

## *ABA President: No Courts, No Justice, No Freedom* Justice Unfunded, Justice Undone

by Amy Kelchner



Chief Justice Ronald Castille (left) and American Bar Association President William T. Robinson III gave keynote speeches on the current fiscal state of courts.

*(Photos courtesy Commonwealth Media Services)*

National and state leaders joined Chief Justice **Ronald D. Castille** in Carlisle on Nov. 10 at events that focused on how the courts can work with its sister branches to sustain courts especially during tough economic times and against political pressures.

"Justice Unfunded—Justice Undone? Assuring Sustainable Funding for Courts" was organized by the Supreme Court's Judicial Independence Commission. Participants shared their insight and expertise on questions of the value of our justice system and how the proper balance is struck in making sure there are adequate resources to guarantee citizens prompt, efficient administration of justice.

Chief Justice Castille and American Bar Association (ABA) President William T. Robinson III gave keynote speeches on the current fiscal state of courts—Robinson shared a national perspective and Castille focused on Pennsylvania. The program was held at Dickinson College and hosted by The Clarke Forum for Contemporary Issues.

"The road to justice runs through America's courts," Castille said. "A fully-functioning court system is essential to providing justice for Pennsylvanians, and to do that, the courts must be provided with the resources which are reasonable and necessary to carry out their mandated functions."

"Together we can restore funding to our courts and renew the promise of equal justice under law that can only exist if courts are open and accessible," Robinson said. "The cost of inaction is too great. We cannot afford to be silent because: no courts, no justice, no freedom."

Robinson has made adequate court funding the main focus of his one-year term as ABA president.

Following the speeches, former Pennsylvania Governor Dick Thornburgh—who throughout his career was a delegate to the state's 1967-68 Constitutional Convention, a federal prosecutor, governor and U.S. Attorney General—moderated a panel discussion at the Pennsylvania State University Dickinson School of Law, another event sponsor.

The panel included state Supreme Court Justice **Debra Todd**, Pennsylvania Senate Majority Leader Dominic Pileggi, state Budget Secretary Charles Zogby, National Center for State Courts President Mary McQueen and National Governors

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# Effective Re-Entry System Needed to Improve Public Safety, Reduce Recidivism

## State Summit Promotes Greater Efforts to Prepare Inmates for Re-Entry to Society

by the Hon. Doris Smith-Ribner

The Law and Government Institute of the Widener University Law School sponsored an historic statewide offender re-entry summit that focused on re-entry strategies for the 21st century.

The summit brought together national law enforcement executives and officials from the executive, legislative, and judicial branches of government. Court Administrator of Pennsylvania **Zygmunt Pines** also was a speaker, as were members of the Federal Interagency Reentry Council, individuals from business and faith-based communities, and formerly incarcerated persons.

The speakers reinforced the view that society must change its thinking to meet the challenges that our state and nation must confront to reduce crime and recidivism rates. At the same time, society must continue to promote public safety and struggle to reduce ever-expanding criminal justice system budgets.

A fundamental question presented by the summit was whether law enforcement executives, all three branches of government, business and faith-based communities, and rehabilitated offenders can work collaboratively to find new and more effective ways to prevent offenders from reoffending and from returning to prison. The speakers offered a positive response to this

question. They focused on ways that all stakeholders can ensure that re-entry—the process of individuals leaving prison and returning to the community—includes the tools necessary for those individuals to become law-abiding and productive citizens.

The vision for this summit became a reality due to support from the institute's director, John L. Gedid, and Widener Law School Dean Linda L. Ammons.

In 2004 former state Sen. Robert J. Thompson, R-Chester, observed that “[b]eing tough [on crime] means being willing to take a hard look at history and learn its lessons. Neglecting inmate re-entry and alternative sentencing has wasted lives, created more crime and contributed heavily to our budget crisis. A new direction can both save us money and make us safer.”

The need for a new direction to confront crime and recidivism is highlighted by Pennsylvania corrections statistics and findings.

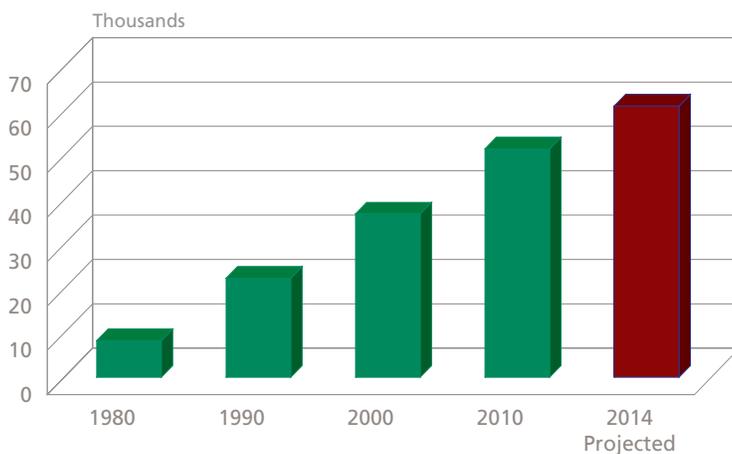
In 2009 Pennsylvania had the highest prison population increase in the nation. By the end of 2010, Pennsylvania housed 51,321 prisoners at an annual cost per prisoner of \$32,986—as compared to 8,243 prisoners in 1980 at an annual cost per prisoner of \$11,447. By the end of 2014, Pennsylvania will face a 20 percent increase in its prison population to 61,146, if needed changes in the justice system do not occur.

Pennsylvania's 2011-12 corrections budget is \$1.9 billion (27 prisons). In 1980 it was \$110.4 million (nine prisons). Thirty-nine percent of the prisoners are classified as non-violent offenders, and 15 percent are parole violators. Currently, the cost of supervising a parolee is \$2,934 per year.



Retired Judge Smith-Ribner

### Pennsylvania Inmate Population Since 1980



(Data from *Fiscal and Structural Reform-Solutions to Pennsylvania's Growing Inmate Population*, Pennsylvania Auditor General's Office, January 2011.)

(Re-entry continued on page 15)

## Re-entry, continued from page 4

(Data provided by January 2011 "Special Report" by Pennsylvania's Auditor General; Department of Corrections, 2011 Costs & Population Report.)

Subjects covered by the summit's speakers included:

- innovative collaboration among law enforcement executives and ex-offenders
- the American Bar Association's nationwide survey that catalogued 38,000 laws that impose collateral consequences upon a conviction
- a new Federal Interagency Reentry Council created by U.S. Attorney General Eric Holder that adopted policies to facilitate efforts among federal agencies to confront recidivism
- the Pennsylvania Corrections Department's plans to deal with prison overcrowding, foster coalition building and promote successful re-entry.

State Sen. Stewart Greenleaf, (R-Montgomery), spoke about the Criminal Justice Reform Act that will require, among other things:

- swifter placement of offenders with short minimum sentences into community corrections centers for treatment
- a comprehensive program to reduce recidivism and to ensure successful re-entry
- alternative sentencing programs for eligible nonviolent offenders with more discretion accorded to judges to make alternative sentencing decisions
- county probation programs that provide effective and immediate sanctions for probation violators.

Court Administrator Pines addressed the development of re-entry (or problem-solving courts) such as

drug treatment, DUI, veterans and mental health courts. Pines noted that new and more innovative strategies are needed to reduce crime and recidivism and that our prisons alone cannot solve all of the problems. Collaboration among all branches of government is required for successful re-entry. Importantly, the Supreme Court has expressed its support for problem-solving initiatives.

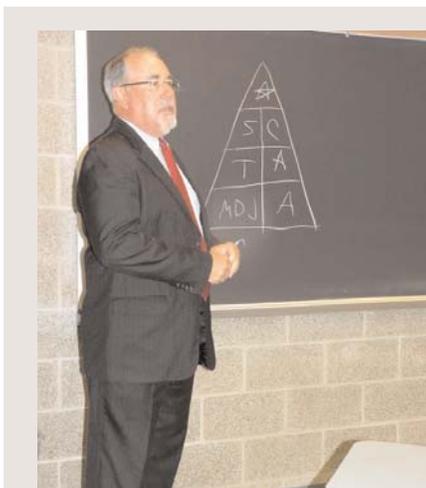
A bi-partisan, legislative Task Force on Re-Entry is being created to study specific re-entry issues and to make recommendations. Plans are underway for another re-entry summit to focus on juvenile crime, re-entry and related topics. Efforts also are being made to bring more public focus on this justice system issue.

U.S. Supreme Court Justice Anthony Kennedy spoke at the American Bar Association's August 9, 2003, annual meeting on the issue of the inadequacies and injustices in our prisons and correctional systems.

"The subject of prisons and corrections may tempt some of you to tune out," he said. "You may think... '[t]he prison system is not my problem. I might tune in again when he gets to a different subject.' In my submission you have the duty to stay tuned in. The subject is the concern and responsibility of every member of our profession and of every citizen. This is your justice system; these are your prisons."

In the end, it is a matter of public safety from which all of society benefits.

[Doris A. Smith-Ribner is a retired judge of the Commonwealth Court of Pennsylvania and a summit organizer.]



### Class-ified Info

Supreme Court Justice J. Michael Eakin visited a business law class at Messiah College in suburban Harrisburg to talk about his duties on the state's highest level court. He presented an overview of the state court system and answered questions from more than two dozen students about his vocational journey and cases he's heard as a jurist. Justice Eakin was retained by voters in the General Election for a new term.