



**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**Chambers of  
Timothy R. Rice**  
United States Magistrate Judge

To: Honorable Juan R. Sánchez  
Chief Judge

From: Honorable L. Felipe Restrepo  
U.S. Circuit Judge

Honorable Timothy R. Rice  
U.S. Magistrate Judge

Date: Sept. 1, 2020

Re: **Annual Report - Reentry Court Program**

Our district's Reentry Court, also known as the Supervision to Aid Re-entry ("STAR") program, received national recognition this year from the Administrative Office of U.S. Courts for its thirteen-year history of achieving successful outcomes for returning citizens who pose a risk of recidivism for violent crime.

Only 10% of our 264 graduates have been arrested or revoked. That rate is significantly below the district's 29.2% revocation rate for the period 2015-19 for similarly situated individuals not enrolled in our program. Our arrest/revocation rate has remained consistent throughout the program's existence.

By reducing revocations and imprisonment, the reentry program saves taxpayers significant money based on the \$38,000 estimated annual cost of imprisonment per inmate. It also reduces the negative collateral consequences of re-incarceration on families and our community.

This memorandum is submitted for review by the Board of Judges.

Highlights include:

- 288 of the 363 total participants (79%) have either graduated (264) or are currently in the program (24).
- Only 28 of our 264 graduates (10%) have been arrested (10) or had supervision revoked (18).
- An additional 55 participants failed to complete the program due to revocation (43) or arrest (12).<sup>1</sup> The total of 83 arrests or revocations (23% of our 363 participants) remains below the Probation Department's overall revocation rate of 29.2% for similarly situated individuals over the past five years (2015-2019).<sup>2</sup>
- The reduced revocations for reentry participants have contributed to the reduction in our district's total revocation proceedings, which have dropped nearly 40% from 321 in 2007, when our program started, to only 130 in 2019.
- Our success rates have been consistently validated since 2010 by the LaSalle University Criminal Justice Department. On February 11, 2020, Dr. Caitlin J. Taylor, Associate Professor of the Department of Sociology and Criminal Justice, published an article in the Justice Evaluation Journal outlining her findings of the program's first 265 participants. Compared to similar individuals under supervision who are not in the program, reentry court participation reduced the odds of supervision revocation by 62% and increased the odds of employment by 146%. Her research concluded that our program's success is an "extremely valuable contribution to the criminal justice system as well as to the wider society." Although arrest rates for reentry and non-reentry participants remained the same, Dr. Taylor found that reentry participants instead received sanctions "with minimal risk to public safety as opposed to being sent back to prison." Measuring success based on revocation and a return to prison rather than on the mere fact of arrest, Dr. Taylor concluded, establishes that the use of intermediate sanctions by our reentry program helps to reduce criminal justice system involvement. Reentry programs such as ours, she noted, provide valuable indicators of returning citizens' progress toward future desistance from crime and becoming productive members of our community. A 2020 study by doctoral student Madelena Rizzo of Drexel University featured similar findings measured over a

---

<sup>1</sup> The remaining participants either moved from the Philadelphia area, died, obtained employment that precluded regular attendance at court sessions, voluntarily left, or were discharged for non-compliance unrelated to new criminal activity.

<sup>2</sup> Since 2007, our district's overall revocation rate for those in this risk group has also dropped from about 48%. This reduction corresponds to the Probation Office's increased use of evidence-based practices to help reduce recidivism. In addition, the Probation Office has adopted many of the practices developed in the reentry court over the past 13 years for use with its general population.

36-month period and highlighted the significant impact of reentry graduation on reducing arrests and revocations.<sup>3</sup>

- The reentry program has generated significant costs savings over 13 years based on the 2020 estimated annual rates of more than \$38,000 for incarcerating a federal inmate, more than \$4,600 for supervised release, and more than \$35,000 for halfway house confinement.
- There have been countless intangible sociological benefits incurred by having participants employed and engaged in other positive aspects of community life, such as mentoring, volunteering, and parenting. The positive experiences shared by participants and their families during reentry sessions and graduations helps balance the otherwise adversarial nature of the criminal justice system. The program also has heightened community awareness of issues faced by returning citizens and the need to give them support upon release from prison. Dr. Taylor has consistently cited those sociological benefits in her research of our program's success. Moreover, the program has solidified the positive working relationships among the judiciary, the U.S. Attorney's Office, the criminal defense bar, the legal community, area law schools, the Bureau of Prisons, the Marshals Service, and Probation. It also has led to the creation of two other specialized courts in our district addressing drug addiction and mental health.

## **I. Background**

On June 3, 2007, the Board of Judges authorized a reentry program focusing on individuals in the City of Philadelphia with a significant risk of recidivism and history of violent crime. The Probation Department identifies pre-release offenders with a Risk Prediction Index ("RPI") of 5, 6, or 7 (on a 0 to 9 scale), or with a high Post-Conviction Risk Assessment ("PCRA") score, and seeks their consent to participate in the program.<sup>4</sup> Participants have a significant criminal background (most involving violent crime), need employment training/assistance, or are likely to benefit from the program's resources in some other way.<sup>5</sup>

---

<sup>3</sup> Using revocations as a benchmark, as Dr. Taylor advocates, results in a revocation rate of 7% for our 264 graduates and 17% for our 363 total participants. For example, 19 of the 83 participants arrested had the charges dismissed or received a sanction less than imprisonment.

<sup>4</sup> Although the Probation Office will review reentry candidates recommended by sentencing judges or by counsel, the reentry team and Dr. Taylor believe it is critical to the program's integrity that it enrolls only participants who meet the program's eligibility requirements. For example, our program is not equipped to deal with individuals who have serious drug addiction or mental health problems and are better suited for specialists within the Probation Office. Similarly, evidence-based practices demonstrate that low-risk individuals do not benefit from the intensive oversight of a reentry court.

<sup>5</sup> In 2011-2012, Probation converted from the RPI score and now targets participants with a medium or high risk based on PCRA, which research has established may be a more accurate predictor of risks faced by ex-offenders. We now evaluate each participant for various "risk factors" in areas such as thinking, social associations, and problem solving.

The program's objectives include preventing recidivism, reducing the high rate of violent crime in the City of Philadelphia, and assisting high-risk returning citizens with the multiple social, family, and logistical issues they confront upon their return to society after years in prison. Intensive judicial oversight supplements the Probation Office's supervisory regime, with ongoing input from the Federal Public Defender, the U.S. Attorney, and other community partners.

Approximately 30 to 40 participants, divided in two separate courts, attend bimonthly sessions in open court before a judge for 52 weeks. To graduate, a participant must achieve 52 weeks of compliance. Weekly credit is not awarded if a participant fails to meet program requirements or engages in new criminal activity. The sessions are monitored by U.S. Marshals and recorded by a court reporter. Representatives of the U.S. Attorney's Office, the Federal Public Defender's Office, the Probation Office, the Department of Justice Reentry Coordinator, and judges meet for about 90 minutes before each court session to discuss each participant's progress and develop plans to help the participants succeed.<sup>6</sup>

The most unique aspect of the program is the group dynamic. All participants attend court as a group and are required individually to discuss their accomplishments and identify any obstacles they are encountering in the reentry process. (During the Covid-19 shutdown, we maintained ongoing telephone contact with participants). This dialogue leads to the establishment of goals for the participant to achieve before the next court session. If the participant is not complying with the goals of the program or is violating the terms of release, graduated sanctions are imposed and explained to the entire group. Uniform sanctions are employed to foster positive changes in behavior and thereby avoid revocation proceedings.

## **II. Recent Accomplishments**

We continued to develop innovative programs to assist reentry participants, many of which are being replicated by other districts throughout the country.<sup>7</sup>

---

<sup>6</sup> Our team consists of Assistant U.S. Attorneys Jacqueline Romero, Sara Solow, Alexandre Lastowski, Sarah Damiani and paralegal Claudia Deitch; Assistant Federal Public Defenders Rossman Thompson, Catherine Henry, and Elizabeth Toplin; Probation Officers Kyle Watts and Karen Myslinski; Supervisory Probation Officers Derrick Luby and Fred Crawford; Deputy Chief Jana Law; Administrative Assistant Dee Delany; DOJ Reentry Coordinators Cyndi Zuidema and Mia Lamb; Temple Law Professor Robin Nilon; and federal law clerks Maya Sosnov (Brody), Leslie Kramer (Rice), and Kevin Trainer (Restrepo).

The Hon. Theodore McKee of the U.S. Court of Appeals for the Third Circuit serves as the back-up judge and attends both reentry court sessions.

<sup>7</sup> We have hosted visits from more than 20 federal courts, including S.D. Fla., D. Mass., D.N.J., M.D. Tenn., and S.D.N.Y, and our team members have been featured at several national programs, including Federal Judicial Center conferences.

On March 11, 2020, the Administrative Office for U.S. Courts published a video on our program that was distributed nationally. The video “Court Eases Reentry into the Community and Crime-Free Life” highlighted our program and its success as a national model. In 2010, former Attorney General Eric Holder visited our court and said the DOJ planned to replicate our reentry program nationally.

Other highlights, include:

1. One of our most innovative and successful initiatives is the Drexel Reentry Project. In 2014, we worked with Dr. Kirk Heilbrun and his research team to develop a comprehensive assessment and intervention program to meet the needs of returning citizens. Dr. Heilbrun’s team developed a cognitive behavioral therapy (“CBT”) program featuring comprehensive assessment, motivational enhancement, and intervention with an aim to reduce the risk of recidivism for returning citizens. The project consists of an intake assessment, a session focused on providing assessment feedback and enhancing participant motivation for treatment, and two modules consisting of thirteen sessions each. The first module provides sessions on skills (e.g., communication and self-care skills) and an introduction to criminal thinking. The second module focuses on improving thinking styles and problem solving. Participants attend weekly group or individual therapy sessions consisting of relevant lessons, activities, and discussions.

Since 2015, 106 reentry participants were referred to Drexel, 55 have successfully completed the program, 37 did not complete the program due to scheduling or other conflicts, and 14 are currently receiving treatment. Seventeen Drexel clinical psychology doctoral students have served as clinicians and evaluators, along with 3 clinical psychology doctoral students from external programs.<sup>8</sup>

2. Our national pilot program with the Philadelphia Housing Authority (“PHA”), continued to provide affordable housing for returning citizens. This initiative provides vouchers for Section 8 affordable housing, thereby allowing reentry participants to secure free or low-cost rental housing in Philadelphia’s private housing market. The vouchers are rotated to new participants every two years and have enabled us to provide rental assistance to 16 reentry participants for stable and safe housing in low-crime neighborhoods. All but one recipient of PHA housing assistance have remained crime-free and fully compliant with their supervised release conditions.

Applicants for the housing vouchers are selected by reentry team members: AUSA Jacqueline Romero, Assistant Federal Defender Rossman Thompson, DOJ Reentry Coordinator Cyndi Zuidema, and Supervisory Probation Officer Fred Crawford.

3. The Philadelphia Lawyers for Social Equity continued to perform criminal record expungements for reentry participants. Attorneys meet with reentry participants to identify acquittals and dismissed cases that can be removed from the participant’s state criminal record. The attorneys have filed 262 criminal record expungements based on acquittals or dismissed

---

<sup>8</sup> The project coordinators are Sarah Fishel and Claire Lankford. Other key project personnel over the past year have included Victoria Pietruszka, Jeanne McPhee, Joy Bullard-Moore, Heidi Zapotocky, Jennica Jansen, and Bilgé Yilmaz.

cases involving 34 participants. Removal of non-convictions significantly reduces the participant's criminal history and removes a significant barrier to employment.

4. We expanded our financial literacy mentoring program with students and faculty from Temple's Fox School of Business. We enlisted the Fox School in 2017 to help reentry participants develop better skills in budgeting, saving, credit, banking, and finance. The Fox Financial Literacy team has provided monthly presentations and one-on-one consulting for reentry participants to provide financial literacy education and address personal finance-related issues.

This year, the Fox program worked with 30 reentry participants covering topics such as establishing and maintaining personal and household budgets, reviewing credit reports and ways in which to build credit scores, understanding the process of opening and operating a small business financially, applying for small business and personal loans, opening savings and checking bank accounts, understanding student loan obligations, addressing debt management, budgeting for housing related costs, applying for secured credit cards, setting short- and long-term financial goals, understanding tax withholding for employment, and constructing a path for home ownership.<sup>9</sup>

5. Since 2015 we have distributed \$23,667 in emergency assistance to reentry participants from a Philadelphia Bar Foundation fund established by the Hon. Gerald A. McHugh.<sup>10</sup> Money is used to assist reentry participants with emergency expenses, such as housing deposits, food, medical care, furniture, vocational testing, and other fees that cannot be paid by U.S. Probation. During this year's Covid-19 national pandemic, we sent each participant a \$100 gift card to assist with food and housing expenses while many participants were unemployed.

6. We continued our program in which third-year law students represent reentry participants in various legal proceedings under the supervision of volunteer attorneys. Traffic fines, license suspensions, and family court matters historically have posed a significant obstacle to employment and successful reentry. Students from Temple Law School, University of Pennsylvania Law School, Villanova Law School, and Drexel Law School work under the supervision of individual attorneys and attorneys from the law firms of Montgomery McCracken Walker & Rhoads LLP; Pepper Hamilton LLP; Drinker Biddle & Reath LLP; Dechert LLP; Offit Kurman Attorneys at Law; Kaufman, Coren & Ress, P.C.; Feldman Sheperd LLP; Fox

---

<sup>9</sup> The financial literacy team is led by Dr. Jeffrey Boles and last year featured Temple Law students A.J. Garcia and Whitney Brown, and Fox students Jamie Goldman, Collin Gunsser, Amelia Holjencin, and Olivia O'Donnell.

<sup>10</sup> The fund is dedicated to Judge McHugh's mentor, former Chief Judge Alfred L. Luongo. Donations to the Luongo Fund constitute tax deductible contributions to the Philadelphia Bar Foundation, a nonprofit organization. Forty-one donors have contributed and the Fund has a current balance of \$17,502.

Rothschild LLP; Hangley Aronchick Segal Pudlin & Schiller, and Hausfeld LLP to provide legal assistance for reentry and general probation clients.<sup>11</sup>

Law students have helped clients obtain the dismissal of numerous old and new traffic citations, saving them thousands of dollars in fines; establish payment plans for traffic fines; restore driving privileges; obtain first-time driver's licenses; modify child custody and support orders; remove fraudulent credit accounts; reduce state court costs and fines; respond to tax audits; assist with property and landlord issues; and address numerous additional legal matters.<sup>12</sup>

Our efforts are coordinated through Philadelphia Court of Common Pleas Judge Gary Glazer and the administrators of the court's traffic division.

7. We also continued our family law program to represent participants in child visitation/custody and support cases. Attorneys from family law clinics at Temple Law School, Penn Law School, Villanova Law School, and Drexel Law School appear in court on behalf of reentry participants to handle family law matters. Sarah Katz, Esq., director of the Temple Law School clinic, is creating a network of Temple law graduates who practice family law to take future cases.

8. Building on our long-standing partnership with local law schools, we continued our reentry clinical program sponsored by Temple Law School. Students earn three credits per semester. In addition to supporting reentry participants on legal matters, the students attend weekly seminar classes and explore topics such as the genesis of mass incarceration, restorative justice, the collateral consequences of imprisonment, and need for innovative solutions to reduce recidivism. The class is taught bi-monthly throughout the school year by Maya Sosnov, Judge Brody's clerk, and Leslie Kramer, Judge Rice's clerk.

9. Volunteer federal judicial law clerks continue to assist reentry participants, graduates, and general probationers with applying for public benefits and creating and updating resumes.<sup>13</sup>

---

<sup>11</sup> The following attorneys assist with the representation of reentry court participants: John Myers, William Brennan, Amy Karpf, Alexandre Turner, Michael Schwartz, Ying Zeng, Avrohom Einhorn, Rosemary Cochrane, John C. Dodds, David Dormont, Patrick Ryan, Paul Apicella, Kelly Huff, Brianna Vinci, Dylan Henry, Nicole Phillips, Vicki Herr, Thomas Ivory, Katie Beran, Tamara Freilich, Molly Kenney, Sarah Katz, Matthew Meltzer, Andrew Christy, James Faunes, Michael Conley, Jillian Taylor, Ethan Fogel, Paige Presley, Allison Whip, Justin Romeo, William Brennan, Melissa Mazur, Julie Swain, Johanna Markind, Barry Gross, Benjamin McCoy, Kelley Fazzini, John McGovern, Helen Santoro, Michael Huff, Ava Giacobbo, Timothy Gilbert, Erin O'Gurek, Ernest Holtzheimer, Josh Runyan, Erica Briant, and Erin Novak.

<sup>12</sup> Attorneys also provided pro bono representation, without the assistance of legal interns, to reentry participants or their family members on matters including tax disputes with the IRS, breach of contract, juvenile delinquency, and custody and support matters.

<sup>13</sup> Both programs were led by Kathleen Houck (Rendell), Leslie Minora (Restrepo), and Chris Mendez (Restrepo). Next year they will be led by Kevin Trainer (Restrepo), Elizabeth

Since August 2019, law clerks have helped 19 individuals obtain benefits, such as food stamps and health insurance. Working through Pennsylvania’s online benefits application site, COMPASS, clerks meet with these individuals in the courthouse to help determine eligibility and complete the required applications and follow up. The clerks also assist if an individual’s public benefits are reduced or terminated, and since the onset of the COVID-19 pandemic, they have assisted participants seeking unemployment compensation as well. In our resume program, federal law clerk volunteers created or revised resumes for 17 reentry participants, graduates, and general probationers.<sup>14</sup>

10. Employment initiatives continued to develop in 2019. All current reentry participants are employed or in job training. Our efforts were highlighted by our partnership with the Neighborhood Film Co. in Philadelphia, which again employed and trained a reentry participant in film production, which included a six-month assignment in Hollywood, California.

The Third Circuit has served as a model employer, by hiring two reentry participants and an exoneree from the Innocence Project. After several years, we placed a reentry graduate at SEPTA, which agreed to change its longstanding hiring policy banning applications from individuals on supervised release or probation. We also connected reentry participants with private employers, such as Local 98 of the electrical workers union,<sup>15</sup> a plumbing contractor, PAR Technology Recycling, a local fitness center, U Lift U, Pierogi Kitchen, Historic Philadelphia (the Betsy Ross House and Franklin Square Park), and Graffiti Removal Experts, which cleans graffiti in the Society Hill, South Philadelphia, and Center City neighborhoods. Employment outreach assistance continues to be provided by our partners in the criminal justice system, such as referrals this year from AUSA Anthony Carissimi and the Hon. Joshua Wolson.

11. Chief Judge D. Brooks Smith of the U.S. Court of Appeals for the Third Circuit continued to promote our program and the goals of reentry. In addition to employing reentry graduates, the Third Circuit has hosted three reentry conferences for participants from every court in the Circuit. The Circuit has also created a reentry working group to help foster Circuit-wide collaboration and creativity on reentry issues.

12. Third Circuit staff also created an innovative tutoring program for reentry participants. Chiquita Dyer, a legal assistant in the Circuit Executive Office, coordinates a tutoring program to

---

Sullivan (Restrepo), and Berto Elysee (Restrepo). Participating clerks are: Patrick Bradley (Diamond), Marie DiFillippo (Wolson) Erin O’Gurek (Rice), Leslie Kramer, (Rice), Berto Elysee (McHugh), Sarah McKinney (Kearney), Renata O’Donnell (Smith), Angela Pappas (Surrick), Leah Read (Tucker), Christopher Tarbel (Rice), Kevin Trainer (McHugh), Sarah Tufano (Savage), Allison Vélez (Quiñones Alejandro), Greta Wiessner (McKee).

<sup>14</sup> All law clerks meet with reentry participants under the supervision of court security officers (CSOs) provided by the U.S. Marshals. Since most courthouse work became remote in March 2020, law clerks have continued to assist participants, communicating by phone and email.

<sup>15</sup> Contacts with local unions were developed by Probation Officer Kenneth Bergmann.

help reentry participants achieve educational goals, such as classes for GED testing, college entrance examinations, literacy assistance, driver's test, or job placement. Since August 2016, Third Circuit employees tutored 79 participants.<sup>16</sup>

13. In response to the drug-related murder of a reentry graduate in 2019, several reentry graduates visited a reentry session and offered to launch an informal mentoring program to help current participants avoid a return to violent crime. The group, ProAct, launched a Peer-to-Peer Mentoring Program created and is facilitated by returning citizens Jack Land, Charles Naselsky, Omar Bey, and Earl Hunte. It is designed to provide individuals on supervised release with a positive and safe peer support network and an opportunity to engage in candid discussions about struggles with reentry. Participants receive 2 weeks of extra credit for completing 7 sessions. From May to August, ProAct hosted 15 zoom classes for reentry participants.

14. ESSA Bank & Trust of Stroudsburg, Pa. provides low-interest, non-collateralized loans of up to \$15,000 to reentry participants for housing, education, or automobiles. Three reentry participants have obtained loans to purchase automobiles they required for commuting to work. Two of those participants have fully repaid the loans; the third is receiving financial counseling on loan repayment.

15. Sanctions have been graduated and highly successful. Uniform sanctions are applied as part of our effort to employ evidence-based practices and improve our results. One of the program's strengths is the reentry judge's ability to impose swift sanctions for any deviation from the conditions of supervised release, or to encourage positive reentry behavior. The working group has strived for consistency and predictability in sanctions to ensure the participants are treated fairly. Sanctions have included the loss of weekly credit toward completion of the program, curfews, home detention, placement in a halfway house, and brief periods of imprisonment (maximum 7 days).<sup>17</sup> A sanction of imprisonment is imposed only after other sanctions have failed, and we have not had to use an imprisonment sanction in several years.

### **III. Conclusion**

Our reentry court program continues to unite all players in the federal criminal justice system to reduce recidivism and help returning citizens rebuild their lives.

---

<sup>16</sup> The tutors are Lori Casner, Karan Jain, Kelly McGrady-Cosgrove, Sylvia Dom, Nicole Faust, Laura Greene, Christina Koperna, Zipporah Melton, Aina Renwick, and Carmella Wells, and Temple Law Professor Robin Nilon.

<sup>17</sup> Community service is not employed as a sanction; rather, it is used to provide opportunities for participants having difficulty securing employment.

cc: Honorable D. Brooks Smith, Chief Judge, U.S. Court of Appeals  
Matthew MacAvoy, Chief, U.S. Probation  
Eric Gartner, U.S. Marshal  
Kate Barkman, Clerk of Court  
William McSwain, U.S. Attorney  
Leigh Skipper, Chief Federal Defender  
Mark Sherman, Federal Judicial Center  
Dr. Caitlin Taylor, La Salle University  
Dr. Kirk Heilbrun, Drexel University  
Kelvin Jeremiah, Executive Director, PHA  
Ryan Hancock, Esq., Philadelphia Lawyers for Society Equity  
Hon. Gary Glazer, Philadelphia Court of Common Pleas  
Margaret Weigand, Circuit Executive