibilities seriously and who care about society—particularly the underprivileged and those restored citizens returning from federal prison. (U.S. District Judge Walter Rice, who created the reentry court program in Dayton, and U.S. District Judge Thomas Rose, who designed the point system and supervised the second reentry court session, deserve special praise for their hard work in making the program so successful.) Additionally, I know I witnessed first-hand something rather remarkable: an opportunity being given

to individuals who had fallen, and those individuals accepting the kind offer of a helping hand and taking the opportunity—a second chance, if you will—to put their life and their family back together and start over. Hopefully, the reentry court participants were each given the tools and resources to succeed.

If this program works, and I strongly hope it does, the impact will be felt not only by the reentry court participants but by their children and families as well. Via this reentry court, we may save future generations from committing crimes and going to prison in the first place. That is justice indeed. ☉



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Endnotes

¹See, e.g., *Coming Home: The C.A.R.E. Program* (Bucknell University video regarding reentry court in the Middle District of Pennsylvania), available at www.youtube.com/watch?v=Yhmqkf6nPTk.

²Probation reviewed each applicant's criminal history and also considered issues relating to an individual's barriers to successfully reintegrate into the community, such as child support, a driver's license, substance abuse, lack of education, unemployment, and housing. Once an individual agreed to participate in reentry court, he/she signed a program acknowledgement form and also agreed to transfer his/her felony criminal case to the district judge presiding over reentry court.

³To better develop that trust, and to assist those on supervised release and their family members, the Dayton seat of court—under Judge Rice's leadership—has now embarked on a second reentry court-related effort, the Restored Citizens Initiative. One Saturday per month, judges and community leaders meet—not at the federal courthouse, but in the neighborhood where those on supervised release live—to discuss their needs and assist in the process of linking them to the services they need to move forward, e.g., child support concerns, driver's license issues, securing a job, and obtaining health insurance for themselves and their family members.