

Senator Sheldon Whitehouse
Hearing on “Oversight of the Bureau of Prisons & Cost-Effective
Strategies
for Reducing Recidivism”

As Prepared for Delivery

Welcome to today’s hearing entitled “Oversight of the Bureau of Prisons & Cost-Effective Strategies for Reducing Recidivism.”

Today, this Committee will be exercising its responsibility to conduct oversight of the Bureau of Prisons. I welcome Director Charles Samuels and look forward to his testimony. In addition, we will be exploring how we can improve our federal corrections system so that we better protect the public while reducing costs.

Continued growth in federal spending on prisons and detention poses a significant threat to all other federal law enforcement activities. During the last fiscal year, the costs of detaining federal inmates represented more than 30% of the Justice Department’s budget. Since 2000, costs associated with federal prisons and detention have doubled. If nothing is done, these costs will continue to consume an ever-larger share of the Department’s budget. The result is fewer resources for all other federal law enforcement needs and less federal funding for state and local law enforcement agencies.

Furthermore, while spending on federal prisons has continued to grow, the system remains dangerously over capacity. The inmate-to-staff ratio in our federal prisons has increased significantly over the past decade, and each year we ask the men and women who guard our prisons to do more with less. If we let these trends continue, we will be putting these brave men and women at serious and unnecessary risk.

Fortunately, states across the country have shown that it is possible to rein in corrections costs while improving public safety and reducing recidivism.

In my home state of Rhode Island, where we are fortunate to benefit from the leadership of A.T. Wall, the Director of our Department of Corrections and dean of corrections directors nationwide, we enacted a package of reforms that increased recidivism reduction programming, focused greater attention on high-risk offenders, and expanded investments in successful reentry. As a result of these reforms, our state's prison population declined for the first time in years.

Other states have had similar successes. Today we will hear from witnesses from Pennsylvania and Kentucky who helped lead their states in enacting and implementing significant reforms of their corrections systems that cut costs while better protecting the public.

These examples – and others from across the country – show that it is time for the federal government to learn from the states.

As a former state and federal prosecutor, I recognize that there are no easy solutions to this problem. Inmates in our federal prisons are there because they committed serious offenses, and because the law enforcement officers across their country did their jobs in seeing that they were arrested and prosecuted. And we must never try to save money at the expense of public safety.

But what the states have shown us is that it is possible to cut prison costs while making the public safer – if we are willing to be guided not by ideology, but by what works.

To achieve this goal, we must be willing to look at all aspects of our sentencing and corrections system:

We should be willing to reevaluate mandatory minimum sentences. Two important pieces of legislation have been introduced in this area by Chairman Leahy and Senator Paul, and Senator Durbin and Senator Lee. These Senators have already shown that it is possible to work together on this issue in a bipartisan way, and I hope their work becomes a model for this Committee's efforts going forward.

We should be willing to explore whether the federal sentencing guidelines are still working effectively nearly 30 years after they were first enacted.

We should ask whether we are doing enough to provide drug and alcohol treatment for those inmates who need it. And we should ask whether we are collecting accurate information – in the Presentence Report and throughout the criminal justice process – about substance abuse and addiction among inmates.

We should ask whether there is more that can be done to prepare inmates for reentering their communities, and to reduce the risk that they will commit more offenses when they are released. In Rhode Island, under the leadership of Director Wall, we passed reforms that allowed inmates to earn credit toward their sentences if they were willing to meaningfully participate in programs that reduced their criminal risk factors.

And finally, we should ask if we can do a better job of supervising ex-offenders after they are released. Many states, led by the example of Hawaii's HOPE program, have implemented parole systems that impose "swift and certain" sanctions for violations of the terms of supervision, with promising results so far.

As this Committee considers possible reforms, these are just some of the areas that I believe we must address.

But let me be clear about one thing: Doing nothing about this problem is no longer an option. If we do nothing, we are choosing to give less to

the FBI to disrupt terrorist groups. We are choosing to spend less stopping the next generation of cyber threats. We are choosing to spend less enforcing the Violence Against Women Act. We are choosing to give less to our partners in state and local law enforcement agencies. I know none of my colleagues wish to make those choices. That is why I look forward to hearing from Director Samuels and today's other witnesses and to working with the members of this Committee to address this critical issue.