

**Suspend the Rules and Pass the Bill, H.R. 1593, with An Amendment****(The amendment strikes all after the enacting clause and inserts a new text)**110TH CONGRESS  
1ST SESSION**H. R. 1593**

To reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

MARCH 20, 2007

Mr. DAVIS of Illinois (for himself, Mr. CANNON, Mr. CONYERS, Mr. COBLE, Mr. SCOTT of Virginia, Mr. SMITH of Texas, Mrs. JONES of Ohio, Mr. FORBES, Mr. SCHIFF, Mr. SENSENBRENNER, Mr. CHABOT, Ms. JACKSON-LEE of Texas, Mr. CUMMINGS, Mr. JOHNSON of Georgia, and Ms. CLARKE) introduced the following bill; which was referred to the Committee on the Judiciary

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**A BILL**

To reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Second Chance Act  
3 of 2007: Community Safety Through Recidivism Preven-  
4 tion” or the “Second Chance Act of 2007”.

**5 SEC. 2. TABLE OF CONTENTS.**

6 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Purposes; findings.
- Sec. 4. Definition of Indian tribe.
- Sec. 5. Submission of reports to Congress.
- Sec. 6. Rule of construction.

**TITLE I—AMENDMENTS RELATED TO THE OMNIBUS CRIME  
CONTROL AND SAFE STREETS ACT OF 1968**

Subtitle A—Improvements to Existing Programs

- Sec. 101. Reauthorization of adult and juvenile offender State and local reentry demonstration projects.
- Sec. 102. Improvement of the residential substance abuse treatment for State offenders program.
- Sec. 103. Definition of violent offender for drug court grant program.
- Sec. 104. Use of violent offender truth-in-sentencing grant funding for demonstration project activities.

Subtitle B—New and Innovative Programs To Improve Offender Reentry Services

- Sec. 111. State, tribal, and local reentry courts.
- Sec. 112. Prosecution drug treatment alternative to prison programs.
- Sec. 113. Grants for family-based substance abuse treatment.
- Sec. 114. Grant to evaluate and improve education at prisons, jails, and juvenile facilities.
- Sec. 115. Technology Careers Training Demonstration Grants.

**TITLE II—ENHANCED DRUG TREATMENT AND MENTORING  
GRANT PROGRAMS**

Subtitle A—Drug Treatment

- Sec. 201. Offender reentry substance abuse and criminal justice collaboration program.

Subtitle B—Mentoring

- Sec. 211. Mentoring grants to nonprofit organizations.
- Sec. 212. Responsible reintegration of offenders.
- Sec. 213. Bureau of prisons policy on mentoring contacts.
- Sec. 214. Bureau of prisons policy on chapel library materials.

## Subtitle C—Administration of Justice Reforms

## CHAPTER 1—IMPROVING FEDERAL OFFENDER REENTRY

- Sec. 231. Federal prisoner reentry initiative.  
Sec. 232. Bureau of prisons policy on restraining of female prisoners.

## CHAPTER 2—REENTRY RESEARCH

- Sec. 241. Offender reentry research.  
Sec. 242. Grants to study parole or post-incarceration supervision violations and revocations.  
Sec. 243. Addressing the needs of children of incarcerated parents.  
Sec. 244. Study of effectiveness of depot naltrexone for heroin addiction.  
Sec. 245. Authorization of appropriations for research.

## CHAPTER 3—CORRECTIONAL REFORMS TO EXISTING LAW

- Sec. 251. Clarification of authority to place prisoner in community corrections.  
Sec. 252. Residential drug abuse program in Federal prisons.  
Sec. 253. Contracting for services for post-conviction supervision offenders.

## CHAPTER 4—MISCELLANEOUS PROVISIONS

- Sec. 261. Extension of national prison rape elimination commission.

**1 SEC. 3. PURPOSES; FINDINGS.**

2 (a) PURPOSES.—The purposes of the Act are—

3 (1) to break the cycle of criminal recidivism, in-  
4 crease public safety, and help States, local units of  
5 government, and Indian Tribes, better address the  
6 growing population of criminal offenders who return  
7 to their communities and commit new crimes;

8 (2) to rebuild ties between offenders and their  
9 families, while the offenders are incarcerated and  
10 after reentry into the community, to promote stable  
11 families and communities;

12 (3) to encourage the development and support  
13 of, and to expand the availability of, evidence-based  
14 programs that enhance public safety and reduce re-

1       cidivism, such as substance abuse treatment, alter-  
2       natives to incarceration, and comprehensive reentry  
3       services;

4           (4) to protect the public and promote law-abid-  
5       ing conduct by providing necessary services to of-  
6       fenders, while the offenders are incarcerated and  
7       after reentry into the community, in a manner that  
8       does not confer luxuries or privileges upon such of-  
9       fenders;

10          (5) to assist offenders reentering the commu-  
11       nity from incarceration to establish a self-sustaining  
12       and law-abiding life by providing sufficient transi-  
13       tional services for as short of a period as practicable,  
14       not to exceed one year, unless a longer period is spe-  
15       cifically determined to be necessary by a medical or  
16       other appropriate treatment professional; and

17          (6) to provide offenders in prisons, jails or juve-  
18       nile facilities with educational, literacy, vocational,  
19       and job placement services to facilitate re-entry into  
20       the community.

21       (b) FINDINGS.—Congress finds the following:

22          (1) In 2002, over 7,000,000 people were incar-  
23       cerated in Federal or State prisons or in local jails.  
24       Nearly 650,000 people are released from Federal

1 and State incarceration into communities nationwide  
2 each year.

3 (2) There are over 3,200 jails throughout the  
4 United States, the vast majority of which are oper-  
5 ated by county governments. Each year, these jails  
6 will release more than 10,000,000 people back into  
7 the community.

8 (3) Recent studies indicate that over  $\frac{2}{3}$  of re-  
9 leased State prisoners are expected to be rearrested  
10 for a felony or serious misdemeanor within 3 years  
11 after release.

12 (4) According to the Bureau of Justice Statis-  
13 tics, expenditures on corrections alone increased  
14 from \$9,000,000,000 in 1982, to \$59,600,000,000  
15 in 2002. These figures do not include the cost of ar-  
16 rest and prosecution, nor do they take into account  
17 the cost to victims.

18 (5) The Serious and Violent Offender Reentry  
19 Initiative (SVORI) provided \$139,000,000 in fund-  
20 ing for State governments to develop and implement  
21 education, job training, mental health treatment,  
22 and substance abuse treatment for serious and vio-  
23 lent offenders. This Act seeks to build upon the in-  
24 novative and successful State reentry programs de-

1        developed under the SVORI, which terminated after  
2        fiscal year 2005.

3            (6) Between 1991 and 1999, the number of  
4        children with a parent in a Federal or State correc-  
5        tional facility increased by more than 100 percent,  
6        from approximately 900,000 to approximately  
7        2,000,000. According to the Bureau of Prisons,  
8        there is evidence to suggest that inmates who are  
9        connected to their children and families are more  
10       likely to avoid negative incidents and have reduced  
11       sentences.

12           (7) Released prisoners cite family support as  
13        the most important factor in helping them stay out  
14        of prison. Research suggests that families are an  
15        often underutilized resource in the reentry process.

16           (8) Approximately 100,000 juveniles (ages 17  
17        years and under) leave juvenile correctional facilities,  
18        State prison, or Federal prison each year. Juveniles  
19        released from secure confinement still have their  
20        likely prime crime years ahead of them. Juveniles re-  
21        leased from secure confinement have a recidivism  
22        rate ranging from 55 to 75 percent. The chances  
23        that young people will successfully transition into so-  
24        ciety improve with effective reentry and aftercare  
25        programs.

1           (9) Studies have shown that between 15 percent  
2           and 27 percent of prisoners expect to go to homeless  
3           shelters upon release from prison.

4           (10) Fifty-seven percent of Federal and 70 per-  
5           cent of State inmates used drugs regularly before  
6           going to prison, and the Bureau of Justice statistics  
7           report titled “Trends in State Parole, 1990–2000”  
8           estimates the use of drugs or alcohol around the  
9           time of the offense that resulted in the incarceration  
10          of the inmate at as high as 84 percent.

11          (11) Family-based treatment programs have  
12          proven results for serving the special populations of  
13          female offenders and substance abusers with chil-  
14          dren. An evaluation by the Substance Abuse and  
15          Mental Health Services Administration of family-  
16          based treatment for substance-abusing mothers and  
17          children found that 6 months after such treatment,  
18          60 percent of the mothers remained alcohol and  
19          drug free, and drug-related offenses declined from  
20          28 percent to 7 percent. Additionally, a 2003 evalua-  
21          tion of residential family-based treatment programs  
22          revealed that 60 percent of mothers remained clean  
23          and sober 6 months after treatment, criminal arrests  
24          declined by 43 percent, and 88 percent of the chil-

1       dren treated in the program with their mothers re-  
2       mained stabilized.

3               (12) A Bureau of Justice Statistics analysis in-  
4       dicated that only 33 percent of Federal inmates and  
5       36 percent of State inmates had participated in resi-  
6       dential in-patient treatment programs for alcohol  
7       and drug abuse 12 months before their release. Fur-  
8       ther, over one-third of all jail inmates have some  
9       physical or mental disability and 25 percent of jail  
10      inmates have been treated at some time for a mental  
11      or emotional problem.

12              (13) State Substance Abuse Agency Directors,  
13      also known as Single State Authorities, manage the  
14      publicly funded substance abuse prevention and  
15      treatment system of the Nation. Single State Au-  
16      thorities are responsible for planning and imple-  
17      menting statewide systems of care that provide clini-  
18      cally appropriate substance abuse services. Given the  
19      high rate of substance use disorders among offend-  
20      ers reentering our communities, successful reentry  
21      programs require close interaction and collaboration  
22      with each Single State Authority as the program is  
23      planned, implemented, and evaluated.

1           (14) According to the National Institute of Lit-  
2           eracy, 70 percent of all prisoners function at the  
3           lowest literacy levels.

4           (15) Less than 32 percent of State prison in-  
5           mates have a high school diploma or a higher level  
6           of education, compared to 82 percent of the general  
7           population.

8           (16) Approximately 38 percent of inmates who  
9           completed 11 years or less of school were not work-  
10          ing before entry into prison.

11          (17) The percentage of State prisoners partici-  
12          pating in educational programs decreased by more  
13          than 8 percent between 1991 and 1997, despite  
14          growing evidence of how educational programming  
15          while incarcerated reduces recidivism.

16          (18) The National Institute of Justice has  
17          found that 1 year after release, up to 60 percent of  
18          former inmates are not employed.

19          (19) Transitional jobs programs have proven to  
20          help people with criminal records to successfully re-  
21          turn to the workplace and to the community, and  
22          therefore can reduce recidivism.

1 **SEC. 4. DEFINITION OF INDIAN TRIBE.**

2 In this Act, the term “Indian Tribe” has the meaning  
3 given that term in section 901 of the Omnibus Crime Con-  
4 trol and Safe Streets Act of 1968 (42 U.S.C. 3791).

5 **SEC. 5. SUBMISSION OF REPORTS TO CONGRESS.**

6 Not later than January 31 of each year, the Attorney  
7 General shall submit to the Committee on the Judiciary  
8 of the Senate and the Committee on the Judiciary of the  
9 House of Representatives each report required by the At-  
10 torney General under this Act or an amendment made by  
11 this Act during the preceding year.

12 **SEC. 6. RULE OF CONSTRUCTION.**

13 Nothing in this Act or an amendment made by this  
14 Act shall be construed as creating a right or entitlement  
15 to assistance or services for any individual, program, or  
16 grant recipient. Each grant made under this Act or an  
17 amendment made by this Act shall—

18 (1) be made as competitive grants to eligible en-  
19 tities for a 12-month period, except that grants  
20 awarded under section 113, 201, 211, and 212 may  
21 be made for a 24-month period; and

22 (2) require that services for participants, when  
23 necessary and appropriate, be transferred from pro-  
24 grams funded under this Act or the amendment  
25 made by this Act, respectively, to State and commu-  
26 nity-based programs not funded under this Act or

1 the amendment made by this Act, respectively, be-  
2 fore the expiration of the grant.

3 **TITLE I—AMENDMENTS RE-**  
4 **LATED TO THE OMNIBUS**  
5 **CRIME CONTROL AND SAFE**  
6 **STREETS ACT OF 1968**

7 **Subtitle A—Improvements to**  
8 **Existing Programs**

9 **SEC. 101. REAUTHORIZATION OF ADULT AND JUVENILE OF-**  
10 **FENDER STATE AND LOCAL REENTRY DEM-**  
11 **ONSTRATION PROJECTS.**

12 (a) ADULT AND JUVENILE OFFENDER DEMONSTRA-  
13 TION PROJECTS AUTHORIZED.—Section 2976(b) of the  
14 Omnibus Crime Control and Safe Streets Act of 1968 (42  
15 U.S.C. 3797w(b)) is amended by striking paragraphs (1)  
16 through (4) and inserting the following:

17 “(1) providing offenders in prisons, jails, or ju-  
18 venile facilities with educational, literacy, vocational,  
19 and job placement services to facilitate re-entry into  
20 the community;

21 “(2) providing substance abuse treatment and  
22 services (including providing a full continuum of  
23 substance abuse treatment services that encompasses  
24 outpatient and comprehensive residential services  
25 and recovery);

1           “(3) providing coordinated supervision and  
2           comprehensive services for offenders upon release  
3           from prison, jail, or a juvenile facility, including  
4           housing and mental and physical health care to fa-  
5           cilitate re-entry into the community, and which, to  
6           the extent applicable, are provided by community-  
7           based entities (including coordinated reentry vet-  
8           eran-specific services for eligible veterans);

9           “(4) providing programs that—

10                   “(A) encourage offenders to develop safe,  
11                   healthy, and responsible family relationships  
12                   and parent-child relationships; and

13                   “(B) involve the entire family unit in com-  
14                   prehensive reentry services (as appropriate to  
15                   the safety, security, and well-being of the family  
16                   and child);

17           “(5) encouraging the involvement of prison, jail,  
18           or juvenile facility mentors in the reentry process  
19           and enabling those mentors to remain in contact  
20           with offenders while in custody and after reentry  
21           into the community;

22           “(6) providing victim-appropriate services, en-  
23           couraging the timely and complete payment of res-  
24           titution and fines by offenders to victims, and pro-

1       viding services such as security and counseling to  
2       victims upon release of offenders; and

3               “(7) protecting communities against dangerous  
4       offenders by using validated assessment tools to as-  
5       sess the risk factors of returning inmates and devel-  
6       oping or adopting procedures to ensure that dan-  
7       gerous felons are not released from prison pre-  
8       maturely.”.

9       (b)    **JUVENILE    OFFENDER    DEMONSTRATION**  
10   **PROJECTS REAUTHORIZED.**—Section 2976(c) of the Om-  
11   nibus Crime Control and Safe Streets Act of 1968 (42  
12   U.S.C. 3797w(c)) is amended by striking “may be ex-  
13   pended for” and all that follows through the period at the  
14   end and inserting “may be expended for any activity de-  
15   scribed in subsection (b).”.

16       (c)    **APPLICATIONS;    REQUIREMENTS;    PRIORITIES;**  
17   **PERFORMANCE MEASUREMENTS.**—Section 2976 of the  
18   Omnibus Crime Control and Safe Streets Act of 1968 (42  
19   U.S.C. 3797w) is amended—

20               (1) by redesignating subsection (h) as sub-  
21       section (o); and

22               (2) by striking subsections (d) through (g) and  
23       inserting the following:

24       “(d) **APPLICATIONS.**—A State, unit of local govern-  
25   ment, territory, or Indian Tribe, or combination thereof,

1 desiring a grant under this section shall submit an appli-  
2 cation to the Attorney General that—

3 “(1) contains a reentry strategic plan, as de-  
4 scribed in subsection (h), which describes the long-  
5 term strategy and incorporates a detailed implemen-  
6 tation schedule, including the plans of the applicant  
7 to pay for the program after the Federal funding is  
8 discontinued;

9 “(2) identifies the local government role and  
10 the role of governmental agencies and nonprofit or-  
11 ganizations that will be coordinated by, and that will  
12 collaborate on, the offender reentry strategy of the  
13 applicant, and certifies the involvement of such  
14 agencies and organizations;

15 “(3) describes the evidence-based methodology  
16 and outcome measures that will be used to evaluate  
17 the program funded with a grant under this section,  
18 and specifically explains how such measurements will  
19 provide valid measures of the impact of that pro-  
20 gram; and

21 “(4) describes how the project could be broadly  
22 replicated if demonstrated to be effective.

23 “(e) REQUIREMENTS.—The Attorney General may  
24 make a grant to an applicant under this section only if  
25 the application—

1           “(1) reflects explicit support of the chief execu-  
2           tive officer of the State, unit of local government,  
3           territory, or Indian Tribe applying for a grant under  
4           this section;

5           “(2) provides extensive discussion of the role of  
6           State corrections departments, community correc-  
7           tions agencies, juvenile justice systems, or local jail  
8           systems in ensuring successful reentry of offenders  
9           into their communities;

10           “(3) provides extensive evidence of collaboration  
11           with State and local government agencies overseeing  
12           health, housing, child welfare, education, substance  
13           abuse, victims services, and employment services,  
14           and with local law enforcement agencies;

15           “(4) provides a plan for analysis of the statu-  
16           tory, regulatory, rules-based, and practice-based hur-  
17           dles to reintegration of offenders into the commu-  
18           nity; and

19           “(5) includes the use of a State, local, terri-  
20           torial, or Tribal task force, described in subsection  
21           (i), to carry out the activities funded under the  
22           grant.

23           “(f) PRIORITY CONSIDERATIONS.—The Attorney  
24           General shall give priority to grant applications under this  
25           section that best—

1           “(1) focus initiative on geographic areas with a  
2           disproportionate population of offenders released  
3           from prisons, jails, and juvenile facilities;

4           “(2) include—

5                   “(A) input from nonprofit organizations, in  
6                   any case where relevant input is available and  
7                   appropriate to the grant application;

8                   “(B) consultation with crime victims and  
9                   offenders who are released from prisons, jails,  
10                  and juvenile facilities; and

11                  “(C) coordination with families of offend-  
12                  ers;

13           “(3) demonstrate effective case assessment and  
14           management abilities in order to provide comprehen-  
15           sive and continuous reentry, including—

16                   “(A) planning while offenders are in pris-  
17                   on, jail, or a juvenile facility, prerelease transi-  
18                   tion housing, and community release;

19                   “(B) establishing prerelease planning pro-  
20                   cedures to ensure that the eligibility of an of-  
21                   fender for Federal or State benefits upon re-  
22                   lease is established prior to release, subject to  
23                   any limitations in law, and to ensure that of-  
24                   fenders obtain all necessary referrals for reentry  
25                   services; and

1           “(C) delivery of continuous and appro-  
2           priate drug treatment, medical care, job train-  
3           ing and placement, educational services, or any  
4           other service or support needed for reentry;

5           “(4) review the process by which the applicant  
6           adjudicates violations of parole, probation, or super-  
7           vision following release from prison, jail, or a juve-  
8           nile facility, taking into account public safety and  
9           the use of graduated, community-based sanctions for  
10          minor and technical violations of parole, probation,  
11          or supervision (specifically those violations that are  
12          not otherwise, and independently, a violation of law);

13          “(5) provide for an independent evaluation of  
14          reentry programs that include, to the maximum ex-  
15          tent possible, random assignment and controlled  
16          studies to determine the effectiveness of such pro-  
17          grams; and

18          “(6) target high-risk offenders for reentry pro-  
19          grams through validated assessment tools.

20          “(g) USES OF GRANT FUNDS.—

21                  “(1) FEDERAL SHARE.—

22                          “(A) IN GENERAL.—Except as provided in  
23                          subparagraph (B), the Federal share of a grant  
24                          received under this section may not exceed 50

1 percent of the project funded under such grant  
2 in fiscal year 2009.

3 “(B) WAIVER.—Subparagraph (A) shall  
4 not apply if the Attorney General—

5 “(i) waives, in whole or in part, the  
6 requirement of this paragraph; and

7 “(ii) publishes in the Federal Register  
8 the rationale for such waiver.

9 “(C) IN-KIND CONTRIBUTIONS.—

10 “(i) IN GENERAL.—Subject to clause  
11 (ii), the recipient of a grant under this sec-  
12 tion may meet the matching requirement  
13 under subparagraph (A) by making in-kind  
14 contributions of goods or services that are  
15 directly related to the purpose for which  
16 such grant was awarded.

17 “(ii) MAXIMUM PERCENTAGE.—Not  
18 more than 50 percent of the amount pro-  
19 vided by a recipient of a grant under this  
20 section to meet the matching requirement  
21 under subparagraph (A) may be provided  
22 through in-kind contributions under clause  
23 (i).

24 “(2) SUPPLEMENT NOT SUPPLANT.—Federal  
25 funds received under this section shall be used to

1 supplement, not supplant, non-Federal funds that  
2 would otherwise be available for the activities funded  
3 under this section.

4 “(h) REENTRY STRATEGIC PLAN.—

5 “(1) IN GENERAL.—As a condition of receiving  
6 financial assistance under this section, each appli-  
7 cant shall develop a comprehensive strategic reentry  
8 plan that contains measurable annual and 5-year  
9 performance outcomes, and that uses, to the max-  
10 imum extent possible, random assigned and con-  
11 trolled studies to determine the effectiveness of the  
12 program funded with a grant under this section. One  
13 goal of that plan shall be to reduce the rate of re-  
14 cidivism (as defined by the Attorney General, con-  
15 sistent with the research on offender reentry under-  
16 taken by the Bureau of Justice Statistics) by 50  
17 percent over a 5-year period for offenders released  
18 from prison, jail, or a juvenile facility who are served  
19 with funds made available under this section.

20 “(2) COORDINATION.—In developing a reentry  
21 plan under this subsection, an applicant shall coordi-  
22 nate with communities and stakeholders, including  
23 persons in the fields of public safety, juvenile and  
24 adult corrections, housing, health, education, sub-  
25 stance abuse, children and families, victims services,

1 employment, and business and members of nonprofit  
2 organizations that can provide reentry services.

3 “(3) MEASUREMENTS OF PROGRESS.—Each re-  
4 entry plan developed under this subsection shall  
5 measure the progress of the applicant toward in-  
6 creasing public safety by reducing rates of recidivism  
7 and enabling released offenders to transition suc-  
8 cessfully back into their communities.

9 “(i) REENTRY TASK FORCE.—

10 “(1) IN GENERAL.—As a condition of receiving  
11 financial assistance under this section, each appli-  
12 cant shall establish or empower a Reentry Task  
13 Force, or other relevant convening authority, to—

14 “(A) examine ways to pool resources and  
15 funding streams to promote lower recidivism  
16 rates for returning offenders and minimize the  
17 harmful effects of offenders’ time in prison, jail,  
18 or a juvenile facility on families and commu-  
19 nities of offenders by collecting data and best  
20 practices in offender reentry from demonstra-  
21 tion grantees and other agencies and organiza-  
22 tions; and

23 “(B) provide the analysis described in sub-  
24 section (e)(4).

1           “(2) MEMBERSHIP.—The task force or other  
2 authority under this subsection shall be comprised  
3 of—

4                   “(A) relevant State, Tribal, territorial, or  
5 local leaders; and

6                   “(B) representatives of relevant—

7                           “(i) agencies;

8                           “(ii) service providers;

9                           “(iii) nonprofit organizations; and

10                           “(iv) stakeholders.

11           “(j) STRATEGIC PERFORMANCE OUTCOMES.—

12                   “(1) IN GENERAL.—Each applicant shall iden-  
13 tify in the reentry strategic plan developed under  
14 subsection (h), specific performance outcomes relat-  
15 ing to the long-term goals of increasing public safety  
16 and reducing recidivism.

17                   “(2) PERFORMANCE OUTCOMES.—The perform-  
18 ance outcomes identified under paragraph (1) shall  
19 include, with respect to offenders released back into  
20 the community—

21                           “(A) reduction in recidivism rates, which  
22 shall be reported in accordance with the meas-  
23 ure selected by the Director of the Bureau of  
24 Justice Statistics under section 234(c)(2) of the  
25 Second Chance Act of 2007;

1                   “(B) reduction in crime;

2                   “(C) increased employment and education  
3 opportunities;

4                   “(D) reduction in violations of conditions  
5 of supervised release;

6                   “(E) increased payment of child support;

7                   “(F) increased housing opportunities;

8                   “(G) reduction in drug and alcohol abuse;

9                   and

10                  “(H) increased participation in substance  
11 abuse and mental health services.

12                  “(3) OTHER OUTCOMES.—A grantee under this  
13 section may include in the reentry strategic plan de-  
14 veloped under subsection (h) other performance out-  
15 comes that increase the success rates of offenders  
16 who transition from prison, jails, or juvenile facili-  
17 ties.

18                  “(4) COORDINATION.—A grantee under this  
19 section shall coordinate with communities and stake-  
20 holders about the selection of performance outcomes  
21 identified by the applicant, and shall consult with  
22 the Attorney General for assistance with data collec-  
23 tion and measurement activities as provided for in  
24 the grant application materials.

1           “(5) REPORT.—Each grantee under this section  
2 shall submit to the Attorney General an annual re-  
3 port that—

4           “(A) identifies the progress of the grantee  
5 toward achieving its strategic performance out-  
6 comes; and

7           “(B) describes other activities conducted  
8 by the grantee to increase the success rates of  
9 the reentry population, such as programs that  
10 foster effective risk management and treatment  
11 programming, offender accountability, and com-  
12 munity and victim participation.

13       “(k) PERFORMANCE MEASUREMENT.—

14           “(1) IN GENERAL.—The Attorney General, in  
15 consultation with grantees under this section,  
16 shall—

17           “(A) identify primary and secondary  
18 sources of information to support the measure-  
19 ment of the performance indicators identified  
20 under this section;

21           “(B) identify sources and methods of data  
22 collection in support of performance measure-  
23 ment required under this section;

24           “(C) provide to all grantees technical as-  
25 sistance and training on performance measures

1 and data collection for purposes of this section;  
2 and

3 “(D) consult with the Substance Abuse  
4 and Mental Health Services Administration and  
5 the National Institute on Drug Abuse on stra-  
6 tegic performance outcome measures and data  
7 collection for purposes of this section relating to  
8 substance abuse and mental health.

9 “(2) COORDINATION.—The Attorney General  
10 shall coordinate with other Federal agencies to iden-  
11 tify national and other sources of information to  
12 support performance measurement of grantees.

13 “(3) STANDARDS FOR ANALYSIS.—Any statis-  
14 tical analysis of population data conducted pursuant  
15 to this section shall be conducted in accordance with  
16 the Federal Register Notice dated October 30, 1997,  
17 relating to classification standards.

18 “(1) FUTURE ELIGIBILITY.—To be eligible to receive  
19 a grant under this section in any fiscal year after the fiscal  
20 year in which a grantee receives a grant under this section,  
21 a grantee shall submit to the Attorney General such infor-  
22 mation as is necessary to demonstrate that—

23 “(1) the grantee has adopted a reentry plan  
24 that reflects input from nonprofit organizations, in

1 any case where relevant input is available and appro-  
2 priate to the grant application;

3 “(2) the reentry plan of the grantee includes  
4 performance measures to assess progress of the  
5 grantee toward a 10 percent reduction in the rate of  
6 recidivism over a 2-year period;

7 “(3) the grantee will coordinate with the Attor-  
8 ney General, nonprofit organizations (if relevant  
9 input from nonprofit organizations is available and  
10 appropriate), and other experts regarding the selec-  
11 tion and implementation of the performance meas-  
12 ures described in subsection (k); and

13 “(4) the grantee has made adequate progress,  
14 as determined by the Attorney General, toward re-  
15 ducing the rate of recidivism by 10 percent over a  
16 2-year period.

17 “(m) NATIONAL ADULT AND JUVENILE OFFENDER  
18 REENTRY RESOURCE CENTER.—

19 “(1) AUTHORITY.—The Attorney General may,  
20 using amounts made available to carry out this sub-  
21 section, make a grant to an eligible organization to  
22 provide for the establishment of a National Adult  
23 and Juvenile Offender Reentry Resource Center.

24 “(2) ELIGIBLE ORGANIZATION.—An organiza-  
25 tion eligible for the grant under paragraph (1) is

1 any national nonprofit organization approved by the  
2 Interagency Task Force on Federal Programs and  
3 Activities Relating to the Reentry of Offenders Into  
4 the Community, that provides technical assistance  
5 and training to, and has special expertise and broad,  
6 national-level experience in, offender reentry pro-  
7 grams, training, and research.

8 “(3) USE OF FUNDS.—The organization receiv-  
9 ing a grant under paragraph (1) shall establish a  
10 National Adult and Juvenile Offender Reentry Re-  
11 source Center to—

12 “(A) provide education, training, and tech-  
13 nical assistance for States, tribes, territories,  
14 local governments, service providers, nonprofit  
15 organizations, and corrections institutions;

16 “(B) collect data and best practices in of-  
17 fender reentry from demonstration grantees and  
18 others agencies and organizations;

19 “(C) develop and disseminate evaluation  
20 tools, mechanisms, and measures to better as-  
21 sess and document coalition performance meas-  
22 ures and outcomes;

23 “(D) disseminate information to States  
24 and other relevant entities about best practices,  
25 policy standards, and research findings;

1           “(E) develop and implement procedures to  
2 assist relevant authorities in determining when  
3 release is appropriate and in the use of data to  
4 inform the release decision;

5           “(F) develop and implement procedures to  
6 identify efficiently and effectively those violators  
7 of probation, parole, or supervision following re-  
8 lease from prison, jail, or a juvenile facility who  
9 should be returned to prisons, jails, or juvenile  
10 facilities and those who should receive other  
11 penalties based on defined, graduated sanctions;

12           “(G) collaborate with the Interagency Task  
13 Force on Federal Programs and Activities Re-  
14 lating to the Reentry of Offenders Into the  
15 Community, and the Federal Resource Center  
16 for Children of Prisoners;

17           “(H) develop a national reentry research  
18 agenda; and

19           “(I) establish a database to enhance the  
20 availability of information that will assist of-  
21 fenders in areas including housing, employment,  
22 counseling, mentoring, medical and mental  
23 health services, substance abuse treatment,  
24 transportation, and daily living skills.

1           “(4) LIMIT.—Of amounts made available to  
2 carry out this section, not more than 4 percent of  
3 the authorized level shall be available to carry out  
4 this subsection.

5           “(n) ADMINISTRATION.—Of amounts made available  
6 to carry out this section—

7           “(1) not more than 2 percent of the authorized  
8 level shall be available for administrative expenses in  
9 carrying out this section; and

10           “(2) not more than 2 percent of the authorized  
11 level shall be made available to the National Insti-  
12 tute of Justice to evaluate the effectiveness of the  
13 demonstration projects funded under this section,  
14 using a methodology that—

15           “(A) includes, to the maximum extent fea-  
16 sible, random assignment of offenders (or enti-  
17 ties working with such persons) to program de-  
18 livery and control groups; and

19           “(B) generates evidence on which reentry  
20 approaches and strategies are most effective.”.

21           “(d) GRANT AUTHORIZATION.—Section 2976(a) of the  
22 Omnibus Crime Control and Safe Streets Act of 1968 (42  
23 U.S.C. 3797w(a)) is amended by striking “States, Terri-  
24 tories” and all that follows through the period at the end  
25 and inserting the following: “States, local governments,

1 territories, or Indian Tribes, or any combination thereof,  
2 in partnership with stakeholders, service providers, and  
3 nonprofit organizations.”.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
5 2976(o) of the Omnibus Crime Control and Safe Streets  
6 Act of 1968 (42 U.S.C. 3797w), as so redesignated by  
7 subsection (e) of this section, is amended—

8 (1) in paragraph (1), by striking “\$15,000,000  
9 for fiscal year 2003” and all that follows and insert-  
10 ing “\$55,000,000 for each of fiscal years 2009 and  
11 2010.”; and

12 (2) by amending paragraph (2) to read as fol-  
13 lows:

14 “(2) LIMITATION; EQUITABLE DISTRIBUTION.—

15 “(A) LIMITATION.—Of the amount made  
16 available to carry out this section for any fiscal  
17 year, not more than 3 percent or less than 2  
18 percent may be used for technical assistance  
19 and training.

20 “(B) EQUITABLE DISTRIBUTION.—The At-  
21 torney General shall ensure that grants award-  
22 ed under this section are equitably distributed  
23 among the geographical regions and between  
24 urban and rural populations, including Indian

1 Tribes, consistent with the objective of reducing  
2 recidivism among criminal offenders.”.

3 **SEC. 102. IMPROVEMENT OF THE RESIDENTIAL SUBSTANCE**  
4 **ABUSE TREATMENT FOR STATE OFFENDERS**  
5 **PROGRAM.**

6 (a) REQUIREMENT FOR AFTERCARE COMPONENT.—  
7 Section 1902(c) of the Omnibus Crime Control and Safe  
8 Streets Act of 1968 (42 U.S.C. 3796ff–1(c)), is amend-  
9 ed—

10 (1) by striking the subsection heading and in-  
11 sserting “REQUIREMENT FOR AFTERCARE COMPO-  
12 NENT”; and

13 (2) by amending paragraph (1) to read as fol-  
14 lows:

15 “(1) To be eligible for funding under this part,  
16 a State shall ensure that individuals who participate  
17 in the substance abuse treatment program estab-  
18 lished or implemented with assistance provided  
19 under this part will be provided with aftercare serv-  
20 ices, which may include case management services  
21 and a full continuum of support services that ensure  
22 providers furnishing services under that program are  
23 approved by the appropriate State or local agency,  
24 and licensed, if necessary, to provide medical treat-  
25 ment or other health services.”.

1 (b) DEFINITION.—Section 1904(d) of the Omnibus  
2 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
3 3796ff–3(d)) is amended to read as follows:

4 “(d) RESIDENTIAL SUBSTANCE ABUSE TREATMENT  
5 PROGRAM DEFINED.—In this part, the term ‘residential  
6 substance abuse treatment program’ means a course of  
7 comprehensive individual and group substance abuse  
8 treatment services, lasting a period of at least 6 months,  
9 in residential treatment facilities set apart from the gen-  
10 eral population of a prison or jail (which may include the  
11 use of pharmacological treatment, where appropriate, that  
12 may extend beyond such period).”.

13 (c) REQUIREMENT FOR STUDY AND REPORT ON  
14 AFTERCARE SERVICES.—The Attorney General, through  
15 the National Institute of Justice, and in consultation with  
16 the National Institute on Drug Abuse, shall conduct a  
17 study on the use and effectiveness of funds used by the  
18 Department of Justice for aftercare services under section  
19 1902(c) of the Omnibus Crime Control and Safe Streets  
20 Act of 1968, as amended by subsection (a) of this section,  
21 for offenders who reenter the community after completing  
22 a substance abuse program in prison or jail.

1 **SEC. 103 DEFINITION OF VIOLENT OFFENDER FOR DRUG**  
2 **COURT GRANT PROGRAM.**

3 (a) DEFINITION.—Section 2953(a)(1) of the Omni-  
4 bus Crime Control and Safe Streets Act of 1968 (42  
5 U.S.C. 3797u-2(a)(1)) is amended by inserting “that is  
6 punishable by a term of imprisonment exceeding one year”  
7 after “convicted of an offense”.

8 (b) PERIOD FOR COMPLIANCE.—Notwithstanding  
9 Section 2952(2) of the Omnibus Crime Control and Safe  
10 Streets Act of 1968 (42 U.S.C. 3797u-1(2)), each grantee  
11 under part EE of such Act shall have not more than 3  
12 years from the date of the enactment of this Act to adopt  
13 the definition of “violent offender” under such part, as  
14 amended by subsection (a) of this section.

15 (c) REGULATIONS.—Not later than 90 days after the  
16 date of the enactment of this Act, the Secretary shall re-  
17 vise any regulations or guidelines described in section  
18 2952 of the Omnibus Crime Control and Safe Streets Act  
19 of 1968 (42 U.S.C. 3797u-1) in accordance with the  
20 amendments made by subsection (a). Such regulations  
21 shall specify that grant amounts under part EE of such  
22 Act shall be reduced for any drug court that does not  
23 adopt the definition of “violent offender” under such part,  
24 as amended by subsection (a) of this section, within 3  
25 years after such date of enactment.

1 **SEC. 104. USE OF VIOLENT OFFENDER TRUTH-IN-SEN-**  
2 **TENCING GRANT FUNDING FOR DEMONSTRA-**  
3 **TION PROJECT ACTIVITIES.**

4 (a) **PERMISSIBLE USES.**—Section 20102(a) of the  
5 Violent Crime Control and Law Enforcement Act of 1994  
6 (42 U.S.C. 13702(a)) is amended—

7 (1) in paragraph (2) by striking “and” at the  
8 end;

9 (2) in paragraph (3) by striking the period at  
10 the end and inserting “; and”; and

11 (3) by adding at the end the following new  
12 paragraph:

13 “(4) to carry out any activity referred to in sec-  
14 tion 2976(b) of the Omnibus Crime Control and  
15 Safe Streets Act of 1968 (42 U.S.C. 3797w(b)).”

16 (b) **USE OF FUNDS APPROPRIATED.**—Section  
17 20108(b)(4) of the Violent Crime Control and Law En-  
18 forcement Act of 1994 (42 U.S.C. 13708(b)(4)) is amend-  
19 ed by adding at the end the following: “Funds obligated,  
20 but subsequently unspent and deobligated, may remain  
21 available, to the extent as may provided in appropriations  
22 Acts, for the purpose described in section 20102(a)(4) for  
23 any subsequent fiscal year. The further obligation of such  
24 funds by an official for such purpose shall not be delayed,  
25 directly or indirectly, in any manner by any officer or em-  
26 ployee in the executive branch.”

1 **Subtitle B—New and Innovative**  
2 **Programs To Improve Offender**  
3 **Reentry Services**

4 **SEC. 111. STATE, TRIBAL, AND LOCAL REENTRY COURTS.**

5 Part FF of title I of the Omnibus Crime Control and  
6 Safe Streets Act of 1968 (42 U.S.C. 3797w et seq.) is  
7 amended by adding at the end the following:

8 **“SEC. 2978. STATE, TRIBAL, AND LOCAL REENTRY COURTS.**

9 “(a) GRANTS AUTHORIZED.—The Attorney General  
10 may award grants, in accordance with this section, of not  
11 more than \$500,000 to—

12 “(1) State, Tribal, and local courts; and

13 “(2) State agencies, municipalities, public agen-  
14 cies, nonprofit organizations, territories, and Indian  
15 Tribes that have agreements with courts to take the  
16 lead in establishing a reentry court (as described in  
17 section 2976(b)(19)).

18 “(b) USE OF GRANT FUNDS.—Grant funds awarded  
19 under this section shall be administered in accordance  
20 with such guidelines, regulations, and procedures as pro-  
21 mulgated by the Attorney General, and may be used to—

22 “(1) monitor juvenile and adult offenders reen-  
23 tering the community;

1           “(2) provide juvenile and adult offenders reen-  
2           tering the community with coordinated and com-  
3           prehensive reentry services and programs such as—

4                   “(A) drug and alcohol testing and assess-  
5                   ment for treatment;

6                   “(B) assessment for substance abuse from  
7                   a substance abuse professional who is approved  
8                   by the State or Indian Tribe and licensed by  
9                   the appropriate entity to provide alcohol and  
10                  drug addiction treatment, as appropriate;

11                  “(C) substance abuse treatment from a  
12                  provider that is approved by the State or Indian  
13                  Tribe, and licensed, if necessary, to provide  
14                  medical and other health services;

15                  “(D) health (including mental health) serv-  
16                  ices and assessment;

17                  “(E) aftercare and case management serv-  
18                  ices that—

19                          “(i) facilitate access to clinical care  
20                          and related health services; and

21                          “(ii) coordinate with such clinical care  
22                          and related health services; and

23                  “(F) any other services needed for reentry;

24                  “(3) convene community impact panels, victim  
25                  impact panels, or victim impact educational classes;

1           “(4) provide and coordinate the delivery of com-  
2           munity services to juvenile and adult offenders, in-  
3           cluding—

4                   “(A) housing assistance;

5                   “(B) education;

6                   “(C) job training;

7                   “(D) conflict resolution skills training;

8                   “(E) batterer intervention programs; and

9                   “(F) other appropriate social services; and

10           “(5) establish and implement graduated sanc-  
11           tions and incentives.

12           “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
13           tion shall be construed as preventing a grantee that oper-  
14           ates a drug court under part EE at the time a grant is  
15           awarded under this section from using funds from such  
16           grant to supplement such drug court in accordance with  
17           paragraphs (1) through (5) of subsection (b).

18           “(d) APPLICATION.—To be eligible for a grant under  
19           this section, an entity described in subsection (a) shall,  
20           in addition to any other requirements required by the At-  
21           torney General, submit to the Attorney General an appli-  
22           cation that—

23                   “(1) describes the program to be assisted under  
24           this section and the need for such program;

1           “(2) describes a long-term strategy and detailed  
2           implementation plan for such program, including  
3           how the entity plans to pay for the program after  
4           the Federal funding is discontinued;

5           “(3) identifies the governmental and community  
6           agencies that will be coordinated by the project;

7           “(4) certifies that—

8                   “(A) all agencies affected by the program,  
9                   including community corrections and parole en-  
10                  tities, have been appropriately consulted in the  
11                  development of the program;

12                   “(B) there will be appropriate coordination  
13                  with all such agencies in the implementation of  
14                  the program; and

15                   “(C) there will be appropriate coordination  
16                  and consultation with the Single State Author-  
17                  ity for Substance Abuse (as that term is de-  
18                  fined in section 201(e) of the Second Chance  
19                  Act of 2007) of the State; and

20           “(5) describes the methodology and outcome  
21           measures that will be used to evaluate the program.

22           “(e) MATCHING REQUIREMENTS.—The Federal  
23           share of a grant under this section may not exceed 75  
24           percent of the costs of the project assisted by such grant  
25           unless the Attorney General—

1           “(1) waives, wholly or in part, the matching re-  
2           quirement under this subsection; and

3           “(2) publicly delineates the rationale for the  
4           waiver.

5           “(f) ANNUAL REPORT.—Each entity receiving a  
6           grant under this section shall submit to the Attorney Gen-  
7           eral, for each fiscal year in which funds from the grant  
8           are expended, a report, at such time and in such manner  
9           as the Attorney General may reasonably require, that con-  
10          tains—

11           “(1) a summary of the activities carried out  
12           under the program assisted by the grant;

13           “(2) an assessment of whether the activities are  
14           meeting the need for the program identified in the  
15           application submitted under subsection (d); and

16           “(3) such other information as the Attorney  
17           General may require.

18          “(g) AUTHORIZATION OF APPROPRIATIONS.—

19           “(1) IN GENERAL.—There are authorized to be  
20           appropriated \$10,000,000 for each of fiscal years  
21           2009 and 2010 to carry out this section.

22           “(2) LIMITATIONS; EQUITABLE DISTRIBUTION.—  
23           TION.—

1           “(A) LIMITATIONS.—Of the amount made  
2 available to carry out this section in any fiscal  
3 year—

4           “(i) not more than 2 percent may be  
5 used by the Attorney General for salaries  
6 and administrative expenses; and

7           “(ii) not more than 5 percent nor less  
8 than 2 percent may be used for technical  
9 assistance and training.

10           “(B) EQUITABLE DISTRIBUTION.—The At-  
11 torney General shall ensure that grants award-  
12 ed under this section are equitably distributed  
13 among the geographical regions and between  
14 urban and rural populations, including Indian  
15 Tribes, consistent with the objective of reducing  
16 recidivism among criminal offenders.”.

17 **SEC. 112. PROSECUTION DRUG TREATMENT ALTERNATIVE**  
18 **TO PRISON PROGRAMS.**

19           (a) AUTHORIZATION.—Title I of the Omnibus Crime  
20 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
21 et seq.) is amended by inserting after part BB the fol-  
22 lowing:

1     **“PART CC—PROSECUTION DRUG TREATMENT**

2                     **ALTERNATIVE TO PRISON PROGRAM**

3     **“SEC. 2901. GRANT AUTHORITY.**

4             “(a) IN GENERAL.—The Attorney General may make  
5 grants to State, Tribal, and local prosecutors to develop,  
6 implement, or expand qualified drug treatment programs  
7 that are alternatives to imprisonment, in accordance with  
8 this part.

9             “(b) QUALIFIED DRUG TREATMENT PROGRAMS DE-  
10 SCRIBED.—For purposes of this part, a qualified drug  
11 treatment program is a program—

12                 “(1) that is administered by a State, Tribal, or  
13 local prosecutor;

14                 “(2) that requires an eligible offender who is  
15 sentenced to participate in the program (instead of  
16 incarceration) to participate in a comprehensive sub-  
17 stance abuse treatment program that is approved by  
18 the State or Indian Tribe and licensed, if necessary,  
19 to provide medical and other health services;

20                 “(3) that requires an eligible offender to receive  
21 the consent of the State, Tribal, or local prosecutor  
22 involved to participate in such program;

23                 “(4) that, in the case of an eligible offender  
24 who is sentenced to participate in the program, re-  
25 quires the offender to serve a sentence of imprison-  
26 ment with respect to the crime involved if the pros-

1 ecutor, in conjunction with the treatment provider,  
2 determines that the offender has not successfully  
3 completed the relevant substance abuse treatment  
4 program described in paragraph (2);

5 “(5) that provides for the dismissal of the  
6 criminal charges involved in an eligible offender’s  
7 participation in the program if the offender is deter-  
8 mined to have successfully completed the program;

9 “(6) that requires each substance abuse pro-  
10 vider treating an eligible offender under the program  
11 to—

12 “(A) make periodic reports of the progress  
13 of the treatment of that offender to the State,  
14 Tribal, or local prosecutor involved and to the  
15 appropriate court in which the eligible offender  
16 was convicted; and

17 “(B) notify such prosecutor and such court  
18 if the eligible offender absconds from the facil-  
19 ity of the treatment provider or otherwise vio-  
20 lates the terms and conditions of the program,  
21 consistent with Federal and State confiden-  
22 tiality requirements; and

23 “(7) that has an enforcement unit comprised of  
24 law enforcement officers under the supervision of the  
25 State, Tribal, or local prosecutor involved, the duties

1 of which shall include verifying an eligible offender's  
2 addresses and other contacts, and, if necessary, lo-  
3 cating, apprehending, and arresting an eligible of-  
4 fender who has absconded from the facility of a sub-  
5 stance abuse treatment provider or otherwise vio-  
6 lated the terms and conditions of the program, con-  
7 sistent with Federal and State confidentiality re-  
8 quirements, and returning such eligible offender to  
9 court for sentencing for the crime involved.

10 **“SEC. 2902. USE OF GRANT FUNDS.**

11 “(a) IN GENERAL.—A State, Tribal, or local pros-  
12 ector that receives a grant under this part shall use such  
13 grant for expenses of a qualified drug treatment program,  
14 including for the following expenses:

15 “(1) Salaries, personnel costs, equipment costs,  
16 and other costs directly related to the operation of  
17 the program, including the enforcement unit.

18 “(2) Payments for substance abuse treatment  
19 providers that are approved by the State or Indian  
20 Tribe and licensed, if necessary, to provide alcohol  
21 and drug addiction treatment to eligible offenders  
22 participating in the program, including aftercare su-  
23 pervision, vocational training, education, and job  
24 placement.

1           “(3) Payments to public and nonprofit private  
2           entities that are approved by the State or Indian  
3           Tribe and licensed, if necessary, to provide alcohol  
4           and drug addiction treatment to offenders partici-  
5           pating in the program.

6           “(b) SUPPLEMENT AND NOT SUPPLANT.—Grants  
7           made under this part shall be used to supplement, and  
8           not supplant, non-Federal funds that would otherwise be  
9           available for programs described in this part.

10   **“SEC. 2903. APPLICATIONS.**

11           “To request a grant under this part, a State, Tribal,  
12           or local prosecutor shall submit an application to the At-  
13           torney General in such form and containing such informa-  
14           tion as the Attorney General may reasonably require.  
15           Each such application shall contain the certification by the  
16           State, Tribal, or local prosecutor that the program for  
17           which the grant is requested is a qualified drug treatment  
18           program, in accordance with this part.

19   **“SEC. 2904. FEDERAL SHARE.**

20           “The Federal share of a grant made under this part  
21           shall not exceed 75 percent of the total costs of the quali-  
22           fied drug treatment program funded by such grant for the  
23           fiscal year for which the program receives assistance under  
24           this part.

1 **“SEC. 2905. GEOGRAPHIC DISTRIBUTION.**

2 “The Attorney General shall ensure that, to the ex-  
3 tent practicable, the distribution of grants under this part  
4 is equitable and includes State, Tribal, or local prosecu-  
5 tors—

6 “(1) in each State; and

7 “(2) in rural, suburban, Tribal, and urban ju-  
8 risdictions.

9 **“SEC. 2906. REPORTS AND EVALUATIONS.**

10 “For each fiscal year, each recipient of a grant under  
11 this part during that fiscal year shall submit to the Attor-  
12 ney General a report with respect to the effectiveness of  
13 activities carried out using that grant. Each report shall  
14 include an evaluation in such form and containing such  
15 information as the Attorney General may reasonably re-  
16 quire. The Attorney General shall specify the dates on  
17 which such reports shall be submitted.

18 **“SEC. 2907. DEFINITIONS.**

19 “In this part:

20 “(1) STATE OR LOCAL PROSECUTOR.—The  
21 term ‘State, Tribal, or local prosecutor’ means any  
22 district attorney, State attorney general, county at-  
23 torney, tribal attorney, or corporation counsel who  
24 has authority to prosecute criminal offenses under  
25 State, Tribal, or local law.

1           “(2) ELIGIBLE OFFENDER.—The term ‘eligible  
2 offender’ means an individual who—

3           “(A) has been convicted, pled guilty, or ad-  
4 mitted guilt with respect to a crime for which  
5 a sentence of imprisonment is required and has  
6 not completed such sentence;

7           “(B) has never been charged with or con-  
8 victed of an offense, during the course of  
9 which—

10           “(i) the individual carried, possessed,  
11 or used a firearm or dangerous weapon; or

12           “(ii) there occurred the use of force  
13 against the person of another, without re-  
14 gard to whether any of the behavior de-  
15 scribed in clause (i) is an element of the  
16 offense or for which the person is charged  
17 or convicted;

18           “(C) does not have 1 or more prior convic-  
19 tions for a felony crime of violence involving the  
20 use or attempted use of force against a person  
21 with the intent to cause death or serious bodily  
22 harm; and

23           “(D)(i) has received an assessment for al-  
24 cohol or drug addiction from a substance abuse  
25 professional who is approved by the State or In-

1           dian Tribe and licensed by the appropriate enti-  
2           ty to provide alcohol and drug addiction treat-  
3           ment, as appropriate; and

4                   “(ii) has been found to be in need of sub-  
5           stance abuse treatment because that individual  
6           has a history of substance abuse that is a sig-  
7           nificant contributing factor to the criminal con-  
8           duct of that individual.”.

9           (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
10   1001(a) of title I of the Omnibus Crime Control and Safe  
11   Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by  
12   adding at the end the following new paragraph:

13                   “(26) There are authorized to be appropriated  
14           to carry out part CC \$10,000,000 for each of fiscal  
15           years 2009 and 2010.”.

16   **SEC. 113. GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE**  
17                   **TREATMENT.**

18           Title I of the Omnibus Crime Control and Safe  
19   Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended  
20   by inserting after part CC, as added by this Act, the fol-  
21   lowing:

1           **“PART DD—GRANTS FOR FAMILY-BASED**  
2                           **SUBSTANCE ABUSE TREATMENT**

3   **“SEC. 2921. GRANTS AUTHORIZED.**

4           “The Attorney General may make grants to States,  
5 units of local government, territories, and Indian Tribes  
6 to—

7                   “(1) develop, implement, and expand com-  
8 prehensive and clinically-appropriate family-based  
9 substance abuse treatment programs as alternatives  
10 to incarceration for nonviolent parent drug offend-  
11 ers; and

12                   “(2) to provide prison-based family treatment  
13 programs for incarcerated parents of minor children.

14   **“SEC. 2922. USE OF GRANT FUNDS.**

15           “Grants made to an entity under section 2921 for  
16 a program described in such section may be used for—

17                   “(1) the development, implementation, and ex-  
18 pansion of prison-based family treatment programs  
19 in correctional facilities for incarcerated parents  
20 with minor children (except for any such parent who  
21 there is reasonable evidence to believe engaged in do-  
22 mestic violence or child abuse);

23                   “(2) the development, implementation, and ex-  
24 pansion of residential substance abuse treatment;

1           “(3) coordination between appropriate correc-  
2           tional facility representatives and the appropriate  
3           governmental agencies;

4           “(4) payments to public and nonprofit private  
5           entities to provide substance abuse treatment to  
6           nonviolent parent drug offenders participating in  
7           that program; and

8           “(5) salaries, personnel costs, facility costs, and  
9           other costs directly related to the operation of that  
10          program.

11       **“SEC. 2923. PROGRAM REQUIREMENTS.**

12          “(a) IN GENERAL.—A program for which a grant is  
13       made under section 2921(1) shall comply with the fol-  
14       lowing requirements:

15           “(1) The program shall ensure that all pro-  
16       viders of substance abuse treatment are approved by  
17       the State or Indian Tribe and are licensed, if nec-  
18       essary, to provide medical and other health services.

19           “(2) The program shall ensure appropriate co-  
20       ordination and consultation with the Single State  
21       Authority for Substance Abuse of the State (as that  
22       term is defined in section 201(e) of the Second  
23       Chance Act of 2007).

24           “(3) The program shall consist of clinically-ap-  
25       propriate, comprehensive, and long-term family

1 treatment, including the treatment of the nonviolent  
2 parent drug offender, the child of such offender, and  
3 any other appropriate member of the family of the  
4 offender.

5 “(4) The program shall be provided in a resi-  
6 dential setting that is not a hospital setting or an  
7 intensive outpatient setting.

8 “(5) The program shall provide that if a non-  
9 violent parent drug offender who participates in that  
10 program does not successfully complete the program  
11 the offender shall serve an appropriate sentence of  
12 imprisonment with respect to the underlying crime  
13 involved.

14 “(6) The program shall ensure that a deter-  
15 mination is made as to whether a nonviolent drug  
16 offender has completed the substance abuse treat-  
17 ment program.

18 “(7) The program shall include the implementa-  
19 tion of a system of graduated sanctions (including  
20 incentives) that are applied based on the account-  
21 ability of the nonviolent parent drug offender in-  
22 volved throughout the course of that program to en-  
23 courage compliance with that program.

24 “(8) The program shall develop and implement  
25 a reentry plan for each participant

1       “(b) PRISON-BASED PROGRAMS.—A program for  
2 which a grant is made under section 2921(2) shall comply  
3 with the following requirements:

4           “(1) The program shall integrate techniques to  
5 assess the strengths and needs of immediate and ex-  
6 tended family of the incarcerated parent to support  
7 a treatment plan of the incarcerated parent.

8           “(2) The program shall ensure that each partic-  
9 ipant in that program has access to consistent and  
10 uninterrupted care if transferred to a different cor-  
11 rectional facility within the State or other relevant  
12 entity.

13           “(3) The program shall be located in an area  
14 separate from the general population of the prison.

15 **“SEC. 2924. APPLICATIONS.**

16       “(a) IN GENERAL.—An entity described in section  
17 2921 desiring a grant under this part shall submit to the  
18 Attorney General an application in such form and manner  
19 and at such time as the Attorney General requires.

20       “(b) CONTENTS.—An application under subsection  
21 (a) shall include a description of the methods and meas-  
22 urements the applicant will use for purposes of evaluating  
23 the program involved.

1 **“SEC. 2925. REPORTS.**

2 “An entity that receives a grant under this part dur-  
3 ing a fiscal year shall submit to the Attorney General, not  
4 later than a date specified by the Attorney General, a re-  
5 port that describes and evaluates the effectiveness of that  
6 program during such fiscal year that—

7 “(1) is based on evidence-based data; and

8 “(2) uses the methods and measurements de-  
9 scribed in the application of that entity for purposes  
10 of evaluating that program.

11 **“SEC. 2926. AUTHORIZATION OF APPROPRIATIONS.**

12 “(a) IN GENERAL.—There are authorized to be ap-  
13 propriated to carry out this part \$10,000,000 for each of  
14 fiscal years 2009 and 2010.

15 “(b) USE OF AMOUNTS.—Of the amount made avail-  
16 able to carry out this part in any fiscal year, not less than  
17 5 percent shall be used for grants to Indian Tribes.

18 **“SEC. 2927. DEFINITIONS.**

19 “In this part:

20 “(1) NONVIOLENT PARENT DRUG OFFENDER.—  
21 The term ‘nonviolent parent drug offender’ means  
22 an offender who is—

23 “(A) a parent of an individual under 18  
24 years of age; and

25 “(B) convicted of a drug (or drug-related)  
26 felony that is a nonviolent offense.

1           “(2) NONVIOLENT OFFENSE.—The term ‘non-  
2           violent offense’ has the meaning given that term in  
3           section 2991(a).

4           “(3) PRISON-BASED FAMILY TREATMENT PRO-  
5           GRAM.—The term ‘prison-based family treatment  
6           program’ means a program for incarcerated parents  
7           in a correctional facility that provides a comprehen-  
8           sive response to offender needs, including substance  
9           abuse treatment, child early intervention services,  
10          family counseling, legal services, medical care, men-  
11          tal health services, nursery and preschool, parenting  
12          skills training, pediatric care, physical therapy, pre-  
13          natal care, sexual abuse therapy, relapse prevention,  
14          transportation, and vocational or GED training.”.

15 **SEC. 114. GRANT TO EVALUATE AND IMPROVE EDUCATION**  
16                           **AT PRISONS, JAILS, AND JUVENILE FACILI-**  
17                           **TIES.**

18          Title I of the Omnibus Crime Control and Safe  
19          Streets Act of 1968 (42 U.S.C. 3711 et seq.), is further  
20          amended—

21                   (1) by redesignating part X as part KK; and

22                   (2) by inserting after part II the following:

1 **“PART JJ—GRANT PROGRAM TO EVALUATE AND**  
2 **IMPROVE EDUCATIONAL METHODS AT PRIS-**  
3 **ONS, JAILS, AND JUVENILE FACILITIES**

4 **“SEC. 3001. GRANT PROGRAM TO EVALUATE AND IMPROVE**  
5 **EDUCATIONAL METHODS AT PRISONS, JAILS,**  
6 **AND JUVENILE FACILITIES.**

7 “(a) GRANT PROGRAM AUTHORIZED.—The Attorney  
8 General may carry out a grant program under which the  
9 Attorney General may make grants to States, units of  
10 local government, territories, Indian Tribes, and other  
11 public and private entities to—

12 “(1) evaluate methods to improve academic and  
13 vocational education for offenders in prisons, jails,  
14 and juvenile facilities;

15 “(2) identify, and make recommendations to the  
16 Attorney General regarding, best practices relating  
17 to academic and vocational education for offenders  
18 in prisons, jails, and juvenile facilities, based on the  
19 evaluation under paragraph (1); and

20 “(3) improve the academic and vocational edu-  
21 cation programs (including technology career train-  
22 ing) available to offenders in prisons, jails, and juve-  
23 nile facilities.

24 “(b) APPLICATION.—To be eligible for a grant under  
25 this part, a State or other entity described in subsection  
26 (a) shall submit to the Attorney General an application

1 in such form and manner, at such time, and accompanied  
2 by such information as the Attorney General specifies.

3 “(c) REPORT.—Not later than 90 days after the last  
4 day of the final fiscal year of a grant under this part,  
5 each entity described in subsection (a) receiving such a  
6 grant shall submit to the Attorney General a detailed re-  
7 port of the progress made by the entity using such grant,  
8 to permit the Attorney General to evaluate and improve  
9 academic and vocational education methods carried out  
10 with grants under this part.

11 **“SEC. 3002. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated \$5,000,000  
13 to carry out this part for each of fiscal years 2009 and  
14 2010.”.

15 **SEC. 115. TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS.**

16 (a) AUTHORITY TO MAKE GRANTS.—From amounts  
17 made available to carry out this section, the Attorney Gen-  
18 eral shall make grants to States, units of local govern-  
19 ment, territories, and Indian Tribes to provide technology  
20 career training to prisoners.

21 (b) USE OF FUNDS.—Grants awarded under sub-  
22 section (a) may be used for establishing a technology ca-  
23 reers training program to train prisoners for technology-  
24

1 based jobs and careers during the 3-year period before re-  
2 lease from prison, jail, or a juvenile facility.

3 (c) CONTROL OF INTERNET ACCESS.—An entity that  
4 receives a grant under subsection (a) shall restrict access  
5 to the Internet by prisoners, as appropriate, to ensure  
6 public safety.

7 (d) REPORTS.—Not later than the last day of each  
8 fiscal year, an entity that receives a grant under sub-  
9 section (a) during the preceding fiscal year shall submit  
10 to the Attorney General a report that describes and as-  
11 sesses the uses of such grant during the preceding fiscal  
12 year.

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated to carry out this section  
15 \$10,000,000 for each of fiscal years 2009 and 2010.

16 **TITLE II—ENHANCED DRUG**  
17 **TREATMENT AND MEN-**  
18 **TORING GRANT PROGRAMS**

19 **Subtitle A—Drug Treatment**

20 **SEC. 201. OFFENDER REENTRY SUBSTANCE ABUSE AND**  
21 **CRIMINAL JUSTICE COLLABORATION PRO-**  
22 **GRAM.**

23 (a) GRANT PROGRAM AUTHORIZED.—The Attorney  
24 General may make competitive grants to States, units of

1 local government, territories, and Indian Tribes, in accord-  
2 ance with this section, for the purposes of—

3 (1) improving the provision of drug treatment  
4 to offenders in prisons, jails, and juvenile facilities;  
5 and

6 (2) reducing the use of alcohol and other drugs  
7 by long-term substance abusers during the period in  
8 which each such long-term substance abuser is in  
9 prison, jail, or a juvenile facility, and through the  
10 completion of parole or court supervision of such  
11 long-term substance abuser.

12 (b) USE OF GRANT FUNDS.—A grant made under  
13 subsection (a) may be used—

14 (1) for continuing and improving drug treat-  
15 ment programs provided at a prison, jail, or juvenile  
16 facility;

17 (2) to develop and implement programs for su-  
18 pervised long-term substance abusers that include al-  
19 cohol and drug abuse assessments, coordinated and  
20 continuous delivery of drug treatment, and case  
21 management services;

22 (3) to strengthen rehabilitation efforts for of-  
23 fenders by providing addiction recovery support serv-  
24 ices; and

1           (4) to establish pharmacological drug treatment  
2 services as part of any drug treatment program of-  
3 fered by a grantee to offenders who are in a prison  
4 or jail.

5           (c) APPLICATION.—

6           (1) IN GENERAL.—An entity described in sub-  
7 section (a) desiring a grant under that subsection  
8 shall submit to the Attorney General an application  
9 in such form and manner and at such time as the  
10 Attorney General requires.

11           (2) CONTENTS.—An application for a grant  
12 under subsection (a) shall—

13           (A) identify any agency, organization, or  
14 researcher that will be involved in administering  
15 a drug treatment program carried out with a  
16 grant under subsection (a);

17           (B) certify that such drug treatment pro-  
18 gram has been developed in consultation with  
19 the Single State Authority for Substance  
20 Abuse;

21           (C) certify that such drug treatment pro-  
22 gram shall—

23                   (i) be clinically-appropriate; and

24                   (ii) provide comprehensive treatment;

1 (D) describe how evidence-based strategies  
2 have been incorporated into such drug treat-  
3 ment program; and

4 (E) describe how data will be collected and  
5 analyzed to determine the effectiveness of such  
6 drug treatment program and describe how ran-  
7 domized trials will be used where practicable.

8 (d) REPORTS TO CONGRESS.—

9 (1) INTERIM REPORT.—Not later than Sep-  
10 tember 30, 2009, the Attorney General shall submit  
11 to Congress a report that identifies the best prac-  
12 tices relating to—

13 (A) substance abuse treatment in prisons,  
14 jails, and juvenile facilities; and

15 (B) the comprehensive and coordinated  
16 treatment of long-term substance abusers, in-  
17 cluding the best practices identified through the  
18 activities funded under subsection (b)(3).

19 (2) FINAL REPORT.—Not later than September  
20 30, 2010, the Attorney General shall submit to Con-  
21 gress a report on the drug treatment programs  
22 funded under this section, including on the matters  
23 specified in paragraph (1).

24 (e) DEFINITION OF SINGLE STATE AUTHORITY FOR  
25 SUBSTANCE ABUSE.—The term “Single State Authority

1 for Substance Abuse” means an entity designated by the  
2 Governor or chief executive officer of a State as the single  
3 State administrative authority responsible for the plan-  
4 ning, development, implementation, monitoring, regula-  
5 tion, and evaluation of substance abuse services.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There are authorized to be  
8 appropriated to carry out this section \$15,000,000  
9 for each of fiscal years 2009 and 2010.

10 (2) EQUITABLE DISTRIBUTION OF GRANT  
11 AMOUNTS.—Of the amount made available to carry  
12 out this section in any fiscal year, the Attorney Gen-  
13 eral shall ensure that grants awarded under this sec-  
14 tion are equitably distributed among geographical  
15 regions and between urban and rural populations,  
16 including Indian Tribes, consistent with the objective  
17 of reducing recidivism among criminal offenders.

## 18 **Subtitle B—Mentoring**

19 **SEC. 211. MENTORING GRANTS TO NONPROFIT ORGANIZA-**  
20 **TIONS.**

21 (a) AUTHORITY TO MAKE GRANTS.—From amounts  
22 made available to carry out this section, the Attorney Gen-  
23 eral shall make grants to nonprofit organizations and In-  
24 dian Tribes for the purpose of providing mentoring and

1 other transitional services essential to reintegrating of-  
2 fenders into the community.

3 (b) USE OF FUNDS.—A grant awarded under sub-  
4 section (a) may be used for—

5 (1) mentoring adult and juvenile offenders dur-  
6 ing incarceration, through transition back to the  
7 community, and post-release;

8 (2) transitional services to assist in the re-  
9 integration of offenders into the community; and

10 (3) training regarding offender and victims  
11 issues.

12 (c) APPLICATION; PRIORITY CONSIDERATION.—

13 (1) IN GENERAL.—To be eligible to receive a  
14 grant under this section, a nonprofit organization or  
15 Indian Tribe shall submit an application to the At-  
16 torney General at such time, in such manner, and  
17 accompanied by such information as the Attorney  
18 General may require.

19 (2) PRIORITY CONSIDERATION.—Priority con-  
20 sideration shall be given to any application under  
21 this section that—

22 (A) includes a plan to implement activities  
23 that have been demonstrated effective in facili-  
24 tating the successful reentry of offenders; and

1 (B) provides for an independent evaluation  
2 that includes, to the maximum extent feasible,  
3 random assignment of offenders to program de-  
4 livery and control groups.

5 (d) STRATEGIC PERFORMANCE OUTCOMES.—The At-  
6 torney General shall require each applicant under this sec-  
7 tion to identify specific performance outcomes related to  
8 the long-term goal of stabilizing communities by reducing  
9 recidivism (using a measure that is consistent with the re-  
10 search undertaken by the Bureau of Justice Statistics  
11 under section 241(b)(6)), and reintegrating offenders into  
12 the community.

13 (e) REPORTS.—An entity that receives a grant under  
14 subsection (a) during a fiscal year shall, not later than  
15 the last day of the following fiscal year, submit to the At-  
16 torney General a report that describes and assesses the  
17 uses of that grant during that fiscal year and that identi-  
18 fies the progress of the grantee toward achieving its stra-  
19 tegic performance outcomes.

20 (f) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated to the Attorney General  
22 to carry out this section \$15,000,000 for each of fiscal  
23 years 2009 and 2010.

24 **SEC. 212. RESPONSIBLE REINTEGRATION OF OFFENDERS.**

25 (a) ELIGIBLE OFFENDERS.—

1           (1) IN GENERAL.—In this section, the term “el-  
2           igible offender” means an individual who—

3                   (A) is 18 years of age or older;

4                   (B) has been convicted as an adult and im-  
5           prisoned under Federal or State law;

6                   (C) has never been convicted of a violent or  
7           sex-related offense; and

8                   (D) except as provided in paragraph (2),  
9           has been released from a prison or jail for not  
10          more than 180 days before the date on which  
11          the individual begins participating in a grant  
12          program carried out under this section.

13           (2) EXCEPTION.—Each grantee under this sec-  
14          tion may permit not more than 10 percent of the in-  
15          dividuals served with a grant under this section to  
16          be individuals who—

17                   (A) meet the conditions of subparagraphs

18                   (A) through (C) of paragraph (1); and

19                   (B) have been released from a prison or  
20          jail for more than 180 days before the date on  
21          which the individuals begin participating in the  
22          grant program carried out under this section.

23           (3) PRIORITY OF SERVICE.—Grantees shall pro-  
24          vide a priority of service in projects funded under  
25          this section to individuals meeting the requirements

1 of paragraph (1) who have been released from State  
2 correctional facilities.

3 (b) AUTHORITY TO MAKE GRANTS.—The Secretary  
4 of Labor may make grants to nonprofit organizations for  
5 the purpose of providing mentoring, job training and job  
6 placement services, and other comprehensive transitional  
7 services to assist eligible offenders in obtaining and retain-  
8 ing employment.

9 (c) USE OF FUNDS.—

10 (1) IN GENERAL.—A grant awarded under this  
11 section may be used for—

12 (A) mentoring eligible offenders, including  
13 the provision of support, guidance, and assist-  
14 ance in the community and the workplace to  
15 address the challenges faced by such offenders;

16 (B) providing job training and job place-  
17 ment services to eligible offenders, including  
18 work readiness activities, job referrals, basic  
19 skills remediation, educational services, occupa-  
20 tional skills training, on-the-job training, work  
21 experience, and post-placement support, in co-  
22 ordination with the one-stop partners and one-  
23 stop operators (as such terms are defined in  
24 section 101 of the Workforce Investment Act of  
25 1998 (29 U.S.C. 2801)) that provide services at

1 any center operated under a one-stop delivery  
2 system established under section 134(c) of the  
3 Workforce Investment Act of 1998 (29 U.S.C.  
4 2864(c)), businesses, and educational institu-  
5 tions; and

6 (C) providing outreach, orientation, intake,  
7 assessments, counseling, case management, and  
8 other transitional services to eligible offenders,  
9 including prerelease outreach and orientation.

10 (2) LIMITATIONS.—

11 (A) CERTAIN SERVICES EXCLUDED.—A  
12 grant under this section may not be used to  
13 provide substance abuse treatment services,  
14 mental health treatment services, or housing  
15 services, except that such a grant may be used  
16 to coordinate with other programs and entities  
17 to arrange for such programs and entities to  
18 provide substance abuse treatment services,  
19 mental health treatment services, or housing  
20 services to eligible offenders.—

21 (B) ADMINISTRATIVE COST LIMIT.—Not  
22 more than 15 percent of the amounts awarded  
23 to a grantee under this section may be used for  
24 the costs of administration, as determined by  
25 the Secretary of Labor.

1 (d) APPLICATION.—

2 (1) IN GENERAL.—

3 (A) APPLICATION REQUIRED.—A nonprofit  
4 organization desiring a grant under this section  
5 shall submit an application to the Secretary of  
6 Labor at such time, in such manner, and ac-  
7 companied by such information as the Secretary  
8 of Labor may require.

9 (B) CONTENTS.—At a minimum, an appli-  
10 cation for a grant under this section shall in-  
11 clude—

12 (i) the identification of the eligible  
13 area that is to be served and a description  
14 of the need for support in such area;

15 (ii) a description of the mentoring, job  
16 training and job placement, and other serv-  
17 ices to be provided;

18 (iii) a description of partnerships that  
19 have been established with the criminal  
20 justice system (including coordination with  
21 demonstration projects carried out under  
22 section 2976 of the Omnibus Crime Con-  
23 trol and Safe Streets Act of 1968, as  
24 amended by this Act, where applicable),  
25 the local workforce investment boards es-

1           tablISHED under section 117 of the Work-  
2           force Investment Act of 1998 (29 U.S.C.  
3           2832)), and housing authorities that will  
4           be used to assist in carrying out grant ac-  
5           tivities under this section; and

6                   (iv) a description of how other Fed-  
7           eral, State, local, or private funding will be  
8           leveraged to provide support services that  
9           are not directly funded under this section,  
10          such as mental health and substance abuse  
11          treatment and housing.

12          (2) ELIGIBLE AREA.—In this subsection, the  
13          term “eligible area” means an area that—

14                   (A) is located within an urbanized area or  
15          urban cluster, as determined by the Bureau of  
16          the Census in the most recently available cen-  
17          sus;

18                   (B) has a large number of prisoners re-  
19          turning to the area each year; and

20                   (C) has a high rate of recidivism among  
21          prisoners returning to the area.

22          (e) PERFORMANCE OUTCOMES.—

23                   (1) CORE INDICATORS.—Each nonprofit organi-  
24          zation receiving a grant under this section shall re-  
25          port to the Secretary of Labor on the results of serv-

1       ices provided to eligible offenders with that grant  
2       with respect to the following indicators of perform-  
3       ance:

4               (A) Rates of recidivism.

5               (B) Entry into employment.

6               (C) Retention in employment.

7               (D) Average earnings.

8               (2) **ADDITIONAL INDICATORS.**—In addition to  
9       the indicators described in paragraph (1), the Sec-  
10      retary of Labor may require a nonprofit organiza-  
11      tion receiving a grant under this section to report on  
12      additional indicators of performance.

13      (f) **REPORTS.**—Each nonprofit organization receiving  
14      a grant under this section shall maintain such records and  
15      submit such reports, in such form and containing such in-  
16      formation, as the Secretary of Labor may require regard-  
17      ing the activities carried out under this section.

18      (g) **TECHNICAL ASSISTANCE.**—The Secretary of  
19      Labor may reserve not more than 4 percent of the  
20      amounts appropriated to carry out this section to provide  
21      technical assistance and for management information sys-  
22      tems to assist grantees under this section.

23      (h) **AUTHORIZATION OF APPROPRIATIONS.**—There  
24      are authorized to be appropriated to the Secretary of

1 Labor to carry out this section \$20,000,000 for each of  
2 fiscal years 2009 and 2010.

3 **SEC. 213. BUREAU OF PRISONS POLICY ON MENTORING**  
4 **CONTACTS.**

5 (a) IN GENERAL.—Not later than 90 days after the  
6 date of enactment of this Act, the Director of the Bureau  
7 of Prisons shall, in order to promote stability and contin-  
8 ued assistance to offenders after release from prison,  
9 adopt and implement a policy to ensure that any person  
10 who provides mentoring services to an incarcerated of-  
11 fender is permitted to continue such services after that  
12 offender is released from prison. That policy shall permit  
13 the continuation of mentoring services unless the Director  
14 demonstrates that such services would be a significant se-  
15 curity risk to the released offender, incarcerated offenders,  
16 persons who provide such services, or any other person.

17 (b) REPORT.—Not later than September 30, 2009,  
18 the Director of the Bureau of Prisons shall submit to Con-  
19 gress a report on the extent to which the policy described  
20 in subsection (a) has been implemented and followed.

21 **SEC. 214. BUREAU OF PRISONS POLICY ON CHAPEL LI-**  
22 **BRARY MATERIALS.**

23 (a) IN GENERAL.— Not later than 30 days after the  
24 date of enactment of this Act, the Director of the Bureau  
25 of Prisons shall discontinue the Standardized Chapel Li-

1 brary project, or any other project by whatever designation  
2 that seeks to compile, list, or otherwise restrict prisoners'  
3 access to reading materials, audiotapes, videotapes, or any  
4 other materials made available in a chapel library, except  
5 that the Bureau of Prisons may restrict access to—

6 (1) any materials in a chapel library that seek  
7 to incite, promote, or otherwise suggest the commis-  
8 sion of violence or criminal activity; and

9 (2) any other materials prohibited by any other  
10 law or regulation.

11 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
12 tion shall be construed to impact policies of the Bureau  
13 of Prisons related to access by specific prisoners to mate-  
14 rials for security, safety, sanitation, or disciplinary rea-  
15 sons.

## 16 **Subtitle C—Administration of** 17 **Justice Reforms**

### 18 **CHAPTER 1—IMPROVING FEDERAL** 19 **OFFENDER REENTRY**

#### 20 **SEC. 231. FEDERAL PRISONER REENTRY INITIATIVE.**

21 (a) IN GENERAL.—The Attorney General, in coordi-  
22 nation with the Director of the Bureau of Prisons, shall,  
23 subject to the availability of appropriations, conduct the  
24 following activities to establish a Federal prisoner reentry  
25 initiative:

1           (1) The establishment of a Federal prisoner re-  
2           entry strategy to help prepare prisoners for release  
3           and successful reintegration into the community, in-  
4           cluding, at a minimum, that the Bureau of Prisons:

5                   (A) assess each prisoner's skill level (in-  
6                   cluding academic, vocational, health, cognitive,  
7                   interpersonal, daily living, and related reentry  
8                   skills) at the beginning of the term of imprison-  
9                   ment of that prisoner to identify any areas in  
10                  need of improvement prior to reentry;

11                  (B) generate a skills development plan for  
12                  each prisoner to monitor skills enhancement  
13                  and reentry readiness throughout incarceration;

14                  (C) determine program assignments for  
15                  prisoners based on the areas of need identified  
16                  through the assessment described in subpara-  
17                  graph (A);

18                  (D) ensure that priority is given to the re-  
19                  entry needs of high-risk populations, such as  
20                  sex offenders, career criminals, and prisoners  
21                  with mental health problems;

22                  (E) coordinate and collaborate with other  
23                  Federal agencies and with State, Tribal, and  
24                  local criminal justice agencies, community-based  
25                  organizations, and faith-based organizations to

1 help effectuate a seamless reintegration of pris-  
2 oners into communities;

3 (F) collect information about a prisoner's  
4 family relationships, parental responsibilities,  
5 and contacts with children to help prisoners  
6 maintain important familial relationships and  
7 support systems during incarceration and after  
8 release from custody; and

9 (G) provide incentives for prisoner partici-  
10 pation in skills development programs.

11 (2) Incentives for a prisoner who participates in  
12 reentry and skills development programs which may,  
13 at the discretion of the Director, include—

14 (A) the maximum allowable period in a  
15 community confinement facility; and

16 (B) such other incentives as the Director  
17 considers appropriate (not including a reduction  
18 of the term of imprisonment).

19 (b) IDENTIFICATION AND RELEASE ASSISTANCE FOR  
20 FEDERAL PRISONERS.—

21 (1) OBTAINING IDENTIFICATION.—The Director  
22 shall assist prisoners in obtaining identification (in-  
23 cluding a social security card, driver's license or  
24 other official photo identification, or birth certifi-  
25 cate) prior to release.

1           (2) ASSISTANCE DEVELOPING RELEASE  
2 PLAN.—At the request of a direct-release prisoner, a  
3 representative of the United States Probation Sys-  
4 tem shall, prior to the release of that prisoner, help  
5 that prisoner develop a release plan.

6           (3) DIRECT-RELEASE PRISONER DEFINED.—In  
7 this section, the term “direct-release prisoner”  
8 means a prisoner who is scheduled for release and  
9 will not be placed in prerelease custody.

10       (c) IMPROVED REENTRY PROCEDURES FOR FED-  
11 ERAL PRISONERS.—The Attorney General shall take such  
12 steps as are necessary to modify the procedures and poli-  
13 cies of the Department of Justice with respect to the tran-  
14 sition of offenders from the custody of the Bureau of Pris-  
15 ons to the community—

16           (1) to enhance case planning and implementa-  
17 tion of reentry programs, policies, and guidelines;

18           (2) to improve such transition to the commu-  
19 nity, including placement of such individuals in com-  
20 munity corrections facilities; and

21           (3) to foster the development of collaborative  
22 partnerships with stakeholders at the national,  
23 State, and local levels to facilitate the exchange of  
24 information and the development of resources to en-  
25 hance opportunities for successful offender reentry.

1 (d) DUTIES OF THE BUREAU OF PRISONS.—

2 (1) DUTIES OF THE BUREAU OF PRISONS EX-  
3 PANDED.—Section 4042(a) of title 18, United States  
4 Code, is amended—

5 (A) in paragraph (4), by striking “and” at  
6 the end;

7 (B) in paragraph (5), by striking the pe-  
8 riod and inserting a semicolon; and

9 (C) by adding at the end the following:

10 “(D) establish prerelease planning proce-  
11 dures that help prisoners—

12 “(i) apply for Federal and State bene-  
13 fits upon release (including Social Security  
14 Cards, Social Security benefits, and vet-  
15 erans’ benefits); and

16 “(ii) secure such identification and  
17 benefits prior to release, subject to any  
18 limitations in law; and

19 “(E) establish reentry planning procedures  
20 that include providing Federal prisoners with  
21 information in the following areas:

22 “(i) Health and nutrition.

23 “(ii) Employment.

24 “(iii) Literacy and education.

1                   “(iv) Personal finance and consumer  
2                   skills.

3                   “(v) Community resources.

4                   “(vi) Personal growth and develop-  
5                   ment.

6                   “(vii) Release requirements and proce-  
7                   dures.”.

8                   (2) MEASURING THE REMOVAL OF OBSTACLES  
9                   TO REENTRY.—

10                   (A) CODING REQUIRED.—The Director  
11                   shall ensure that each institution within the  
12                   Bureau of Prisons codes the reentry needs and  
13                   deficits of prisoners, as identified by an assess-  
14                   ment tool that is used to produce an individual-  
15                   ized skills development plan for each inmate.

16                   (B) TRACKING.—In carrying out this para-  
17                   graph, the Director shall quantitatively track  
18                   the progress in responding to the reentry needs  
19                   and deficits of individual inmates.

20                   (C) ANNUAL REPORT.—On an annual  
21                   basis, the Director shall prepare and submit to  
22                   the Committee on the Judiciary of the Senate  
23                   and the Committee on the Judiciary of the  
24                   House of Representatives a report that docu-  
25                   ments the progress of the Bureau of Prisons in

1           responding to the reentry needs and deficits of  
2 inmates.

3           (D) EVALUATION.—The Director shall en-  
4 sure that—

5           (i) the performance of each institution  
6 within the Bureau of Prisons in enhancing  
7 skills and resources to assist in reentry is  
8 measured and evaluated using recognized  
9 measurements; and

10           (ii) plans for corrective action are de-  
11 veloped and implemented as necessary.

12           (3) MEASURING AND IMPROVING RECIDIVISM  
13 OUTCOMES.—

14           (A) ANNUAL REPORT REQUIRED.—

15           (i) IN GENERAL.—At the end of each  
16 fiscal year, the Director shall submit to the  
17 Committee on the Judiciary of the Senate  
18 and the Committee on the Judiciary of the  
19 House of Representatives a report con-  
20 taining statistics demonstrating the rel-  
21 ative reduction in recidivism for inmates  
22 released by the Bureau of Prisons within  
23 that fiscal year and the 2 prior fiscal  
24 years, comparing inmates who participated  
25 in major inmate programs (including resi-

1           dential drug treatment, vocational training,  
2           and prison industries) with inmates who  
3           did not participate in such programs. Such  
4           statistics shall be compiled separately for  
5           each such fiscal year.

6           (ii) SCOPE.—A report under this  
7           paragraph is not required to include statis-  
8           tics for a fiscal year that begins before the  
9           date of the enactment of this Act.

10          (B) MEASURE USED.—In preparing the re-  
11          ports required by subparagraph (A), the Direc-  
12          tor shall, in consultation with the Director of  
13          the Bureau of Justice Statistics, select a meas-  
14          ure for recidivism (such as rearrest, reincarcer-  
15          ation, or any other valid, evidence-based meas-  
16          ure) that the Director considers appropriate  
17          and that is consistent with the research under-  
18          taken by the Bureau of Justice Statistics under  
19          section 241(b)(6).

20          (C) GOALS.—

21          (i) IN GENERAL.—After the Director  
22          submits the first report required by sub-  
23          paragraph (A), the Director shall establish  
24          goals for reductions in recidivism rates and  
25          shall work to attain those goals.

1 (ii) CONTENTS.—The goals estab-  
2 lished under clause (i) shall use the rel-  
3 ative reductions in recidivism measured for  
4 the fiscal year covered by the first report  
5 required by subparagraph (A) as a baseline  
6 rate, and shall include—

7 (I) a 5-year goal to increase, at a  
8 minimum, the baseline relative reduc-  
9 tion rate of recidivism by 2 percent;  
10 and

11 (II) a 10-year goal to increase, at  
12 a minimum, the baseline relative re-  
13 duction rate of recidivism by 5 per-  
14 cent within 10 fiscal years.

15 (4) FORMAT.—Any written information that the  
16 Bureau of Prisons provides to inmates for reentry  
17 planning purposes shall use common terminology  
18 and language.

19 (5) MEDICAL CARE.—The Bureau of Prisons  
20 shall provide the United States Probation and Pre-  
21 trial Services System with relevant information on  
22 the medical care needs and the mental health treat-  
23 ment needs of inmates scheduled for release from  
24 custody. The United States Probation and Pretrial  
25 Services System shall take this information into ac-

1 count when developing supervision plans in an effort  
2 to address the medical care and mental health care  
3 needs of such individuals. The Bureau of Prisons  
4 shall provide inmates with a sufficient amount of all  
5 necessary medications (which will normally consist  
6 of, at a minimum, a 2-week supply of such medica-  
7 tions) upon release from custody.

8 (e) ENCOURAGEMENT OF EMPLOYMENT OF FORMER  
9 PRISONERS.—The Attorney General, in consultation with  
10 the Secretary of Labor, shall take such steps as are nec-  
11 essary to educate employers and the one-stop partners and  
12 one-stop operators (as such terms are defined in section  
13 101 of the Workforce Investment Act of 1998 (29 U.S.C.  
14 2801)) that provide services at any center operated under  
15 a one-stop delivery system established under section  
16 134(c) of the Workforce Investment Act of 1998 (29  
17 U.S.C. 2864(c)) regarding incentives (including the Fed-  
18 eral bonding program of the Department of Labor and  
19 tax credits) for hiring former Federal, State, or local pris-  
20 oners.

21 (f) MEDICAL CARE FOR PRISONERS.—

22 (1) IN GENERAL.—Section 3621 of title 18,  
23 United States Code, is further amended by adding  
24 at the end the following new subsection:

25 “(g) CONTINUED ACCESS TO MEDICAL CARE.—

1           “(1) IN GENERAL.—In order to ensure a min-  
2           imum standard of health and habitability, the Bu-  
3           reau of Prisons should ensure that each prisoner in  
4           a community confinement facility has access to nec-  
5           essary medical care, mental health care, and medi-  
6           cine through partnerships with local health service  
7           providers and transition planning.

8           “(2) DEFINITION.—In this subsection, the term  
9           ‘community confinement’ has the meaning given that  
10          term in the application notes under section 5F1.1 of  
11          the Federal Sentencing Guidelines Manual, as in ef-  
12          fect on the date of the enactment of the Second  
13          Chance Act of 2007.”.

14          (2) ELIGIBILITY.—

15                 (A) IN GENERAL.—Section 202(x)(3)(B) of  
16          the Social Security Act (42 U.S.C.  
17          402(x)(3)(B)) is amended by adding at the end  
18          the following:

19                         “(v) Payments shall not be made  
20                         under clause (i)(II) to any such institution  
21                         in any State that terminates, rather than  
22                         suspends, the eligibility of an individual de-  
23                         scribed in such clause for medical assist-  
24                         ance under the State Medicaid program  
25                         under title XIX solely because of the sta-

1           tus of the individual as an inmate of a  
2           public institution.”.

3           (B) CONFORMING AMENDMENT.—Section  
4           1611(e)(1)(I) of the Social Security Act (42  
5           U.S.C. 1382(e)(1)(I)) is amended by adding at  
6           the end the following:

7                   “(v) Payments shall not be made  
8                   under clause (i)(II) to any such institution  
9                   in any State that terminates, rather than  
10                  suspends, the eligibility of an individual de-  
11                  scribed in such clause for medical assist-  
12                  ance under the State Medicaid program  
13                  under title XIX solely because of the sta-  
14                  tus of the individual as an inmate of a  
15                  public institution.”.

16           (g) ELDERLY AND FAMILY REUNIFICATION FOR  
17           CERTAIN NONVIOLENT OFFENDERS PILOT PROGRAM.—

18                   (1) PROGRAM AUTHORIZED.—

19                   (A) IN GENERAL.—The Attorney General  
20                   shall conduct a pilot program to determine the  
21                   effectiveness of removing eligible elderly offend-  
22                   ers from a Bureau of Prisons facility and plac-  
23                   ing such offenders on home detention until the  
24                   expiration of the prison term to which the of-  
25                   fender was sentenced.

1 (B) PLACEMENT IN HOME DETENTION.—

2 In carrying out a pilot program as described in  
3 subparagraph (A), the Attorney General may  
4 release some or all eligible elderly offenders  
5 from the Bureau of Prisons facility to home de-  
6 tention.

7 (2) VIOLATION OF TERMS OF HOME DETEN-  
8 TION.—A violation by an eligible elderly offender of  
9 the terms of home detention (including the commis-  
10 sion of another Federal, State, or local crime) shall  
11 result in the removal of that offender from home de-  
12 tention and the return of that offender to the des-  
13 ignated Bureau of Prisons institution in which that  
14 offender was imprisoned immediately before place-  
15 ment on home detention under paragraph (1), or to  
16 another appropriate Bureau of Prisons institution,  
17 as determined by the Bureau of Prisons.

18 (3) SCOPE OF PILOT PROGRAM.—A pilot pro-  
19 gram under paragraph (1) shall be conducted  
20 through a Bureau of Prisons facility designated by  
21 the Attorney General as appropriate for the pilot  
22 program and shall be carried out during fiscal years  
23 2009 and 2010.

24 (4) IMPLEMENTATION AND EVALUATION.—The  
25 Attorney General shall monitor and evaluate each el-

1 eligible elderly offender placed on home detention  
2 under this section, and shall report to Congress con-  
3 cerning the experience with the program at the end  
4 of the period described in paragraph (3). The Ad-  
5 ministrative Office of the United States Courts and  
6 the United States probation offices shall provide  
7 such assistance and carry out such functions as the  
8 Attorney General may request in monitoring, super-  
9 vising, providing services to, and evaluating eligible  
10 elderly offenders released to home detention under  
11 this section.

12 (5) DEFINITIONS.—In this section:

13 (A) ELIGIBLE ELDERLY OFFENDER.—The  
14 term “eligible elderly offender” means an of-  
15 fender in the custody of the Bureau of Prisons  
16 who—

17 (i) is not less than 65 years of age;

18 (ii) is serving a term of imprisonment  
19 that is not life imprisonment based on con-  
20 viction for an offense or offenses that do  
21 not include any crime of violence (as de-  
22 fined in section 16 of title 18, United  
23 States Code), sex offense (as defined in  
24 section 111(5) of the Sex Offender Reg-  
25 istration and Notification Act), offense de-

1 scribed in section 2332b(g)(5)(B) of title  
2 18, United States Code, or offense under  
3 chapter 37 of title 18, United States Code,  
4 and has served the greater of 10 years or  
5 75 percent of the term of imprisonment to  
6 which the offender was sentenced;

7 (iii) has not been convicted in the past  
8 of any Federal or State crime of violence,  
9 sex offense, or other offense described in  
10 clause (ii);

11 (iv) has not been determined by the  
12 Bureau of Prisons, on the basis of infor-  
13 mation the Bureau uses to make custody  
14 classifications, and in the sole discretion of  
15 the Bureau, to have a history of violence,  
16 or of engaging in conduct constituting a  
17 sex offense or other offense described in  
18 clause (ii);

19 (v) has not escaped, or attempted to  
20 escape, from a Bureau of Prisons institu-  
21 tion;

22 (vi) satisfies the requirements for  
23 seeking a reduction of the term of impris-  
24 onment under section 3582(c)(1)(A)(i) of  
25 title 18, United States Code, as set forth

1 in regulations issued by the Attorney Gen-  
2 eral or the Director of the Bureau of Pris-  
3 ons;

4 (vii) has been determined by the Bu-  
5 reau of Prisons to be a person whose re-  
6 lease to home detention under this section  
7 will result in a substantial net reduction of  
8 costs to the Federal Government; and

9 (viii) has been determined by the Bu-  
10 reau of Prisons to be at no substantial risk  
11 of engaging in criminal conduct or of en-  
12 dangering any person or the public if re-  
13 leased to home detention

14 (B) HOME DETENTION.—The term “home  
15 detention” has the same meaning given the  
16 term in the Federal Sentencing Guidelines as of  
17 the date of the enactment of this Act, and in-  
18 cludes detention in a nursing home or other res-  
19 idential long-term care facility.

20 (C) TERM OF IMPRISONMENT.—The term  
21 “term of imprisonment” includes multiple terms  
22 of imprisonment ordered to run consecutively or  
23 concurrently, which shall be treated as a single,  
24 aggregate term of imprisonment for purposes of  
25 this section.

1 (h) FEDERAL REMOTE SATELLITE TRACKING AND  
2 REENTRY TRAINING PROGRAM.—

3 (1) ESTABLISHMENT OF PROGRAM.—The Di-  
4 rector of the Administrative Office of the United  
5 States Courts, in consultation with the Attorney  
6 General, may establish the Federal Remote Satellite  
7 Tracking and Reentry Training (ReStart) program  
8 to promote the effective reentry into the community  
9 of high risk individuals.

10 (2) HIGH RISK INDIVIDUALS.—For purposes of  
11 this section, the term “high risk individual”  
12 means—

13 (A) an individual who is under supervised  
14 release, with respect to a Federal offense, and  
15 who has previously violated the terms of a re-  
16 lease granted such individual following a term  
17 of imprisonment; or

18 (B) an individual convicted of a Federal  
19 offense who is at a high risk for recidivism, as  
20 determined by the Director of the Bureau of  
21 Prisons, and who is eligible for early release  
22 pursuant to voluntary participation in a pro-  
23 gram of residential substance abuse treatment  
24 under section 3621(e) of title 18, United States  
25 Code, or a program described in section 231.

1           (3) PROGRAM ELEMENTS.—The program au-  
2           thorized under paragraph (1) shall include, with re-  
3           spect to high risk individuals participating in such  
4           program, the following core elements:

5                   (A) A system of graduated levels of super-  
6                   vision, that uses, as appropriate and indi-  
7                   cated—

8                           (i) satellite tracking, global posi-  
9                           tioning, remote satellite, and other track-  
10                           ing or monitoring technologies to monitor  
11                           and supervise such individuals in the com-  
12                           munity; and

13                           (ii) community corrections facilities  
14                           and home confinement.

15                   (B) Substance abuse treatment and  
16                   aftercare related to such treatment, mental and  
17                   medical health treatment and aftercare related  
18                   to such treatment, vocational and educational  
19                   training, life skills instruction, conflict resolu-  
20                   tion skills training, batterer intervention pro-  
21                   grams, and other programs to promote effective  
22                   reentry into the community as appropriate.

23                   (C) Involvement of the family of such an  
24                   individual, a victim advocate, and the victim of  
25                   the offense committed by such an individual, if

1           such involvement is safe for such victim (espe-  
2           cially in a domestic violence case).

3           (D) A methodology, including outcome  
4           measures, to evaluate the program.

5           (E) Notification to the victim of the of-  
6           fense committed by such an individuals of the  
7           status and nature of such an individual's re-  
8           entry plan.

9           (i) **AUTHORIZATION FOR APPROPRIATIONS FOR BU-**  
10 **REAU OF PRISONS.**—There are authorized to be appro-  
11 priated to the Attorney General to carry out this section,  
12 \$5,000,000 for each of fiscal years 2009 and 2010.

13 **SEC. 232. BUREAU OF PRISONS POLICY ON RESTRAINING**  
14 **OF FEMALE PRISONERS.**

15           Not later than one year after the date of enactment  
16 of this Act, the Attorney General shall submit to Congress  
17 a report on the practices and policies of agencies within  
18 the Department of Justice relating to the use of physical  
19 restraints on pregnant female prisoners during pregnancy,  
20 labor, delivery of a child, or post-delivery recuperation, in-  
21 cluding the number of instances occurring after the date  
22 of enactment of this Act in which physical restraints are  
23 used on such prisoners, the reasons for the use of the  
24 physical restraints, the length of time that the physical

1 restraints were used, and the security concerns that justi-  
2 fied the use of the physical restraints.

## 3 **CHAPTER 2—REENTRY RESEARCH**

### 4 **SEC. 241. OFFENDER REENTRY RESEARCH.**

5 (a) NATIONAL INSTITUTE OF JUSTICE.—The Na-  
6 tional Institute of Justice may conduct research on juve-  
7 nile and adult offender reentry, including—

8 (1) a study identifying the number and charac-  
9 teristics of minor children who have had a parent in-  
10 carcerated, and the likelihood of such minor children  
11 becoming adversely involved in the criminal justice  
12 system some time in their lifetime;

13 (2) a study identifying a mechanism to compare  
14 rates of recidivism (including rearrest, violations of  
15 parole, probation, post-incarceration supervision, and  
16 reincarceration) among States; and

17 (3) a study on the population of offenders re-  
18 leased from custody who do not engage in recidivism  
19 and the characteristics (housing, employment, treat-  
20 ment, family connection) of that population.

21 (b) BUREAU OF JUSTICE STATISTICS.—The Bureau  
22 of Justice Statistics may conduct research on offender re-  
23 entry, including—

24 (1) an analysis of special populations (including  
25 prisoners with mental illness or substance abuse dis-

1 orders, female offenders, juvenile offenders, offend-  
2 ers with limited English proficiency, and the elderly)  
3 that present unique reentry challenges;

4 (2) studies to determine which offenders are re-  
5 turning to prison, jail, or a juvenile facility and  
6 which of those returning offenders represent the  
7 greatest risk to victims and community safety;

8 (3) annual reports on the demographic charac-  
9 teristics of the population reentering society from  
10 prisons, jails, and juvenile facilities;

11 (4) a national recidivism study every 3 years;

12 (5) a study of parole, probation, or post-incar-  
13 ceration supervision violations and revocations; and

14 (6) a study concerning the most appropriate  
15 measure to be used when reporting recidivism rates  
16 (whether rearrest, reincarceration, or any other  
17 valid, evidence-based measure).

18 **SEC. 242. GRANTS TO STUDY PAROLE OR POST-INCARCER-**  
19 **ATION SUPERVISION VIOLATIONS AND REV-**  
20 **OCATIONS.**

21 (a) GRANTS AUTHORIZED.—From amounts made  
22 available to carry out this section, the Attorney General  
23 may make grants to States to study and to improve the  
24 collection of data with respect to individuals whose parole  
25 or post-incarceration supervision is revoked, and which

1 such individuals represent the greatest risk to victims and  
2 community safety.

3 (b) APPLICATION.—As a condition of receiving a  
4 grant under this section, a State shall—

5 (1) certify that the State has, or intends to es-  
6 tablish, a program that collects comprehensive and  
7 reliable data with respect to individuals described in  
8 subsection (a), including data on—

9 (A) the number and type of parole or post-  
10 incarceration supervision violations that occur  
11 with the State;

12 (B) the reasons for parole or post-incarcer-  
13 ation supervision revocation;

14 (C) the underlying behavior that led to the  
15 revocation; and

16 (D) the term of imprisonment or other  
17 penalty that is imposed for the violation; and

18 (2) provide the data described in paragraph (1)  
19 to the Bureau of Justice Statistics, in a form pre-  
20 scribed by the Bureau.

21 (c) ANALYSIS.—Any statistical analysis of population  
22 data under this section shall be conducted in accordance  
23 with the Federal Register Notice dated October 30, 1997,  
24 relating to classification standards.

1 **SEC. 243. ADDRESSING THE NEEDS OF CHILDREN OF IN-**  
2 **CARCERATED PARENTS.**

3 (a) BEST PRACTICES.—

4 (1) IN GENERAL.—From amounts made avail-  
5 able to carry out this section, the Attorney General  
6 may collect data and develop best practices of State  
7 corrections departments and child protection agen-  
8 cies relating to the communication and coordination  
9 between such State departments and agencies to en-  
10 sure the safety and support of children of incarcer-  
11 ated parents (including those in foster care and kin-  
12 ship care), and the support of parent-child relation-  
13 ships between incarcerated (and formerly incarcer-  
14 ated) parents and their children, as appropriate to  
15 the health and well-being of the children.

16 (2) CONTENTS.—The best practices developed  
17 under paragraph (1) shall include information re-  
18 lated to policies, procedures, and programs that may  
19 be used by States to address—

20 (A) maintenance of the parent-child bond  
21 during incarceration;

22 (B) parental self-improvement; and

23 (C) parental involvement in planning for  
24 the future and well-being of their children.

25 (b) DISSEMINATION TO STATES.—Not later than 1  
26 year after the development of best practices described in

1 subsection (a), the Attorney General shall disseminate to  
2 States and other relevant entities such best practices.

3 (c) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that States and other relevant entities should use  
5 the best practices developed and disseminated in accord-  
6 ance with this section to evaluate and improve the commu-  
7 nication and coordination between State corrections de-  
8 partments and child protection agencies to ensure the  
9 safety and support of children of incarcerated parents (in-  
10 cluding those in foster care and kinship care), and the sup-  
11 port of parent-child relationships between incarcerated  
12 (and formerly incarcerated) parents and their children, as  
13 appropriate to the health and well-being of the children.

14 **SEC. 244. STUDY OF EFFECTIVENESS OF DEPOT**  
15 **NALTREXONE FOR HEROIN ADDICTION.**

16 (a) GRANT PROGRAM AUTHORIZED.—From amounts  
17 made available to carry out this section, the Attorney Gen-  
18 eral, through the National Institute of Justice, and in con-  
19 sultation with the National Institute on Drug Abuse, may  
20 make grants to public and private research entities (in-  
21 cluding consortia, single private research entities, and in-  
22 dividual institutions of higher education) to evaluate the  
23 effectiveness of depot naltrexone for the treatment of her-  
24 oin addiction.

1 (b) EVALUATION PROGRAM.—An entity described in  
2 subsection (a) desiring a grant under this section shall  
3 submit to the Attorney General an application that—

4 (1) contains such information as the Attorney  
5 General specifies, including information that dem-  
6 onstrates that—

7 (A) the applicant conducts research at a  
8 private or public institution of higher education,  
9 as that term is defined in section 101 of the  
10 Higher Education Act of 1965 (20 U.S.C.  
11 1101);

12 (B) the applicant has a plan to work with  
13 parole officers or probation officers for offend-  
14 ers who are under court supervision; and

15 (C) the evaluation described in subsection  
16 (a) will measure the effectiveness of such treat-  
17 ments using randomized trials; and

18 (2) is in such form and manner and at such  
19 time as the Attorney General specifies.

20 (c) REPORTS.—An entity that receives a grant under  
21 subsection (a) during a fiscal year shall, not later than  
22 the last day of the following fiscal year, submit to the At-  
23 torney General a report that describes and assesses the  
24 uses of that grant.

1 **SEC. 245. AUTHORIZATION OF APPROPRIATIONS FOR RE-**  
2 **SEARCH.**

3 There are authorized to be appropriated to the Attor-  
4 ney General to carry out sections 241, 242, 243, and 244  
5 of this chapter, \$10,000,000 for each of the fiscal years  
6 2009 and 2010.

7 **CHAPTER 3—CORRECTIONAL REFORMS**  
8 **TO EXISTING LAW**

9 **SEC. 251. CLARIFICATION OF AUTHORITY TO PLACE PRIS-**  
10 **ONER IN COMMUNITY CORRECTIONS.**

11 (a) PRERELEASE CUSTODY.—Section 3624(c) of title  
12 18, United States Code, is amended to read as follows:

13 “(c) PRERELEASE CUSTODY.—

14 “(1) IN GENERAL.—The Director of the Bureau  
15 of Prisons shall, to the extent practicable, ensure  
16 that a prisoner serving a term of imprisonment  
17 spends a portion of the final months of that term  
18 (not to exceed 12 months), under conditions that  
19 will afford that prisoner a reasonable opportunity to  
20 adjust to and prepare for the reentry of that pris-  
21 oner into the community. Such conditions may in-  
22 clude a community correctional facility.

23 “(2) HOME CONFINEMENT AUTHORITY.—The  
24 authority under this subsection may be used to place  
25 a prisoner in home confinement for the shorter of 10

1       percent of the term of imprisonment of that prisoner  
2       or 6 months.

3               “(3) ASSISTANCE.—The United States Probation  
4       System shall, to the extent practicable, offer assistance  
5       to a prisoner during prerelease custody  
6       under this subsection.

7               “(4) NO LIMITATIONS.—Nothing in this subsection  
8       shall be construed to limit or restrict the authority  
9       of the Director of the Bureau of Prisons  
10       under section 3621.

11               “(5) REPORTING.—Not later than 1 year after  
12       the date of the enactment of the Second Chance Act  
13       of 2007 (and every year thereafter), the Director of  
14       the Bureau of Prisons shall transmit to the Committee  
15       on the Judiciary of the Senate and the Committee  
16       on the Judiciary of the House of Representatives  
17       a report describing the Bureau’s utilization of  
18       community corrections facilities. Each report under  
19       this paragraph shall set forth the number and percentage  
20       of Federal prisoners placed in community  
21       corrections facilities during the preceding year, the  
22       average length of such placements, trends in such  
23       utilization, the reasons some prisoners are not  
24       placed in community corrections facilities, and any  
25       other information that may be useful to the commit-

1       tees in determining if the Bureau is utilizing com-  
2       munity corrections facilities in an effective manner.

3           “(6) ISSUANCE OF REGULATIONS.—The Direc-  
4       tor of Bureau of Prisons shall issue regulations pur-  
5       suant to this subsection not later than 90 days after  
6       the date of the enactment of the Second Chance Act  
7       of 2007, which shall ensure that placement in a  
8       community correctional facility by the Bureau of  
9       Prisons is—

10           “(A) conducted in a manner consistent  
11       with section 3621(b) of this title;

12           “(B) determined on an individual basis;  
13       and

14           “(C) of sufficient duration to provide the  
15       greatest likelihood of successful reintegration  
16       into the community.”.

17       (b) COURTS MAY NOT REQUIRE A SENTENCE OF IM-  
18       PRISONMENT TO BE SERVED IN A COMMUNITY CORREC-  
19       TIONS FACILITY.—Section 3621(b) of title 18, United  
20       States Code, is amended by adding at the end the fol-  
21       lowing: “Any order, recommendation, or request by a sen-  
22       tencing court that a convicted person serve a term of im-  
23       prisonment in a community corrections facility shall have  
24       no binding effect on the authority of the Bureau under

1 this section to determine or change the place of imprison-  
2 ment of that person.”.

3 **SEC. 252. RESIDENTIAL DRUG ABUSE PROGRAM IN FED-**  
4 **ERAL PRISONS.**

5 Section 3621(e)(5)(A) of title 18, United States  
6 Code, is amended by striking “means a course of” and  
7 all that follows and inserting the following: “means a  
8 course of individual and group activities and treatment,  
9 lasting at least 6 months, in residential treatment facilities  
10 set apart from the general prison population (which may  
11 include the use of pharmacotherapies, where appropriate,  
12 that may extend beyond the 6-month period);”.

13 **SEC. 253. CONTRACTING FOR SERVICES FOR POST-CONVIC-**  
14 **TION SUPERVISION OFFENDERS.**

15 Section 3672 of title 18, United States Code, is  
16 amended by inserting after the third sentence in the sev-  
17 enth undesignated paragraph the following: “He also shall  
18 have the authority to contract with any appropriate public  
19 or private agency or person to monitor and provide serv-  
20 ices to any offender in the community authorized by this  
21 Act, including treatment, equipment and emergency hous-  
22 ing, corrective and preventative guidance and training,  
23 and other rehabilitative services designed to protect the  
24 public and promote the successful reentry of the offender  
25 into the community.”.

1                   **CHAPTER 4—MISCELLANUOUS**  
2                                   **PROVISIONS**  
3 **SEC. 261. EXTENSION OF NATIONAL PRISON RAPE ELIMI-**  
4                                   **NATION COMMISSION.**  
5           Section 7(d)(3)(A) of the Prison Rape Elimination  
6 Act of 2003 (42 U.S.C. 15606(d)(3)(A)) is amended by  
7 striking “3 years” and inserting “5 years”.

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