AMENDMENT NO._______ Calendar No._____

Purpose: In the nature of a substitute.


S.1231

To reauthorize the Second Chance Act of 2007.

Referred to the Committee on ______________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. LEAHY

Viz:

1 Strike all after the enacting clause and insert the following:

3 SECTION 1. SHORT TITLE.

This Act may be cited as the “Second Chance Reauthorization Act of 2011”.

6 SEC. 2. IMPROVEMENTS TO EXISTING PROGRAMS.

(a) REAUTHORIZATION OF ADULT AND JUVENILE OFFENDER STATE AND LOCAL DEMONSTRATION PROJECTS.—Section 2976 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—

(1) by striking subsection (a) and inserting the following:
“(a) GRANT AUTHORIZATION.—The Attorney General shall make grants to States, local governments, territories, or Indian tribes, or any combination thereof (in this section referred to as an ‘eligible entity’), in partnership with stakeholders, services providers, and nonprofit organizations for the purpose of strategic planning and implementation of adult and juvenile offender reentry projects.”;

(2) by striking subsections (d), (e), and (f) and inserting the following:

“(d) COMBINED GRANT APPLICATION.—The Attorney General shall develop a procedure to allow applicants to submit a single application for a planning grant under subsection (e) and an implementation grant under subsection (f).

“(e) PLANNING GRANTS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), the Attorney General may make a grant to an eligible entity of not more than $75,000 to develop a strategic, collaborative plan for an adult or juvenile offender reentry demonstration project as described in subsection (h) that includes—

“(A) a budget and a budget justification;

“(B) a description of the outcome measures that will be used to measure the effective-
ness of the program in promoting public safety and public health;

“(C) the activities proposed;

“(D) a schedule for completion of the activities described in subparagraph (C); and

“(E) a description of the personnel necessary to complete the activities described in subparagraph (C).

“(2) APPLICATION.—

“(A) IN GENERAL.—An eligible entity desiring a planning grant under this subsection shall submit to the Attorney General an application that shall include a commitment by the applicant to partner with a local evaluator to identify and analyze data that will—

“(i) enable the grantee to target the intended offender population; and

“(ii) serve as a baseline for purposes of the evaluation.

“(B) PROCEDURE.—The Attorney General shall develop a procedure to evaluate the qualifications of a local evaluator described in subparagraph (A).

“(3) MAXIMUM TOTAL GRANTS AND MINIMUM ALLOCATION.—
“(A) Maximum Amount.—The Attorney General may not make planning grants and implementation grants to 1 eligible entity in a total amount that is more than a $1,000,000.

“(B) Minimum Allocation.—Unless all eligible applications submitted by a State, or unit of local government within such State, for a planning grant have been awarded funds under this section, the State, in combination with the all of the grantees within the State (other than Indian tribes), shall be allocated for each fiscal year not less than 0.75 percent of the total amount appropriated in the fiscal year under this section for planning and implementation grants.

“(4) Period of Grant.—A planning grant made under this subsection shall be for a period of 1 year, beginning on the first day of the month in which the planning grant is made.

“(f) Implementation Grants.—

“(1) Applications.—An eligible entity desiring an implementation grant under this subsection shall submit to the Attorney General an application that—
“(A) contains a reentry strategic plan as described in subsection (h), which describes the long-term strategy and incorporates a detailed implementation schedule, including the plans of the applicant to fund the program after Federal funding is discontinued;

“(B) identifies the local government role and the role of governmental agencies and non-profit organizations that will be coordinated by, and that will collaborate on, the offender re-entry strategy of the applicant, and certifies the involvement of such agencies and organizations;

“(C) describes the evidence-based methodology and outcome measures that will be used to evaluate the program funded with a grant under this subsection, and specifically explains how such measurements will provide valid measures of the impact of that program; and

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

“(2) REQUIREMENTS.—The Attorney General may make a grant to an applicant under this subsection only if the application—
“(A) reflects explicit support of the chief executive officer of the State, unit of local government, territory, or Indian tribe applying for a grant under this subsection;

“(B) provides extensive discussion of the role of State corrections departments, community corrections agencies, juvenile justice systems, or local jail systems in ensuring successful reentry of offenders into their communities;

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

“(D) provides a plan for analysis of the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of offenders into the community;

“(E) includes the use of a State, local, territorial, or tribal task force, described in subsection (i), to carry out the activities funded under the grant;

“(F) provides a plan for continued collaboration with a local evaluator as necessary to
meeting the requirements under subsection (h);

and

“(G) demonstrates that the applicant participated in the planning grant process or engaged in comparable planning for the reentry project.

“(3) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority to grant applications under this subsection that best—

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

“(B) include—

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

“(ii) consultation with crime victims and offenders who are released from prisons, jails, and juvenile facilities;

“(iii) coordination with families of offenders; and
“(iv) input, where appropriate, from the juvenile justice coordinating council of the region;

“(C) demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including—

“(i) planning while offenders are in prison, jail, or a juvenile facility, prerelease transitional housing, and community release;

“(ii) establishing prerelease planning procedures to ensure that the eligibility of an offender for Federal or State benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals for reentry services, including assistance identifying and securing suitable housing; and

“(iii) delivery of continuous and appropriate drug treatment, medical care, job training and placement, educational services, or any other service or support needed for reentry;
“(D) review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

“(E) provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs;

“(F) target high-risk offenders for reentry programs through validated assessment tools; and

“(G) target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and behavioral health needs of the offender with clear coordination with mental health, substance abuse, or homelessness services systems to achieve stable
and permanent housing outcomes with appropriate support service.

“(4) **AMOUNT.**—The amount of a grant made under this subsection may not be more than $925,000.

“(5) **PERIOD OF GRANT.**—A grant made under this subsection shall be effective for a 2-year period—

“(A) beginning on the date on which the planning grant awarded under subsection (e) concludes; or

“(B) in the case of an implementation grant awarded to an eligible entity that did not receive a planning grant, beginning on the date on which the implementation grant is awarded.”;

(3) in subsection (g)(1)(B)(ii), by striking “50 percent” and inserting “75 percent”;  

(4) in subsection (h)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—As a condition of receiving financial assistance under subsection (f), each appli-
cation shall develop a comprehensive reentry stra-
tegic plan that—

“(A) contains a plan to assess inmate re-
entry needs and measurable annual and 3-year
performance outcomes;

“(B) uses, to the maximum extent possible,
randomly assigned and controlled studies, or
rigorous quasi-experimental studies with
matched comparison groups, to determine the
effectiveness of the program funded with a
grant under subsection (f); and

“(C) includes as a goal of the plan to re-
duce the rate of recidivism for offenders re-
leased from prison, jail or a juvenile facility
with funds made available under subsection (f).

“(2) LOCAL EVALUATOR.—A partnership with a
local evaluator described in subsection (e)(2) shall
require the local evaluator to use the baseline data
and target population characteristics developed
under a subsection (e) planning grant to derive a
feasible and meaningful target goal for recidivism re-
duction during the 3-year period beginning on the
date of implementation of the program.”;

(5) in subsection (i)(1), by striking “under this
section” and inserting “under subsection (f)”;}
(6) in subsection (j)—

(A) in paragraph (1), by inserting “for an implementation grant under subsection (f)” after “applicant”;

(B) in paragraph (2)—

   (i) in subparagraph (E), by inserting “, where appropriate” after “support”; and

   (ii) by striking subparagraphs (F), (G), and (H), and inserting the following:

   “(F) a cost-benefit analysis to determine the cost effectiveness of the reentry program;

   “(G) increased number of staff trained to administer reentry services;

   “(H) increased proportion of individuals served by the program among those eligible to receive services;

   “(I) increased number of individuals receiving risk screening needs assessment, and case planning services;

   “(J) increased enrollment in, and completion of treatment services, including substance abuse and mental health services among those assessed as needing such services;

   “(K) increased enrollment in and degrees earned from educational programs, including
GED, vocational training, and college education;

“(L) increased number of individuals obtaining and retaining employment;

“(M) increased number of individuals obtaining housing;

“(N) reduction in drug and alcohol use; and

“(O) reduction in recidivism rates for individuals receiving reentry services after release, as compared to either baseline recidivism rates in the jurisdiction of the grantee or recidivism rates of the control or comparison group.”;

(C) in paragraph (4), by striking “this section” and inserting “subsection (f)”; and

(D) in paragraph (5), by striking “this section” and inserting “subsection (f)”; and

(7) in subsection (k)(1), by striking “this section” each place the term appears and inserting “subsection (f)”;

(8) in subsection (l)—

(A) in paragraph (2), by inserting “beginning on the date on which the most recent implementation grant is made to the grantee
under subsection (f)” after “2-year period”; and

(B) in paragraph (4), by striking “over a 2-year period” and inserting “during the 2-year period described in paragraph (2)”;

(9) in subsection (o)(1), by striking “appropriated” and all that follows and inserting the following: “appropriated—”

“(A) $40,000,000 for fiscal year 2012;
“(B) $45,000,000 for fiscal year 2013;
“(C) $50,000,000 for fiscal year 2014;
“(D) $55,000,000 for fiscal year 2015;
and
“(E) $60,000,000 for fiscal year 2016.”;

and

(10) by adding at the end the following:

“(p) DEFINITIONS.—In this section—
“(1) the term ‘exoneree’ means an individual who—
“(A) has been convicted of a Federal or State offense that is punishable by a term of imprisonment of more than 1 year;
“(B) has served a term of imprisonment for not less than 6 months in a Federal or State prison or correctional facility as a result
of the conviction described in subparagraph (A); and

“(C) has been determined to be factually innocent of the offense described in subparagraph (A); and

“(2) the term ‘offender’ includes an exoneree.”.

(b) Cost-Effective Alternatives to Incarceration Program.—

(1) Authorization.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by striking part CC (42 U.S.C. 3797q et seq.) and inserting the following:

“PART CC—COST EFFECTIVE ALTERNATIVES TO INCARCERATION PROGRAM

“SEC. 2901. DEFINITIONS.

“In this part:

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

“(A) has been charged, sentenced, or convicted of a crime for which a sentence of imprisonment of more than 1 year is authorized; and

“(B) does not have 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person
with the intent to cause death or serious bodily harm.

“(2) Probation with enforcement program.—The term ‘probation with enforcement program’ means a program that—

“(A) reduces drug use, crime, and recidivism by requiring swift, predictable, and graduated sanctions for noncompliance with the conditions of probation, as determined by the Attorney General;

“(B) identifies for enrollment in the program eligible offenders who are serving a term of probation and who are at high risk of failing to observe the conditions of supervision and of being returned to incarceration as a result of the failure;

“(C) notifies eligible offenders of the rules of the probation demonstration program, and consequences for violating such rules;

“(D) monitors eligible offenders for illicit drug use with regular and rapid-result drug screening;

“(E) monitors eligible offenders for violations of other rules and probation terms, including failure to pay court-ordered financial obliga-
tions, such as child support or victim restitution;

“(F) responds to violations of the other rules and probation terms with immediate arrest of the violating eligible offender, and swift and certain modification of the conditions of probation, including imposition of short jail stays (which may gradually become longer with each additional violation and modification);

“(G) immediately responds to eligible offenders who have absconded from supervision with service of bench warrants and immediate sanctions;

“(H) provides rewards to eligible offenders who comply with such rules;

“(I) ensures funding for, and referral to, substance abuse treatment for eligible offenders who repeatedly fail to refrain from illicit drug use; and

“(J) establishes procedures to terminate program participation by, and initiate revocation to a term of incarceration for, eligible offenders who habitually fail to abide by program rules and pose a threat to public safety.
“(3) LAW ENFORCEMENT OR PROSECUTION
DRUG TREATMENT ALTERNATIVE TO PRISON OR
JAIL PROGRAM.—The term ‘law enforcement or
prosecution drug treatment alternative to prison or
jail program’ means a program that—

“(A) is administered by a prosecutor or
law enforcement officer of a State, Indian tribe,
or local government;

“(B) requires an eligible offender who is
sentenced to participate in the program (instead
of incarceration) to participate in a comprehen-
sive substance abuse treatment program that is
approved by the State or Indian tribe and li-
censed, if necessary, to provide medical and
other health services;

“(C) requires an eligible offender to receive
the consent of the prosecutor or law enforce-
ment officer involved to participate in the pro-
gram;

“(D) in the case of an eligible offender
who is sentenced to participate in the program,
requires the offender to serve a sentence of im-
prisonment with respect to the crime involved if
the prosecutor or law enforcement officer, in
conjunction with the treatment provider, deter-
mines that the eligible offender has not success-
fully completed the relevant substance abuse
treatment program described in subparagraph
(B);

“(E) provides for the dismissal of the
criminal charges that lead to the participation
of an eligible offender in the program if the eli-
gible offender is determined to have successfully
completed the program;

“(F) requires each substance abuse pro-
vider treating an eligible offender under the
program to—

“(i) make periodic reports of the
progress of the treatment of the eligible of-
fender to the law enforcement officer in-
volved and to the appropriate court in
which the eligible offender was convicted;
and

“(ii) notify the prosecutor or law en-
forcement officer involved and the appro-
priate court if the eligible offender ab-
sconds from the facility of the treatment
provider or otherwise violates the terms
and conditions of the program, consistent
with Federal and State confidentiality requirements; and

“(G) has an enforcement unit comprised of law enforcement officers involved, the duties of which shall include—

“(i) verifying the address of an eligible offender and other contacts; and

“(ii) if necessary, locating, apprehending, and arresting an eligible offender who has absconded from the facility of a substance abuse treatment provider or otherwise violated the terms and conditions of the program and returning the eligible offender to the appropriate court for sentencing for the crime involved.

“(4) REENTRY COURT.—The term ‘reentry court’ means a program that—

“(A) monitors juvenile and adult eligible offenders reentering the community;

“(B) provides juvenile and adult eligible offenders reentering the community with coordinated and comprehensive reentry services and programs, such as—

“(i) drug and alcohol testing and assessment for treatment;
“(ii) assessment for substance abuse from a substance abuse professional who is approved by the State or Indian tribe and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate;

“(iii) substance abuse treatment from a provider that is approved by the State or Indian tribe, and licensed, if necessary, to provide medical and other health services;

“(iv) health (including mental health) services and assessment;

“(v) aftercare and case management services that—

“(I) facilitate access to clinical care and related health services; and

“(II) coordinate with such clinical care and related health services; and

“(vi) any other services needed for re-entry;

“(C) convenes community impact panels, victim impact panels, or victim impact educational classes;
“(D) provides and coordinates the delivery of community services to juvenile and adult eligible offenders, including—

“(i) housing assistance;

“(ii) education;

“(iii) job training;

“(iv) conflict resolution skills training;

“(v) batterer intervention programs;

and

“(vi) other appropriate social services;

and

“(E) establishes and implements graduated sanctions and incentives.

“SEC. 2902. GRANT AUTHORITY.

“(a) IN GENERAL.—The Attorney General may make grants to States, local governments, territories, Indian tribes, nonprofit agencies, or any combination thereof, to develop, implement, or expand programs that provide alternatives to incarceration, in accordance with this part.

“(b) ALLOWABLE USES.—

“(1) IN GENERAL.—A grant under this part may be used for the expenses of a law enforcement or prosecution drug treatment alternatives to prison or jail program, a problem-solving court, including a
reentry court, or a probation with enforcement program including for—

“(A) salaries, personnel costs, equipment costs, and other costs directly related to the operation or evaluation of the program;

“(B) payments for providers that are approved by the State or Indian tribe and licensed, if necessary, to provide needed treatment or education to eligible offenders participating in the program, including aftercare supervision, mental health services, substance abuse services, vocational training, education, and job placement; and

“(C) payments to public and nonprofit private entities that are approved by the State or Indian tribe and licensed, if necessary, to provide mental health, alcohol and drug addiction treatment to offenders participating in the program.

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

“(c) APPLICATIONS.—
“(1) IN GENERAL.—A State, local government, territory, Indian tribe, or nonprofit agency desiring a grant under this part shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

“(2) APPLICATION CONTENTS.—An application submitted under paragraph (1) shall—

“(A) describe the program to be assisted under this part and the need for the program to serve eligible offenders;

“(B) describe a long-term strategy and detailed implementation plan for the program, including how the applicant plans to pay for the program after the Federal funding is discontinued;

“(C) identify the governmental and community agencies the activities of which shall be coordinated under the project;

“(D) certify that—

“(i) all agencies affected by the program, including community corrections and parole entities, have been appropriately consulted in the development of the program; and
“(ii) there will be appropriate coordi-
nation with all such agencies in the imple-
mentation of the program; and
“(E) describe the methodology and out-
come measures that will be used to evaluate the
program.

“SEC. 2903. FEDERAL SHARE.
“(a) MATCHING REQUIREMENT.—The Federal share
of the cost of an activity carried out using a grant under
this part shall be not more than 50 percent.
“(b) IN-KIND CONTRIBUTIONS.—
“(1) IN GENERAL.—Subject to paragraph (2),
the recipient of a grant under this part may meet
the matching requirement under subsection (a) by
making in-kind contributions of goods or services
that are directly related to the purpose for which the
grant was awarded.
“(2) MAXIMUM PERCENTAGE.—Not more than
75 percent of the amount provided by a recipient of
a grant under this part to meet the matching re-
quirement under subsection (a) may be provided
through in-kind contributions under paragraph (1).

“SEC. 2904. GEOGRAPHIC DISTRIBUTION.
“The Attorney General shall ensure that, to the ex-
tent practicable, the distribution of grants under this part
is equitable and includes States, local governments, territories, Indian tribes, or nonprofit agencies—

“(1) in each State; and

“(2) in rural, suburban, tribal, and urban jurisdictions.

“SEC. 2905. REPORTS AND EVALUATIONS.

“Each entity receiving a grant under this section shall submit to the Attorney General, for each fiscal year in which funds received under the grant are expended, a report, at such time and in such manner as the Attorney General may reasonably require, that contains—

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

“(2) an assessment of whether the activities are meeting the need for the program identified in the application submitted under section 2902(e); and

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

“SEC. 2906. TRAINING AND TECHNICAL ASSISTANCE.

“The Attorney General may, using amounts made available to carry out this part, establish training and technical assistance for grantees, including—

“(1) providing education, training, and technical assistance for States, Indian tribes, territories, local governments, service providers, and nonprofit
organizations relating to problem-solving courts, law
enforcement or prosecution drug treatment alter-
native to prison or jail programs, and probation with
enforcement programs;

“(2) collecting data and best practices from
grantees and other agencies and organizations;

“(3) developing and disseminating evaluation
tools, mechanisms, and measures to better assess
and document performance measures and outcomes;

“(4) disseminating information to States and
other relevant entities about best practices, policy
standards, and research findings; and

“(5) interdisciplinary and profession-specific
training for relevant professionals on information
and skills necessary to plan, implement, or expand
problem-solving courts, law enforcement drug treat-
ment alternative to prisons programs, and probation
with enforcement programs.

“SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.

“(a) In General.—There are authorized to be ap-
propriated to carry out this part—

“(1) $10,000,000 for fiscal year 2012;

“(2) $12,000,000 for fiscal year 2013;

“(3) $14,000,000 for fiscal year 2014;

“(4) $16,000,000 for fiscal year 2015; and
“(5) $20,000,000 for fiscal year 2016.

“(b) LIMITATIONS.—Of the amounts made available pursuant to subsection (a) for a fiscal year—

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

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

“SEC. 2908. RULE OF CONSTRUCTION.

“Nothing in this part shall be construed to prevent a grantee that operates a drug court under part EE when the grant under this part is awarded from using funds from the grant under this part to supplement the drug court in accordance with section 2902(b)(1).”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) in section 1001(a) (42 U.S.C. 3793(a)), by striking paragraph (26); and

(B) by striking section 2978 (42 U.S.C. 3797w–2).

(3) SAVINGS CLAUSE.—A grant made under section 2978 or part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42
U.S.C. 3797w–2 and 3797q et seq.) before the date of enactment of this Act shall remain in full force and effect under the terms, and for the duration, of the grant.

(c) **Grants for Family-Based Substance Abuse Treatment.**—Part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.) is amended—

1. in section 2921 (42 U.S.C. 3797s), in the matter preceding paragraph (1), by inserting “non-profit organizations,” before “and Indian”; and
2. by striking section 2926(a) (42 U.S.C. 3797s–5(a)), and inserting the following:

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“(a) In General.—There are authorized to be appropriated to carry out this part—

“(1) $8,000,000 for fiscal year 2012; and
“(2) $10,000,000 for each of fiscal years 2013, 2014, 2015, and 2016.”.
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(d) **Grant Program to Evaluate and Improve Educational Methods at Prisons, Jails, and Juvenile Facilities.**—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

1. by redesignating part KK (42 U.S.C. 3793ee et seq.) as part LL;
(2) by redesignating the second part designated as part JJ, as added by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as part KK;

(3) by redesignating the second section designated as section 3001 and section 3002 (42 U.S.C. 3797dd and 3797dd–1), as added by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as sections 3005 and 3006, respectively;

(4) in section 3005, as so redesignated—

(A) in subsection (a)—

(i) in paragraph (2), by striking “and” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting “; and”;

and

(iii) by adding at the end the following:

“(4) implement methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities consistent with the best practices identified in subsection (e).”
(B) by redesignating subsection (c) as subsection (d); and

(C) by inserting after subsection (b), the following:

“(c) BEST PRACTICES.—Not later than 180 days after the date of enactment of the Second Chance Reauthorization Act of 2011, the Attorney General shall identify and publish best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities. The best practices shall consider the evaluations performed and recommendations made under grants made under subsection (a) before the date of enactment of the Second Chance Reauthorization Act of 2011”;

and

(5) in section 3006, as so redesignated, by striking “to carry” and all that follows through “2010” and inserting “for each of fiscal years 2012, 2013, 2014, 2015, and 2016 for grants for purposes described in section 3005(a)(4)”.

(e) TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115 of the Second Chance Act of 2007 (42 U.S.C. 17511) is amended—

(1) in subsection (a), by striking “and Indian” and inserting “nonprofit organizations, and Indian”; and
(2) by striking subsection (e) and inserting the following:

“(e) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section—

“(1) $7,000,000 for each of fiscal years 2012 and 2013; and

“(2) $10,000,000 for each of fiscal years 2014, 2015, and 2016.”.

(f) Offender Reentry Substance Abuse and Criminal Justice Collaboration Program.—Section 201(f)(1) of the Second Chance Act of 2007 (42 U.S.C. 17521(f)(1)) is amended to read as follows:

“(1) In general.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2012 through 2016.”.

(g) Mentoring Grants to Nonprofit Organizations.—Section 211 of the Second Chance Act of 2007 (42 U.S.C. 17531) is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) by inserting after subsection (e) the following:

“(f) Definitions.—In this section—
“(1) the term ‘exoneree’ means an individual who—

“(A) has been convicted of a Federal or State offense that is punishable by a term of imprisonment of more than 1 year;

“(B) has served a term of imprisonment for not less than 6 months in a Federal or State prison or correctional facility as a result of the conviction described in subparagraph (A); and

“(C) has been determined to be factually innocent of the offense described in subparagraph (A); and

“(2) the term ‘offender’ includes an exoneree.”;

and

(3) in subsection (g), as redesignated, by striking “this section” and all that follows and inserting the following: “this section—”

“(1) $15,000,000 for fiscal year 2012;

“(2) $16,000,000 for fiscal year 2013;

“(3) $16,000,000 for fiscal year 2014;

“(4) $19,000,000 for fiscal year 2015; and

“(5) $20,000,000 for fiscal year 2016.”.
SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEES.

(a) DEFINITION.—In this section, the term “unresolved audit finding” means an audit report finding or recommendation that a grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 1-year period beginning on the date of an initial notification of the finding or recommendation.

(b) AUDIT REQUIREMENT.—Beginning in fiscal year 2012, and every 3 years thereafter, the Inspector General of the Department of Justice shall conduct an audit of not less than 5 percent of all grantees that are awarded funding under—

(1) section 2976(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(b));

(2) part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797q et seq.), as amended by this Act;

(3) part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.);

(4) part JJ of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797dd et seq.); or
(5) section 115, 201, or 211 of the Second Chance Act of 2007 (42 U.S.C. 17511, 17521, and 17531).

(c) MANDATORY EXCLUSION.—A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under the grant programs described in paragraphs (1) through (5) of subsection (b) in the fiscal year following the fiscal year to which the finding relates.

(d) PRIORITY OF GRANT AWARDS.—The Attorney General, in awarding grants under the programs described in paragraphs (1) through (5) of subsection (b) shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

SEC. 4. FEDERAL REENTRY IMPROVEMENTS.

(a) RESPONSIBLE REINTEGRATION OF OFFENDERS.—Section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) is repealed.

(b) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (42 U.S.C. 17541) is amended—

(1) in subsection (g)—

(A) in paragraph (3), by striking “carried out during fiscal years 2009 and 2010” and in-
serting “carried out during fiscal years 2012 through 2016”; and

(B) in paragraph (5)(A)(i), by striking “65 years” and inserting “60 years”;

(2) by striking subsection (h);

(3) by redesignating subsection (i) as subsection (h); and

(4) in subsection (h), as so redesignated, by striking “2009 and 2010” and inserting “2012 through 2016”.

(c) Enhancing Reporting Requirements Pertaining to Community Corrections.—Section 3624(c) of title 18, United States Code, is amended—

(1) in paragraph (5), in the second sentence, by inserting “, and number of prisoners not being placed in community corrections facilities for each reason set forth” before “, and any other information”; and

(2) in paragraph (6), by striking “the Second Chance Act of 2007” and inserting “the Second Chance Reauthorization Act of 2011”.

(d) Termination of Study on Effectiveness of Depot Naltrexone for Heroin Addiction.—Section 244 of the Second Chance Act of 2007 (42 U.S.C. 17554) is repealed.
(e) Authorization of Appropriations for Research.—Section 245 of the Second Chance Act of 2007 (42 U.S.C. 17555) is amended—

(1) by striking “243, and 244” and inserting “and 243”; and


(f) Good Time Conduct Calculation.—

(1) In General.—Section 3624(b) of title 18, United States Code, is amended—

(A) by striking paragraph (1) and inserting the following:

“(1) Subject to paragraphs (2) and (3)(C), a prisoner who is serving a term of imprisonment of more than 1 year, other than a term of imprisonment for the duration of the prisoner’s life, shall receive credit toward the service of the prisoner’s sentence, in addition to the time actually served by the prisoner, beginning on the date on which the sentence of the prisoner commences, at the rate of 54 days per year of sentence imposed, if the Bureau of Prisons determines that the prisoner has displayed exemplary compliance with institutional disciplinary regulations.”; and
(B) by striking paragraphs (3) and (4) and inserting the following:

“(3)(A) This subsection shall apply to all prisoners serving a term of imprisonment for offenses committed on or after November 1, 1987.

“(B) With respect to a prisoner serving a term of imprisonment on the date of enactment of the Second Chance Reauthorization Act of 2011, this subsection shall apply to the entirety of the sentence imposed on the prisoner, including time already served.

“(C) A prisoner may not be awarded credit under this subsection that would cause the prisoner to be eligible for release earlier than the time already served by the prisoner on the imposed sentence.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect 90 days after the date of enactment of this Act.

(g) FEDERAL PRISONER RECIDIVISM REDUCTION PROGRAMMING ENHANCEMENT.—

(1) IN GENERAL.—Section 3621 of title 18, United States Code, is amended—

(A) by redesignating subsection (g) as subsection (h); and
(B) by inserting after subsection (f) the following:

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(g) INCENTIVE FOR PRISONERS' PARTICIPATION IN
REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘demonstrated to reduce recidivism’ means that the Director of Bureau of
Prisons has determined that appropriate research has been conducted and has validated
the effectiveness of the program on recidivism;
and

“(B) the term ‘successfully participates’
means that a prisoner has been enrolled for a
period of not less than 180 days during the 12
months preceding the award of credit in 1 or
more programs—

“(i) for which the prisoner is eligible;
and

“(ii) that meet the treatment and pro-
gram needs of the prisoner.

“(2) ELIGIBILITY TO EARN ADDITIONAL CRED-
IT.—Any prisoner who, in the judgment of the Di-
rector of the Bureau of Prisons, successfully partici-
pates in a program that has been demonstrated to
reduce recidivism, is eligible to earn additional credit
toward satisfaction of the sentence being served by
the prisoner.

“(3) CREDIT TOWARD SERVICE OF SENT-
ENCE.—Except as provided in paragraph (4), a
prisoner may receive credit toward service of the
sentence of the prisoner of up to 60 days per year
for each year in which the prisoner is in custody of
the Bureau of Prisons and successfully participates
in a program described in paragraph (2). Any cred-
its awarded under this subsection shall vest on the
date the prisoner is released from custody.

“(4) LIMITATION ON AWARDS OF CREDIT.—

“(A) IN GENERAL.—A prisoner may ac-
crue credit toward service of the sentence of the
prisoner under this subsection if the credit ac-
crued under this subsection, when combined
with any reductions in the period of time the
prisoner remains in custody resulting from par-
ticipation in a residential substance abuse pro-
gram and credit received under section 3624(b),
does not exceed 33 percent of the sentence im-
posed on the prisoner.

“(B) PRIOR TIME CREDIT.—No credits
shall be awarded for any time spent in—
“(i) programs during the 180-day period preceding the enactment of the Second Chance Reauthorization Act of 2011; or

“(ii) official detention prior to the date the sentence commences under section 3585(a).

“(5) Receipt of credit at end of year.—A prisoner may receive credit at the end of each year of the sentence being served by the prisoner, beginning at the end of the first year of the sentence, subject to a determination by the Director by the Bureau of Prisons that during the year the prisoner display exemplary compliance with institutional disciplinary regulations. For purposes of this section, the first year shall commence on the date the sentence commences under section 3585(a).”.

(2) Effective date.—The amendments made by paragraph (1) shall take effect 180 days after the date of enactment of this Act.