



Mayor Michael Nutter presents John Davis with a certificate honoring his successful completion of 52 weeks in the federal re-entry court program.

STANDING *A Chance*

Federal Re-entry Court Supports Ex-Offenders' Attempts to Start Over

BY ADRIENNE CORNWALL

Drug distribution. Illegal gun purchases. Counterfeiting money. Perpetrators of violent crime and related offenses abound in the federal prison system, and the Philadelphia area is no exception. Often more prone to recidivism, these offenders generally face increasingly longer stints in prison with each new offense. Although Philadelphia has offered since 2005 a promising program to help local offenders re-enter the community without resorting to earning a living through criminal activity, many ex-offenders in the city still find themselves scrambling to find people willing to offer them a second chance.

John Davis and Khalil Hicks are two people trying to improve the success statistics — and are improving the image of former felons in the city while they're at it. While it may seem logical that repeat offenders continue to be just that until they become permanent residents in the corrections system, John's and Khalil's difficult starts in life don't tell the whole story.

John Davis grew up in North Philadelphia, living in foster care from age 11 until he graduated from Overbrook High School in 1995. He managed to stay out of trouble until then, but the taste of independence he got when he moved out on his own at age 18 veered him off course. "That was when my decision-making went a little wayward," he said.

He avoided law enforcement problems for a few years, but by age 22, he was convicted of selling crack and served 18 months in prison. During probation, he attended culinary school and worked as a cook. But the whole time, he couldn't wait to finish probation so he could get back to making money the fast way. "I'm a big fan of money. I would risk my freedom" for it, he says. When he turned to counterfeiting currency to make that money, it landed him in federal prison.

After a series of drug convictions, probation violations and stints in local and state corrections facilities between 1997 and 2002, South Philly native Khalil Hicks went to a gun show and tried to buy a firearm from a gun dealer with false information. Although he wasn't arrested on the spot, he was eventually indicted for the attempted straw purchase and pled guilty to violating his most recent probation. He was sentenced to 50 months, which he served at Allenwood and Lewisburg.

After many years of seeing ex-offenders like John and Khalil make hard-fought and often failed attempts at successful re-entry into their home environments, a few insightful people serving Pennsylvania's Eastern District began looking for ways to help reverse this longstanding trend. Drawing on programs developed in Ohio, Indiana and New York, a team of Eastern District representatives (including Magistrate Judge Timothy R. Rice, U.S. Attorney's Office Criminal Chief Linda Dale Hoffa and Re-entry Coordinator Maureen Barden, Supervisory Federal Defenders Felicia Sarner and Leigh Skipper, and Chief Probation Officer Daniel Blahusch) threw out a fledgling idea — and hope for a new way of helping ex-offenders — to the judges of the Eastern District. And the idea took root.

Chief Judge Harvey Bartle III supported the concept, and the success of other re-entry court programs was a big selling point. With his support and under the direction of Criminal Business Committee Chair Senior Judge Anita B. Brody, the working group came up with a practical plan for implementing the program that would pass muster with the District judges. The pieces gradually came together.

The framework is straightforward. Federal ex-offenders on supervised release — from a population subset that scores within a certain range on the Probation Office's scale for predicted re-

cidivism risk — agree to go to the federal courthouse and meet with Magistrate Judge Timothy R. Rice every two weeks. With a probation officer and federal defender present, participants talk about issues they are facing with finding employment, finding affordable housing, remaining legal troubles, substance abuse treatment, family problems, or whatever is keeping them from achieving their goals, as well as what is working for them. Sharing this kind of information often is invaluable to fellow participants, who can use that information to navigate their own circumstances. The re-entry team points them toward the resources they need. Volunteers from the Workforce Investment Board, the Career Link job placement and career training service, and local religious and community leaders regularly attend the biweekly sessions to offer immediate assistance or information to help offenders address their challenges. Representatives from the Philadelphia Bar Association's Delivery of Legal Services Committee, Law Firm Pro Bono Committee and Philadelphia VIP also are coordinating a centralized list of resources for participants who might need legal advice and, in appropriate cases, recruiting pro bono volunteers to represent them.

"Once you ask people to help," Rice said, "everyone's been willing to step up. All you have to do is ask."

With the help of the re-entry court, John and Khalil have begun doing what they set out to do after their most recent releases — stay out of legal trouble, support themselves and their families, and develop long-term career goals.

With the help of the re-entry court, John and Khalil have begun doing what they set out to do after their most recent releases — stay out of legal trouble, support themselves and their families, and develop long-term career goals. John, who has had years of amateur experience with friends and family, now has his provisional barber's license and works more than full-time at a South Philly barbershop while he awaits scheduling for his final exam. Sitting across from the Federal Detention Center at 7th and Arch Streets, he can point to his old cell, a corner room where he spent long days watching people walk down the street with the freedom he so desperately wanted and now has a chance to capital-

ize on. "I'd rather live a mundane life than live flashy and risk my freedom," he says. He has an entrepreneur's spirit, and one of his many goals is to open his own barbershop within the next few years.

The transition was a little different for Khalil. "It was really solitude and reflection," Khalil said. That's what changed his perspective about life. "I want to leave my kids with something other than just a name." Five years in federal prison kept Khalil from being the kind of father he wanted to be to his daughter and son. He didn't want to be like his own dad, who was absent from his life because of his drug addiction.

When Khalil was released on July 23, 2007, he had a different mindset. But, unfortunately, that's rarely enough to help ex-offenders find their way on the straight and narrow path. Struggling to find a job, despite that the Equal Employment Opportunity Commission restricts the use of conviction records in employment decisions unless the offenses are job-related, can lead to overwhelming temptation to find illegitimate sources

of income.

While serving his requisite 45 days in a halfway house, Khalil went out every day looking for a job. With his new drive, transparent sincerity and easy smile that somehow survived all the years of back and forth to prison, Khalil knew if he could get an interview, he could land the job. But as the 15-day mandated deadline for securing employment got closer, companies were refusing, or ignoring, his persistence. A caseworker gave Khalil a lead on an employer that hires a lot of halfway house residents, and he got the job just under the wire. It wasn't great work, manually lifting pallets of heavy furniture in a warehouse, often with other ex-offenders who didn't share his more thoughtful attitude, but it brought in a much-needed paycheck to help support his family.

After working hard at the furniture warehouse for nearly three months, when he would be eligible for health benefits, Khalil was laid off. He had seen it happen to others in his situation, losing the job as they were released from their halfway houses and had less holding them back from making complaints about poor treatment on the job.

Determined not to be sidelined, he took advantage of the mayor's re-entry program and the resources in Rice's courtroom, visited some career counselors and found a job at a local rental car company. With a steady paycheck once again, he is reaching out to the construction unions to get back to the masonry work he had enjoyed when he was enrolled at the Youthville trade school as a teenager.

While the Eastern District judges may have been an easy sell, Khalil and John both had their suspicions at first. The re-entry court program sounded like it had plenty of good points – too good, in fact. Participants are offered the chance to get a one-year reduction in their supervised release period in exchange for completing fifty-two weeks of satisfactory performance. Because offenders are used to seeing judges only in negative circumstances, some are wary at first of having to visit one every two weeks. But, according to the court and the participants alike, they only need worry if they aren't doing what they're supposed to do. The program allows Rice to impose immediate, graduated sanctions for minor infractions or setbacks, rather than reincarceration – which often happens several weeks after a violation due to scheduling issues – that might prove counterproductive for motivated ex-offenders. And for participants who are performing exceptionally well, Rice also has the option to reduce their commitment to appearing once every four weeks rather than every two.

Convinced there was a catch, Khalil asked to speak to other participants in the program before signing up. What he found were a number of ex-offenders in similar situations, struggling to find a way to provide for their families and stay far away from trouble. For him, it was a relief to know he wasn't the only one facing these challenges, and it was a reality check when he realized he was even better off than some of his peers. And Rice's natural affability and genuine concern for the participants' well-

being help relieve any trepidation participants might initially feel. Rice routinely inquires about family support, the stability and happiness of their home environments, and tries to assess the intangible components that contribute to their success. He encourages families to attend the court sessions, and he makes a point to commend accomplishments small and large. At the March 12 session, Mayor Michael Nutter awarded certificates to participants who successfully completed six months in the program. Many participants brought proud family members and relished the opportunity to meet such a high-profile public official who also took pride in their success.

As the participants have progressed since the program launch in September, nearly all have found employment and received much-needed assistance from the re-entry team and volunteers. Of the original group of twenty-six participants, only one has left the program voluntarily, only one participant's supervised release has been revoked, and all the remaining participants are employed. Compared to the average 15.3 percent unemployment rate and 58 percent revocation rate among this subset of ex-offenders over the last two years (and a 24 percent

revocation rate among all federal releasees in Philadelphia), tracking the last year these participants have been in the program suggests more promising statistics may result from this experiment, without additional outlays of funds by the court and the agencies. The program also is expected to save money over time by reducing reincarceration — the DOJ estimates the cost of incarceration for an inmate at more than \$24,000 per year, while having that offender on supervised release costs about \$3,500 per year.

As the pilot year winds down, the District has plans to expand the program. "I've heard no objections to it, and only laudatory comments," Bartle said. In fact, a second re-entry court has been approved to begin in June to supplement Rice's efforts, with Magistrate Judge L. Felipe Restrepo presiding over another group of participants. Temple University also has offered to develop an evaluation system to compare the participants with a control group so the program's effect can be more precisely measured. As the potential for further expansion grows, so does the potential for positive impact in the community and hope among the re-entry court team for a lasting impact on the criminal justice system.

"I don't think people realize the both formal and informal obstacles that ex-offenders face when they try to re-enter the community," Judge Rice said. "Aside from the stigma and the negative baggage associated with an ex-offender, just employment and the fact you have to get a driver's license, open a bank account, and you may have been incarcerated for 14 years. It's like starting your life all over again, and any help we can give them I think will benefit everyone in society." ■



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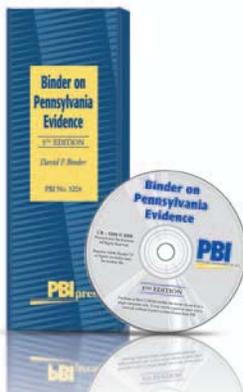
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