



Office of the Attorney General
Washington, D. C. 20530

April 18, 2011

The Honorable Kamala Harris
Attorney General
State of California
1300 I Street, Suite 1740
Sacramento, CA 95814

Dear Attorney General Harris:

Each year, more than 700,000 people are released from state and federal prisons. Another nine million cycle through local jails. Failed reentry policies impose high social and economic costs including increased crime, increased victimization, increased family distress, and increased pressure on already-strained state and municipal budgets. Because reentry policies intersect with policies related to health, housing, education, employment, family, faith, and community well-being, many federal agencies dedicate significant resources to addressing these policy challenges.

In January, the Obama Administration convened a Cabinet-level Reentry Council to focus on prisoner reentry policies throughout the federal government. This Reentry Council represents a significant federal commitment to coordinate our efforts and develop effective policies to address reentry challenges. Federal agencies are working together to promote safer and healthier communities, assist individuals being released from prisons and jails become productive citizens, and save taxpayer dollars by lowering the direct and collateral costs of incarceration. Collaboration among our agencies is already well underway and we look forward to working with you and your colleagues in other states to improve public safety.

The Department of Justice's National Institute of Justice has funded a comprehensive National Study on the Collateral Consequences of Criminal Convictions conducted by the American Bar Association's Criminal Justice Section (available at: <http://isrweb.isr.temple.edu/projects/accproject>). This study has catalogued over 38,000 statutes that impose collateral consequences on people convicted of crimes – an average of almost 700 per state or territory.

Collateral consequence statutes and policies impose additional burdens on people who have served their sentences, including denial of employment and housing opportunities, without increasing public safety in essential ways. Some of those restrictions, such as the prohibition on gun possession, serve meaningful public safety goals.

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However, others do not and research reveals that gainful employment and stable housing are key factors that enable people with criminal convictions to avoid future arrests and incarceration. I encourage you to evaluate the collateral consequences in your state – and to determine whether those that impose burdens on individuals convicted of crimes without increasing public safety should be eliminated.

Public safety requires us to carefully tailor laws and policies to genuine risks while reducing or eliminating those that impede successful reentry without community benefit. In evaluating the efficacy of your state's collateral consequences, you have the opportunity to ease the burden on families and communities in your state by ensuring that people who have paid their debt to society are able to live and work productively. This is why I hope that you will agree to review these laws and policies in your state. We intend to conduct a similar review of federal collateral consequences identified in the American Bar Association study.

If you have any questions, or if the Department can be of assistance to you in undertaking this review, please contact Marlene Beckman, Counsel to the Assistant Attorney General for the Office of Justice Programs at 202-616-3562 or Marlene.Beckman@usdoj.gov. I look forward to working with you on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric H. Holder, Jr.", with a stylized flourish at the end.

Eric H. Holder, Jr.
Attorney General

cc: Governor Jerry Brown