

Union Calendar No. 82

110TH CONGRESS
1ST SESSION

H. R. 1593

[Report No. 110-140]

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.

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

MAY 9, 2007

Additional sponsors: Mr. ISSA, Mr. CLAY, Mr. COHEN, Mr. ELLISON, Mr. GUTIERREZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MYRICK, Mr. RAMSTAD, Mr. PAYNE, Mr. PENCE, Mr. SHIMKUS, Mr. STARK, Mr. THOMPSON of Mississippi, Mrs. SCHMIDT, Mr. DELAHUNT, Ms. MOORE of Wisconsin, Mr. VAN HOLLEN, Ms. CORRINE BROWN of Florida, Mr. FRANKS of Arizona, Mr. NADLER, Mr. BOUCHER, Mr. BERMAN, Ms. LEE, Ms. LORETTA SANCHEZ of California, Mr. EHLERS, Mr. JEFFERSON, Mr. MOORE of Kansas, Mr. REYES, Ms. DEGETTE, Mr. RUPPERSBERGER, Mr. MCDERMOTT, Mr. ROGERS of Alabama, Mr. BOSWELL, Mr. MCNULTY, Mr. PASTOR, Mr. TOWNS, Ms. CARSON, Mr. SHAYS, Ms. MCCOLLUM of Minnesota, Mr. RANGEL, Mr. MEEKS of New York, Mr. LEWIS of Georgia, Mr. LANGEVIN, Ms. NORTON, Mr. MORAN of Virginia, Mr. KENNEDY, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Ms. BERKLEY, Mr. PITTS, Mr. GERLACH, Mr. PRICE of North Carolina, Mr. CARNAHAN, Mr. TOM DAVIS of Virginia, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mrs. CHRISTENSEN, Mr. ENGLISH of Pennsylvania, Mr. FILNER, Mr. CONAWAY, Mr. KUCINICH, Ms. ZOE LOFGREN of California, Mr. MCCOTTER, Ms. MILLENDER-MCDONALD, Mr. PLATTS, Mr. SERRANO, Ms. SOLIS, Mr. WATT, Mr.

ROGERS of Michigan, Mr. RUSH, Mr. WELCH of Vermont, Ms. SUTTON,
Mr. WOLF, Mr. GILCHREST, Mr. COSTELLO, Mr. AL GREEN of Texas,
and Mr. MELANCON

Deleted sponsor: Mr. JONES of North Carolina (added April 16, 2007; deleted
April 19, 2007)

MAY 9, 2007

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

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,*

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. TABLE OF CONTENTS.**

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Submission of reports to Congress.

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.

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

- Sec. 111. State and local reentry courts.
 Sec. 112. Grants for comprehensive and continuous offender reentry task forces.
 Sec. 113. Prosecution drug treatment alternative to prison programs.
 Sec. 114. Grants for family substance abuse treatment alternatives to incarceration.
 Sec. 115. Prison-based family treatment programs for incarcerated parents of minor children.
 Sec. 116. Grant programs relating to educational methods at prisons, jails, and juvenile facilities.

Subtitle C—Conforming Amendments

Sec. 121. Use of violent offender truth-in-sentencing grant funding for demonstration project activities.

TITLE II—ENHANCED DRUG TREATMENT AND MENTORING GRANT PROGRAMS

Subtitle A—Drug Treatment

- Sec. 201. Grants for demonstration programs to reduce drug use and recidivism in long-term substance abusers.
 Sec. 202. Grants for demonstration programs by local partnerships to reduce illegal drug demand by providing drug treatment.
 Sec. 203. Offender drug treatment incentive grants.
 Sec. 204. Ensuring availability and delivery of new pharmacological drug treatment services.
 Sec. 205. Study of effectiveness of depot naltrexone for heroin addiction.

Subtitle B—Job Training

Sec. 211. Technology careers training demonstration grants.

Subtitle C—Mentoring

- Sec. 221. Mentoring grants to nonprofit organizations.
 Sec. 222. Bureau of Prisons policy on mentoring contacts.

Subtitle D—Administration of Justice Reforms

CHAPTER 1—IMPROVING FEDERAL OFFENDER REENTRY

- Sec. 231. Federal prisoner reentry program.
 Sec. 232. Identification and release assistance for Federal prisoners.
 Sec. 233. Improved reentry procedures for Federal prisoners.
 Sec. 234. Duties of the Bureau of Prisons.
 Sec. 235. Authorization of appropriations for Bureau of Prisons.
 Sec. 236. Encouragement of employment of former prisoners.
 Sec. 237. Elderly nonviolent offender pilot program.

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.

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. Medical care for prisoners.
 Sec. 254. Contracting for services for post-conviction supervision offenders.

1 **SEC. 3. FINDINGS.**

2 Congress finds the following:

3 (1) In 2002, over 7,000,000 people were incar-
 4 cerated in Federal, State, or local prisons or jails, or
 5 were under parole or court supervision. Nearly
 6 650,000 people are released from Federal and State
 7 incarceration into communities nationwide each year.

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

13 (3) Nearly $\frac{2}{3}$ of released State prisoners are
 14 expected to be rearrested for a felony or serious mis-
 15 demeanor within 3 years after release.

16 (4) According to the Bureau of Justice Statis-
 17 tics, expenditures on corrections alone increased
 18 from \$9,000,000,000 in 1982 to \$59,600,000,000 in
 19 2002. These figures do not include the cost of arrest

1 and prosecution, nor do they take into account the
2 cost to victims.

3 (5) The Serious and Violent Offender Reentry
4 Initiative provided \$139,000,000 in funding for
5 State governments to develop and implement edu-
6 cation, job training, mental health treatment, and
7 substance abuse treatment for serious and violent of-
8 fenders. This Act seeks to build upon the innovative
9 and successful State reentry programs developed
10 under the Serious and Violent Offender Reentry Ini-
11 tiative, which terminated after fiscal year 2005.

12 (6) Between 1991 and 1999, the number of
13 children with a parent in a Federal or State correc-
14 tional facility increased by more than 100 percent,
15 from approximately 900,000 to approximately
16 2,000,000. According to the Bureau of Prisons,
17 there is evidence to suggest that inmates who are
18 connected to their children and families are more
19 likely to avoid negative incidents and have reduced
20 sentences.

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

1 (8) Approximately 100,000 juveniles (ages 17
2 years and under) leave juvenile correctional facilities,
3 State prison, or Federal prison each year. Juveniles
4 released from secure confinement still have their
5 likely prime crime years ahead of them. Juveniles re-
6 leased from secure confinement have a recidivism
7 rate ranging from 55 to 75 percent. The chances
8 that young people will successfully transition into so-
9 ciety improve with effective reentry and aftercare
10 programs.

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

14 (10) Fifty-seven percent of Federal and 70 per-
15 cent of State inmates used drugs regularly before
16 going to prison, and the Bureau of Justice Statistics
17 report titled “Trends in State Parole, 1990–2000”
18 estimates the use of drugs or alcohol around the
19 time of the offense that resulted in the incarceration
20 of the inmate at as high as 84 percent.

21 (11) Family-based treatment programs have
22 proven results for serving the special populations of
23 female offenders and substance abusers with chil-
24 dren. An evaluation by the Substance Abuse and
25 Mental Health Services Administration of family-

1 based treatment for substance-abusing mothers and
2 children found that 6 months after such treatment,
3 60 percent of the mothers remained alcohol and
4 drug free, and drug-related offenses declined from
5 28 percent to 7 percent. Additionally, a 2003 evalua-
6 tion of residential family-based treatment programs
7 revealed that 60 percent of mothers remained clean
8 and sober 6 months after treatment, criminal arrests
9 declined by 43 percent, and 88 percent of the chil-
10 dren treated in the program with their mothers re-
11 mained stabilized.

12 (12) A Bureau of Justice Statistics analysis in-
13 dicated that only 33 percent of Federal inmates and
14 36 percent of State inmates had participated in resi-
15 dential in-patient treatment programs for alcohol
16 and drug abuse 12 months before their release. Fur-
17 ther, over $\frac{1}{3}$ of all jail inmates have some physical
18 or mental disability and 25 percent of jail inmates
19 have been treated at some time for a mental or emo-
20 tional problem.

21 (13) State Substance Abuse Agency Directors,
22 also known as Single State Authorities (SSAs), man-
23 age the Nation's publicly funded substance abuse
24 prevention and treatment systems. SSAs are respon-
25 sible for planning and implementing State-wide sys-

1 tems of care that provide clinically appropriate sub-
2 stance abuse services. Given the high rate of sub-
3 stance use disorders among offenders reentering our
4 communities, successful reentry programs require
5 close interaction and collaboration with SSAs when
6 planning, implementing, and evaluating reentry pro-
7 grams.

8 (14) According to the National Institute of Lit-
9 eracy, 70 percent of all prisoners function at the
10 lowest literacy levels.

11 (15) Less than 32 percent of State prison in-
12 mates have a high school diploma or a higher level
13 of education, compared to 82 percent of the general
14 population.

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

18 (17) The percentage of State prisoners partici-
19 pating in educational programs decreased by more
20 than 8 percent between 1991 and 1997, despite
21 growing evidence of how educational programming
22 while incarcerated reduces recidivism.

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

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

5 **SEC. 4. SUBMISSION OF REPORTS TO CONGRESS.**

6 Not later than January 31 of each year, the Attorney
7 General shall submit all reports received under this Act
8 and the amendments made by this Act during the pre-
9 ceding year to the Committee on the Judiciary of the Sen-
10 ate and the Committee on the Judiciary of the House of
11 Representatives.

12 **TITLE I—AMENDMENTS RE-**
13 **LATED TO THE OMNIBUS**
14 **CRIME CONTROL AND SAFE**
15 **STREETS ACT OF 1968**

16 **Subtitle A—Improvements to**
17 **Existing Programs**

18 **SEC. 101. REAUTHORIZATION OF ADULT AND JUVENILE OF-**
19 **FENDER STATE AND LOCAL REENTRY DEM-**
20 **ONSTRATION PROJECTS.**

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

1 “(1) establishing or improving the system or
2 systems under which—

3 “(A) correctional agencies and other crimi-
4 nal and juvenile justice agencies of the grant
5 recipient develop and carry out plans to facili-
6 tate the reentry into the community of each of-
7 fender in the custody of the jurisdiction in-
8 volved;

9 “(B) the supervision and services provided
10 to offenders in the custody of the jurisdiction
11 involved are coordinated with the supervision
12 and services provided to offenders after reentry
13 into the community, including coordination with
14 Comprehensive and Continuous Offender Re-
15 entry Task Forces under section 2902 or with
16 similar planning groups;

17 “(C) the efforts of various public and pri-
18 vate entities to provide supervision and services
19 to offenders after reentry into the community,
20 and to family members of such offenders, are
21 coordinated; and

22 “(D) offenders awaiting reentry into the
23 community are provided with documents (such
24 as identification papers, referrals to services,
25 medical prescriptions, job training certificates,

1 apprenticeship papers, and information on ob-
2 taining public assistance) useful in achieving a
3 successful transition from prison, jail, or a juve-
4 nile facility;

5 “(2) carrying out programs and initiatives by
6 units of local government to strengthen reentry serv-
7 ices for individuals released from local jails, includ-
8 ing coordination with Comprehensive and Contin-
9 uous Offender Reentry Task Forces under section
10 2902 or with similar planning groups;

11 “(3) assessing the literacy, educational, and vo-
12 cational needs of offenders in custody and identi-
13 fying and providing services appropriate to meet
14 those needs, including follow-up assessments and
15 long-term services;

16 “(4) facilitating collaboration among corrections
17 (including community corrections), technical schools,
18 community colleges, businesses, nonprofit, and the
19 workforce development and employment service sec-
20 tors—

21 “(A) to promote, where appropriate, the
22 employment of people released from prison, jail,
23 or a juvenile facility through efforts such as
24 educating employers about existing financial in-
25 centives;

1 “(B) to facilitate the creation of job oppor-
2 tunities, including transitional jobs and time-
3 limited subsidized work experience (where ap-
4 propriate);

5 “(C) to connect offenders to employment
6 (including supportive employment and employ-
7 ment services before their release to the com-
8 munity), provide work supports (including
9 transportation and retention services), as ap-
10 propriate, and identify labor market needs to
11 ensure that education and training are appro-
12 priate; and

13 “(D) to address obstacles to employment
14 that are not directly connected to the offense
15 committed and the risk that the offender pre-
16 sents to the community and provide case man-
17 agement services as necessary to prepare of-
18 fenders for jobs that offer the potential for ad-
19 vancement and growth;

20 “(5) providing offenders with education, job
21 training, responsible parenting and healthy relation-
22 ship skills training (designed specifically to address
23 the needs of fathers and mothers in or transitioning
24 from prison, jail, or a juvenile facility), English lit-
25 eracy education, work experience programs, self-re-

1 spect and life skills training, and other skills useful
2 in achieving a successful transition from prison, jail,
3 or a juvenile facility;

4 “(6) providing structured post-release housing
5 and transitional housing (including group homes for
6 recovering substance abusers (with appropriate safe-
7 guards that may include single-gender housing))
8 through which offenders are provided supervision
9 and services immediately following reentry into the
10 community;

11 “(7) assisting offenders in securing permanent
12 housing upon release or following a stay in transi-
13 tional housing;

14 “(8) providing substance abuse treatment and
15 services, including providing a full continuum of sub-
16 stance abuse treatment services that encompasses
17 outpatient services, comprehensive residential serv-
18 ices and recovery, and recovery home services to of-
19 fenders reentering the community from prison, jail,
20 or a juvenile facility;

21 “(9) expanding family-based drug treatment
22 centers that offer family-based comprehensive treat-
23 ment services for parents and their children as a
24 complete family unit, as appropriate to the safety,
25 security, and well-being of the family;

1 “(10) encouraging collaboration among juvenile
2 and adult corrections, community corrections, and
3 community health centers to allow access to afford-
4 able and quality primary health care for offenders
5 during the period of transition from prison, jail, or
6 a juvenile facility;

7 “(11) providing or facilitating health care serv-
8 ices to offenders (including substance abuse screen-
9 ing, treatment, and aftercare, infectious disease
10 screening and treatment, and screening, assessment,
11 and aftercare for mental health services) to protect
12 the communities in which offenders will live;

13 “(12) enabling prison, jail, or juvenile facility
14 mentors of offenders to remain in contact with those
15 offenders (including through the use of all available
16 technology) while in prison, jail, or a juvenile facility
17 and after reentry into the community, and encour-
18 aging the involvement of prison, jail, or a juvenile
19 facility mentors in the reentry process;

20 “(13) systems under which family members of
21 offenders are involved in facilitating the successful
22 reentry of those offenders into the community (as
23 appropriate to the safety, security, and well-being of
24 the family), including removing obstacles to the
25 maintenance of family relationships while the of-

1 offender is in custody, strengthening the family’s ca-
2 pacity to function as a stable living situation during
3 reentry, and involving family members in the plan-
4 ning and implementation of the reentry process;

5 “(14) creating, developing, or enhancing of-
6 fender and family assessments, curricula, policies,
7 procedures, or programs (including mentoring pro-
8 grams)—

9 “(A) to help offenders with a history or
10 identified risk of domestic violence, dating vio-
11 lence, sexual assault, or stalking reconnect with
12 their families and communities (as appropriate
13 to the safety, security, and well-being of the
14 family), and become non-abusive parents or
15 partners; and

16 “(B) under which particular attention is
17 paid to the safety of children affected and the
18 confidentiality concerns of victims, and efforts
19 are coordinated with victim service providers;

20 “(15) maintaining the parent-child relationship,
21 as appropriate to the safety, security, and well-being
22 of the child as determined by the relevant correc-
23 tions and child protective services agencies, includ-
24 ing—

1 “(A) implementing programs in correc-
2 tional agencies to include the collection of infor-
3 mation regarding any dependent children of an
4 offender as part of intake procedures, including
5 the number, age, and location or jurisdiction of
6 such children;

7 “(B) connecting those identified children
8 with services as appropriate and needed;

9 “(C) carrying out programs (including
10 mentoring) that support children of incarcer-
11 ated parents, including those in foster care and
12 those cared for by grandparents or other rel-
13 atives (which is commonly referred to as kin-
14 ship care);

15 “(D) developing programs and activities
16 (including mentoring) that support parent-child
17 relationships, as appropriate to the safety, secu-
18 rity, and well-being of the family, including
19 technology to promote the parent-child relation-
20 ship and to facilitate participation in parent-
21 teacher conferences, books on tape programs,
22 family days, and visitation areas for children
23 while visiting an incarcerated parent;

1 “(E) helping incarcerated parents to learn
2 responsible parenting and healthy relationship
3 skills;

4 “(F) addressing visitation obstacles to chil-
5 dren of an incarcerated parent, such as the lo-
6 cation of facilities in remote areas, telephone
7 costs, mail restrictions, and visitation policies;
8 and

9 “(G) identifying and addressing obstacles
10 to collaborating with child welfare agencies in
11 the provision of services jointly to offenders in
12 custody and to the children of such offenders;

13 “(16) carrying out programs for the entire fam-
14 ily unit, including the coordination of service delivery
15 across agencies;

16 “(17) facilitating and encouraging timely and
17 complete payment of restitution and fines by offend-
18 ers to victims and the community;

19 “(18) providing services as necessary to victims
20 upon release of offenders, including security services
21 and counseling, and facilitating the inclusion of vic-
22 tims, on a voluntary basis, in the reentry process;

23 “(19) establishing or expanding the use of re-
24 entry courts and other programs to—

1 “(A) monitor offenders returning to the
2 community;

3 “(B) provide returning offenders with—

4 “(i) drug and alcohol testing and
5 treatment; and

6 “(ii) mental and medical health as-
7 sessment and services;

8 “(C) facilitate restorative justice practices
9 and convene family or community impact pan-
10 els, family impact educational classes, victim
11 impact panels, or victim impact educational
12 classes;

13 “(D) provide and coordinate the delivery of
14 other community services to offenders, includ-
15 ing—

16 “(i) employment training;

17 “(ii) education;

18 “(iii) housing assistance;

19 “(iv) children and family support, to
20 include responsible parenting and healthy
21 relationship skill training designed specifi-
22 cally to address the needs of incarcerated
23 and transitioning fathers and mothers;

24 “(v) conflict resolution skills training;

1 “(vi) family violence intervention pro-
2 grams; and

3 “(vii) other appropriate services; and

4 “(E) establish and implement graduated
5 sanctions and incentives;

6 “(20) developing a case management reentry
7 program that—

8 “(A) provides services to eligible veterans,
9 as defined by the Attorney General; and

10 “(B) provides for a reentry service network
11 solely for such eligible veterans that coordinates
12 community services and veterans services for of-
13 fenders who qualify for such veterans services;
14 and

15 “(21) protecting communities against dan-
16 gerous offenders, including—

17 “(A) conducting studies in collaboration
18 with Federal research initiatives in effect on the
19 date of enactment of the Second Chance Act of
20 2007, to determine which offenders are return-
21 ing to prisons, jails, and juvenile facilities and
22 which of those returning offenders represent the
23 greatest risk to community safety;

24 “(B) developing and implementing proce-
25 dures to assist relevant authorities in deter-

1 mining when release is appropriate and in the
2 use of data to inform the release decision;

3 “(C) using validated assessment tools to
4 assess the risk factors of returning inmates,
5 and developing or adopting procedures to en-
6 sure that dangerous felons are not released
7 from prison prematurely; and

8 “(D) developing and implementing proce-
9 dures to identify efficiently and effectively those
10 violators of probation, parole, or post-incarcer-
11 ation supervision who represent the greatest
12 risk to community safety.”.

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

20 (c) APPLICATIONS; REQUIREMENTS; PRIORITIES;
21 PERFORMANCE MEASUREMENTS.—Section 2976 of the
22 Omnibus Crime Control and Safe Streets Act of 1968 (42
23 U.S.C. 3797w) is further amended—

24 (1) by redesignating subsection (h) as sub-
25 section (o); and

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

3 “(d) APPLICATIONS.—A State, unit of local govern-
4 ment, territory, or Indian tribe, or combination thereof,
5 desiring a grant under this section shall submit an appli-
6 cation to the Attorney General that—

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

13 “(2) identifies the local government role and
14 the role of governmental agencies and nonprofit or-
15 ganizations that will be coordinated by, and that will
16 collaborate on, the offender reentry strategy of the
17 applicant and certifies their involvement; and

18 “(3) describes the evidence-based methodology
19 and outcome measures that will be used to evaluate
20 the program, and specifically explains how such
21 measurements will provide valid measures of the
22 program’s impact.

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;

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) consultations 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, pre-release transi-
18 tion housing, and community release;

19 “(B) establishing pre-release 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 75

1 percent of the project funded under such grant
2 in fiscal year 2008.

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 the waiver.

9 “(2) SUPPLEMENT NOT SUPPLANT.—Federal
10 funds received under this section shall be used to
11 supplement, not supplant, non-Federal funds that
12 would otherwise be available for the activities funded
13 under this section.

14 “(h) REENTRY STRATEGIC PLAN.—

15 “(1) IN GENERAL.—As a condition of receiving
16 financial assistance under this section, each appli-
17 cant shall develop a comprehensive strategic reentry
18 plan that contains measurable annual and 5-year
19 performance outcomes, and that uses, to the max-
20 imum extent possible, random assigned and con-
21 trolled studies to determine the effectiveness of the
22 program. One goal of the plan shall be to reduce the
23 rate of recidivism (as defined by the Attorney Gen-
24 eral, consistent with the research on offender reentry
25 undertaken by the Bureau of Justice Statistics) for

1 offenders released from prison, jail, or a juvenile fa-
2 cility who are served with funds made available
3 under this section.

4 “(2) COORDINATION.—In developing a reentry
5 plan under this subsection, an applicant shall coordi-
6 nate with communities and stakeholders, including
7 persons in the fields of public safety, juvenile and
8 adult corrections, housing, health, education, sub-
9 stance abuse, children and families, victims services,
10 employment, and business and members of nonprofit
11 organizations that can provide reentry services.

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

18 “(i) REENTRY TASK FORCE.—

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

23 “(A) examine ways to pool resources and
24 funding streams to promote lower recidivism
25 rates for returning offenders and minimize the

1 harmful effects of offenders' time in prison, jail,
2 or a juvenile facility on families and commu-
3 nities of offenders by collecting data and best
4 practices in offender reentry from demonstra-
5 tion grantees and other agencies and organiza-
6 tions; and

7 “(B) provide the analysis described in sub-
8 section (e)(4).

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

12 “(A) relevant State, tribal, territorial, or
13 local leaders; and

14 “(B) representatives of relevant—

15 “(i) agencies;

16 “(ii) service providers;

17 “(iii) nonprofit organizations; and

18 “(iv) stakeholders.

19 “(j) STRATEGIC PERFORMANCE OUTCOMES.—

20 “(1) IN GENERAL.—Each applicant shall iden-
21 tify in the reentry strategic plan developed under
22 subsection (h), specific performance outcomes re-
23 lated to the long-term goals of increasing public
24 safety and reducing recidivism.

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

5 “(A) reduction in recidivism rates, which
6 shall be reported in accordance with the meas-
7 ure selected by the Director of the Bureau of
8 Prisons under section 234(c)(2) of the Second
9 Chance Act of 2007;

10 “(B) reduction in crime;

11 “(C) increased employment and education
12 opportunities;

13 “(D) reduction in violations of conditions
14 of supervised release;

15 “(E) increased child support;

16 “(F) increased housing opportunities;

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

18 and

19 “(H) increased participation in substance
20 abuse and mental health services.

21 “(3) OTHER OUTCOMES.—A grantee under this
22 section may include in their reentry strategic plan
23 other performance outcomes that increase the suc-
24 cess rates of offenders who transition from prison,
25 jails, or juvenile facilities.

1 “(4) COORDINATION.—A grantee under this
2 section shall coordinate with communities and stake-
3 holders about the selection of performance outcomes
4 identified by the applicant, and shall consult with
5 the Attorney General for assistance with data collec-
6 tion and measurement activities as provided for in
7 the grant application materials.

8 “(5) REPORT.—

9 “(A) IN GENERAL.—Each grantee under
10 this section shall submit an annual report to
11 the Attorney General that—

12 “(i) identifies the progress of the
13 grantee toward achieving its strategic per-
14 formance outcomes; and

15 “(ii) describes other activities con-
16 ducted by the grantee to increase the suc-
17 cess rates of the reentry population, such
18 as programs that foster effective risk man-
19 agement and treatment programming, of-
20 fender accountability, and community and
21 victim participation.

22 “(B) SUBMISSION TO CONGRESS.—On an
23 annual basis, the Attorney General shall submit
24 all reports received under this paragraph during
25 the previous year to the Committee on the Judi-

1 ciary of the Senate and the Committee on the
2 Judiciary of the House of Representatives.

3 “(k) PERFORMANCE MEASUREMENT.—

4 “(1) IN GENERAL.—The Attorney General, in
5 consultation with grantees under this section,
6 shall—

7 “(A) identify primary and secondary
8 sources of information to support the measure-
9 ment of the performance indicators identified
10 under this section;

11 “(B) identify sources and methods of data
12 collection in support of performance measure-
13 ment required under this section;

14 “(C) provide to all grantees technical as-
15 sistance and training on performance measures
16 and data collection for purposes of this section;
17 and

18 “(D) consult with the Substance Abuse
19 and Mental Health Services Administration and
20 the National Institute on Drug Abuse on stra-
21 tegic performance outcome measures and data
22 collection for purposes of this section relating to
23 substance abuse and mental health.

24 “(2) COORDINATION.—The Attorney General
25 shall coordinate with other Federal agencies to iden-

1 tify national and other sources of information to
2 support performance measurement of grantees.

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

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

13 “(1) the grantee has adopted a reentry plan
14 that reflects input from nonprofit organizations, in
15 any case where relevant input is available and appro-
16 priate to the grant application;

17 “(2) the reentry plan of the grantee includes
18 performance measures to assess the progress of the
19 grantee toward increasing public safety by reducing
20 the rate at which individuals released from prisons,
21 jails, or juvenile facilities who participate in the re-
22 entry system supported by Federal funds are recom-
23 mitted to prisons, jails, or juvenile facilities; and

24 “(3) the grantee will coordinate with the Attor-
25 ney General, nonprofit organizations (if relevant

1 input from nonprofit organizations is available and
2 appropriate), and other experts regarding the selec-
3 tion and implementation of the performance meas-
4 ures described in subsection (k).

5 “(m) NATIONAL ADULT AND JUVENILE OFFENDER
6 REENTRY RESOURCE CENTER.—

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

12 “(2) ELIGIBLE ORGANIZATION.—An organiza-
13 tion eligible for the grant under paragraph (1) is
14 any national nonprofit organization approved by the
15 Interagency Task Force on Federal Programs and
16 Activities Relating to the Reentry of Offenders Into
17 the Community, that provides technical assistance
18 and training to, and has special expertise and broad,
19 national-level experience in, offender reentry pro-
20 grams, training, and research.

21 “(3) USE OF FUNDS.—The organization receiv-
22 ing the grant under paragraph (1) shall establish a
23 National Adult and Juvenile Offender Reentry Re-
24 source Center to—

1 “(A) provide education, training, and tech-
2 nical assistance for States, tribes, territories,
3 local governments, service providers, nonprofit
4 organizations, and corrections institutions;

5 “(B) collect data and best practices in of-
6 fender reentry from demonstration grantees and
7 others agencies and organizations;

8 “(C) develop and disseminate evaluation
9 tools, mechanisms, and measures to better as-
10 sess and document coalition performance meas-
11 ures and outcomes;

12 “(D) disseminate information to States
13 and other relevant entities about best practices,
14 policy standards, and research findings;

15 “(E) develop and implement procedures to
16 assist relevant authorities in determining when
17 release is appropriate and in the use of data to
18 inform the release decision;

19 “(F) develop and implement procedures to
20 identify efficiently and effectively those violators
21 of probation, parole, or supervision following re-
22 lease from prison, jail, or a juvenile facility who
23 should be returned to prisons, jails, or juvenile
24 facilities and those who should receive other
25 penalties based on defined, graduated sanctions;

1 “(G) collaborate with the Interagency Task
2 Force on Federal Programs and Activities Re-
3 lating to the Reentry of Offenders Into the
4 Community, and the Federal Resource Center
5 for Children of Prisoners;

6 “(H) develop a national reentry research
7 agenda;

8 “(I) bridge the gap between reentry re-
9 search and practice by translating knowledge
10 from research into practical information; and

11 “(J) establish a database to enhance the
12 availability of information that will assist of-
13 fenders in areas such as housing, employment,
14 counseling, mentoring, medical and mental
15 health services, substance abuse treatment,
16 transportation, and daily living skills.

17 “(4) LIMIT.—Of amounts made available to
18 carry out this section, not more than 4 percent shall
19 be available to carry out this subsection.

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

22 “(1) not more than 2 percent shall be available
23 for administrative expenses in carrying out this sec-
24 tion; and

1 “(2) not more than 2 percent shall be made
2 available to the National Institute of Justice to
3 evaluate the effectiveness of the demonstration
4 projects funded under this section, using a method-
5 ology that—

6 “(A) includes, to the maximum extent fea-
7 sible, random assignment of offenders (or enti-
8 ties working with such persons) to program de-
9 livery and control groups; and

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

12 (d) GRANT AUTHORIZATION.—Section 2976(a) of the
13 Omnibus Crime Control and Safe Streets Act of 1968 (42
14 U.S.C. 3797w(a)) is amended by striking “States, Terri-
15 tories” and all that follows through the period at the end
16 and inserting the following: “States, local governments,
17 territories, or Indian tribes, or any combination thereof,
18 in partnership with stakeholders, service providers, and
19 nonprofit organizations.”.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
21 2976(o) of the Omnibus Crime Control and Safe Streets
22 Act of 1968 (42 U.S.C. 3797w), as so redesignated by
23 subsection (e) of this section, is amended—

24 (1) in paragraph (1), by striking “\$15,000,000
25 for fiscal year 2003” and all that follows and insert-

1 ing “\$65,000,000 for fiscal year 2008, and
2 \$65,000,000 for fiscal year 2009.”; and

3 (2) by amending paragraph (2) to read as fol-
4 lows:

5 “(2) LIMITATION.—Of the amount made avail-
6 able to carry out this section in any fiscal year, not
7 more than 3 percent or less than 2 percent may be
8 used for technical assistance and training.”.

9 **SEC. 102. IMPROVEMENT OF THE RESIDENTIAL SUBSTANCE**
10 **ABUSE TREATMENT FOR STATE OFFENDERS**
11 **PROGRAM.**

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

16 (1) by striking the subsection heading and in-
17 serting “REQUIREMENT FOR AFTERCARE COMPO-
18 NENT.—”; and

19 (2) by amending paragraph (1) to read as fol-
20 lows:

21 “(1) To be eligible for funding under this part,
22 a State shall ensure that individuals who participate
23 in the substance abuse treatment program estab-
24 lished or implemented with assistance provided
25 under this part will be provided with aftercare serv-

1 ices, which may include case management services
2 and a full continuum of support services that ensure
3 providers furnishing services under the program are
4 approved by the appropriate State or local agency,
5 and licensed, if necessary, to provide medical treat-
6 ment or other health services.”.

7 (b) DEFINITION.—Section 1904(d) of the Omnibus
8 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
9 3796ff–3(d)) is amended to read as follows:

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

19 (c) REQUIREMENT FOR STUDY AND REPORT ON
20 AFTERCARE SERVICES.—The Attorney General, through
21 the National Institute of Justice, and in consultation with
22 the National Institute on Drug Abuse, shall conduct a
23 study on the use and effectiveness of funds used by the
24 Department of Justice for aftercare services under section
25 1902(c) of the Omnibus Crime Control and Safe Streets

1 Act of 1968, as amended by subsection (a) of this section,
2 for offenders who reenter the community after completing
3 a substance abuse program in prison or jail.

4 **Subtitle B—New and Innovative**
5 **Programs to Improve Offender**
6 **Reentry Services**

7 **SEC. 111. STATE AND LOCAL REENTRY COURTS.**

8 (a) IN GENERAL.—Part FF of title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
10 3797w et seq.), as amended by section 101, is further
11 amended by inserting at the end the following:

12 **“SEC. 2978. STATE AND LOCAL REENTRY COURTS.**

13 “(a) GRANTS AUTHORIZED.—The Attorney General
14 shall award grants, in accordance with this section, of not
15 more than \$500,000 to—

16 “(1) State and local courts; and

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

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

1 “(1) monitor juvenile and adult offenders re-
2 turning to the community;

3 “(2) provide juvenile and adult offenders re-
4 turning to the community with coordinated and com-
5 prehensive reentry services and programs such as—

6 “(A) drug and alcohol testing and assess-
7 ment for treatment;

8 “(B) assessment for substance abuse from
9 a substance abuse professional who is approved
10 by the State and licensed by the appropriate en-
11 tity to provide alcohol and drug addiction treat-
12 ment, as appropriate;

13 “(C) substance abuse treatment from a
14 provider that is approved by the State, and li-
15 censed, if necessary, to provide medical and
16 other health services;

17 “(D) health (including mental health) serv-
18 ices and assessment;

19 “(E) aftercare and case management serv-
20 ices that—

21 “(i) facilitate access to clinical care
22 and related health services; and

23 “(ii) coordinate with such clinical care
24 and related health services; and

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

1 “(3) convene community impact panels, victim
2 impact panels, or victim impact educational classes;

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

6 “(A) housing assistance;

7 “(B) education;

8 “(C) employment training;

9 “(D) conflict resolution skills training;

10 “(E) batterer intervention programs; and

11 “(F) other appropriate social services; and

12 “(5) establish and implement graduated sanc-
13 tions and incentives.

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

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

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

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

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

9 “(4) certifies that—

10 “(A) all agencies affected by the program,
11 including existing community corrections and
12 parole entities, have been appropriately con-
13 sulted in the development of the program;

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

17 “(C) there will be appropriate coordination
18 and consultation with the Single State Author-
19 ity for Substance Abuse (as defined in section
20 201(e) of the Second Chance Act of 2007) of
21 the State; and

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

24 “(e) MATCHING REQUIREMENTS.—The Federal
25 share of a grant under this section may not exceed 75

1 percent of the costs of the project assisted by such grant
2 unless the Attorney General—

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

5 “(2) publicly delineates the rationale for the
6 waiver.

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

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

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

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

20 “(g) AUTHORIZATION OF APPROPRIATIONS.—

21 “(1) IN GENERAL.—There are authorized to be
22 appropriated \$10,000,000 for each of fiscal years
23 2008 and 2009 to carry out this section.

24 “(2) LIMITATIONS.—Of the amount made avail-
25 able to carry out this section in any fiscal year—

1 “(A) not more than 2 percent may be used
2 by the Attorney General for salaries and admin-
3 istrative expenses; and

4 “(B) not more than 5 percent nor less
5 than 2 percent may be used for technical assist-
6 ance and training.”.

7 **SEC. 112. GRANTS FOR COMPREHENSIVE AND CONTINUOUS**
8 **OFFENDER REENTRY TASK FORCES.**

9 Title I of the Omnibus Crime Control and Safe
10 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is further
11 amended by inserting after part BB the following new
12 part:

13 **“PART CC—GRANTS FOR COMPREHENSIVE AND**
14 **CONTINUOUS OFFENDER REENTRY TASK**
15 **FORCES**

16 **“SEC. 2901. AUTHORIZATION.**

17 “The Attorney General shall carry out a grant pro-
18 gram under which the Attorney General makes grants to
19 States, units of local government, territories, Indian
20 tribes, and other public and private entities for the pur-
21 pose of establishing and administering task forces (to be
22 known as ‘Comprehensive and Continuous Offender Re-
23 entry Task Forces’), in accordance with this part.

1 **“SEC. 2902. COMPREHENSIVE AND CONTINUOUS OFFENDER**
2 **REENTRY TASK FORCES.**

3 “(a) IN GENERAL.—For purposes of this part, a
4 Comprehensive and Continuous Offender Reentry Task
5 Force is a planning group of a State, unit of local govern-
6 ment, territory, or Indian tribe that—

7 “(1) develops a community reentry plan, de-
8 scribed in section 2903, for each juvenile and adult
9 offender to be released from a correctional facility in
10 the applicable jurisdiction;

11 “(2) supervises and assesses the progress of
12 each such offender, with respect to such plan, start-
13 ing on a date before the offender is released from a
14 correctional facility and ending on the date on which
15 the court supervision of such offender ends;

16 “(3) conducts a detailed assessment of the
17 needs of each offender to address employment train-
18 ing, medical care, drug treatment, education, and
19 any other identified need of the offender to assist in
20 the offender’s reentry;

21 “(4) demonstrates affirmative steps to imple-
22 ment such a community reentry plan by consulting
23 and coordinating with other public and nonprofit en-
24 tities, as appropriate;

25 “(5) establishes appropriate measurements for
26 determining the efficacy of such community reentry

1 plans by monitoring offender performance under
2 such reentry plans;

3 “(6) complies with applicable State, local, terri-
4 torial, and tribal rules and regulations regarding the
5 provision of applicable services and treatment in the
6 applicable jurisdiction; and

7 “(7) consults and coordinates with the Single
8 State Authority for Substance Abuse (as defined in
9 section 201(e) of the Second Chance Act of 2007)
10 and the criminal justice agencies of the State to en-
11 sure that offender reentry plans are coordinated and
12 delivered in the most cost-effective manner, as deter-
13 mined by the Attorney General, in consultation with
14 the grantee.

15 “(b) CONSULTATION REQUIRED.—A Comprehensive
16 and Continuous Offender Reentry Task Force for a county
17 or other defined geographic area shall perform the duties
18 described in paragraphs (1) and (2) of subsection (a) in
19 consultation with representatives of—

20 “(1) the criminal and juvenile justice and cor-
21 rectional facilities within the county or area;

22 “(2) the community health care services of the
23 county or area;

24 “(3) the drug treatment programs of the county
25 or area;

1 “(4) the employment opportunities available in
2 the county or area;

3 “(5) housing opportunities available in the
4 county or area; and

5 “(6) any other appropriate community services
6 available in the county or area.

7 **“SEC. 2903. COMMUNITY REENTRY PLAN DESCRIBED.**

8 “For purposes of section 2902(a)(1), a community
9 reentry plan for an offender is a plan relating to the re-
10 entry of the offender into the community and, according
11 to the needs of the offender, shall—

12 “(1) identify employment opportunities and
13 goals;

14 “(2) identify housing opportunities;

15 “(3) provide for any needed drug treatment;

16 “(4) provide for any needed mental health serv-
17 ices;

18 “(5) provide for any needed health care serv-
19 ices;

20 “(6) provide for any needed family counseling;

21 “(7) provide for offender case management pro-
22 grams or services; and

23 “(8) provide for any other service specified by
24 the Comprehensive and Continuous Offender Re-
25 entry Task Force as necessary for the offender.

1 **“SEC. 2904. APPLICATION.**

2 “To be eligible for a grant under this part, a State
3 or other relevant entity shall submit to the Attorney Gen-
4 eral an application in such form and manner and at such
5 time as the Attorney General specifies. Such application
6 shall contain such information as the Attorney General
7 specifies.

8 **“SEC. 2905. RULE OF CONSTRUCTION.**

9 “Nothing in this part shall be construed as sup-
10 planting or modifying a sentence imposed by a court, in-
11 cluding any terms of supervision.

12 **“SEC. 2906. REPORTS.**

13 “An entity that receives funds under this part for a
14 Comprehensive and Continuous Offender Reentry Task
15 Force during a fiscal year shall submit to the Attorney
16 General, not later than a date specified by the Attorney
17 General, a report that describes and evaluates the effec-
18 tiveness of such Task Force during such fiscal year.

19 **“SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated
21 \$10,000,000 to carry out this section for each of fiscal
22 years 2008 and 2009.”.

23 **SEC. 113. PROSECUTION DRUG TREATMENT ALTERNATIVE**
24 **TO PRISON PROGRAMS.**

25 (a) AUTHORIZATION.—Title I of the Omnibus Crime
26 Control and Safe Streets Act of 1968 (42 U.S.C. 3711

1 et seq.), as amended by section 112 of this Act, is further
2 amended by inserting after section 2907 the following new
3 part:

4 **“PART DD—PROSECUTION DRUG TREATMENT**
5 **ALTERNATIVE TO PRISON PROGRAMS**

6 **“SEC. 2911. GRANT AUTHORITY.**

7 “(a) IN GENERAL.—The Attorney General may make
8 grants to State and local prosecutors to develop, imple-
9 ment, or expand qualified drug treatment programs that
10 are alternatives to imprisonment, in accordance with this
11 section.

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

15 “(1) that is administered by a State or local
16 prosecutor;

17 “(2) that requires an eligible offender who is
18 sentenced to participate in the program (instead of
19 incarceration) to participate in a comprehensive sub-
20 stance abuse treatment program that is approved by
21 the State and licensed, if necessary, to provide med-
22 ical and other health services;

23 “(3) that requires an eligible offender to receive
24 the consent of the State or local prosecutor involved
25 to participate in such program;

1 “(4) that, in the case of an eligible offender
2 who is sentenced to participate in the program, re-
3 quires the offender to serve a sentence of imprison-
4 ment with respect to the crime involved if the pros-
5 ecutor, in conjunction with the treatment provider,
6 determines that the offender has not successfully
7 completed the relevant substance abuse treatment
8 program described in paragraph (2);

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

13 “(6) that requires each substance abuse pro-
14 vider treating an eligible offender under the program
15 to—

16 “(A) make periodic reports of the progress
17 of the treatment of that offender to the State
18 or local prosecutor involved and to the appro-
19 priate court in which the defendant was con-
20 victed; and

21 “(B) notify such prosecutor and such court
22 if the offender absconds from the facility of the
23 treatment provider or otherwise violates the
24 terms and conditions of the program, consistent

1 with Federal and State confidentiality require-
2 ments; and

3 “(7) that has an enforcement unit comprised of
4 law enforcement officers under the supervision of the
5 State or local prosecutor involved, the duties of
6 which shall include verifying an offender’s addresses
7 and other contacts, and, if necessary, locating, ap-
8 prehending, and arresting an offender who has ab-
9 scended from the facility of a substance abuse treat-
10 ment provider or otherwise violated the terms and
11 conditions of the program, consistent with Federal
12 and State confidentiality requirements, and return-
13 ing such offender to court for sentencing for the
14 crime involved.

15 **“SEC. 2912. USE OF GRANT FUNDS.**

16 “(a) IN GENERAL.—A State or local prosecutor who
17 receives a grant under this part shall use such grant for
18 expenses of a qualified drug treatment program, including
19 for the following expenses:

20 “(1) Salaries, personnel costs, equipment costs,
21 and other costs directly related to the operation of
22 the program, including the enforcement unit.

23 “(2) Payments for substance abuse treatment
24 providers that are approved by the State and li-
25 censed, if necessary, to provide alcohol and drug ad-

1 diction treatment to eligible offenders participating
2 in the program, including aftercare supervision, vo-
3 cational training, education, and job placement.

4 “(3) Payments to public and nonprofit private
5 entities that are approved by the State and licensed,
6 if necessary, to provide alcohol and drug addiction
7 treatment to offenders participating in the program.

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

12 **“SEC. 2913. APPLICATIONS.**

13 “To request a grant under this part, a State or local
14 prosecutor shall submit an application to the Attorney
15 General in such form and containing such information as
16 the Attorney General may reasonably require. Each such
17 application shall contain the certification of the State or
18 local prosecutor that the program for which the grant is
19 requested is a qualified drug treatment program in accord-
20 ance with this part.

21 **“SEC. 2914. FEDERAL SHARE.**

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

1 fiscal year for which the program receives assistance under
2 this part.

3 **“SEC. 2915. GEOGRAPHIC DISTRIBUTION.**

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

7 “(1) in each State; and

8 “(2) in rural, suburban, and urban jurisdic-
9 tions.

10 **“SEC. 2916. REPORTS AND EVALUATIONS.**

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

19 **“SEC. 2917. DEFINITIONS.**

20 “In this part:

21 “(1) STATE OR LOCAL PROSECUTOR.—The
22 term ‘State or local prosecutor’ means any district
23 attorney, State attorney general, county attorney, or
24 corporation counsel who has authority to prosecute
25 criminal offenses under State 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 person carried, possessed, or
11 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) or (ii) is an element of
16 the offense or for which the person is
17 charged or convicted;

18 “(C) does not have one or more prior con-
19 victions for a felony crime of violence involving
20 the use or attempted use of force against a per-
21 son with the intent to cause death or serious
22 bodily 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 and

1 licensed by the appropriate entity to provide al-
2 cohol and drug addiction treatment, as appro-
3 priate; and

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

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 DD such sums as may be nec-
15 essary for each of fiscal years 2008 and 2009.”.

16 **SEC. 114. GRANTS FOR FAMILY SUBSTANCE ABUSE TREAT-**
17 **MENT ALTERNATIVES TO INCARCERATION.**

18 Title I of the Omnibus Crime Control and Safe
19 Streets Act (42 U.S.C. 3711 et seq.) is further amended
20 by inserting after Part II the following new part:

1 **“PART JJ—GRANTS FOR FAMILY SUBSTANCE**
2 **ABUSE TREATMENT ALTERNATIVES TO IN-**
3 **CARCERATION**

4 **“SEC. 3001. GRANTS AUTHORIZED.**

5 “The Attorney General may make grants to States,
6 units of local government, territories, and Indian tribes
7 to develop, implement, and expand comprehensive and
8 clinically-appropriate family-based substance abuse treat-
9 ment programs as alternatives to incarceration for non-
10 violent parent drug offenders.

11 **“SEC. 3002. USE OF GRANT FUNDS.**

12 “Grants made to an entity under section 3001 for
13 a program described in such section may be used for the
14 following:

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

18 “(2) Payments to providers of substance abuse
19 treatment for providing treatment and case manage-
20 ment to nonviolent parent drug offenders partici-
21 pating in the program, including comprehensive
22 treatment for mental health disorders, parenting
23 classes, educational classes, vocational training, and
24 job placement.

25 “(3) Payments to public and nonprofit private
26 entities to provide substance abuse treatment to

1 nonviolent parent drug offenders participating in the
2 program.

3 **“SEC. 3003. PROGRAM REQUIREMENTS.**

4 “A program for which a grant is made under section
5 3001 shall comply with the following requirements:

6 “(1) The program shall ensure that all pro-
7 viders of substance abuse treatment are approved by
8 the State and are licensed, if necessary, to provide
9 medical and other health services.

10 “(2) The program shall provide for appropriate
11 coordination and consultation with the Single State
12 Authority for Substance Abuse (as defined in section
13 201(e) of the Second Chance Act of 2007) of the
14 State in which the program is located.

15 “(3) The program shall consist of clinically-ap-
16 propriate, comprehensive, and long-term family
17 treatment, including the treatment of the nonviolent
18 parent drug offender, the child of such offender, and
19 any other appropriate member of the family of the
20 offender.

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

24 “(5) The program shall provide that if a non-
25 violent parent drug offender who participates in the

1 program does not successfully complete the program
2 the offender shall serve an appropriate sentence of
3 imprisonment with respect to the underlying crime
4 involved.

5 “(6) The program shall ensure that a deter-
6 mination is made as to whether or not a nonviolent
7 drug offender has completed the substance abuse
8 treatment program.

9 “(7) The program shall include the implementa-
10 tion of a system of graduated sanctions (including
11 incentives) that are applied based on the account-
12 ability of the nonviolent parent drug offender in-
13 volved throughout the course of the program to en-
14 courage compliance with the program.

15 “(8) The program shall develop and implement
16 a reentry plan for each nonviolent parent drug of-
17 fender that shall include reinforcement strategies for
18 family involvement as appropriate, relapse strategies,
19 support groups, placement in transitional housing,
20 and continued substance abuse treatment, as need-
21 ed.

22 **“SEC. 3004. DEFINITIONS.**

23 “In this part:

24 “(1) NONVIOLENT PARENT DRUG OFFEND-
25 ERS.—The term ‘nonviolent parent drug offender’

1 means an offender who is a parent of a minor and
2 who is convicted of a drug (or drug-related) felony
3 that is a nonviolent offense.

4 “(2) NONVIOLENT OFFENSE.—The term ‘non-
5 violent offense’ has the meaning given such term
6 under section 2991(a).

7 **“SEC. 3005. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
9 this part \$10,000,000 for each of fiscal years 2008 and
10 2009.”.

11 **SEC. 115. PRISON-BASED FAMILY TREATMENT PROGRAMS**
12 **FOR INCARCERATED PARENTS OF MINOR**
13 **CHILDREN.**

14 Title I of the Omnibus Crime Control and Safe
15 Streets Act (42 U.S.C. 3711 et seq.), is further amend-
16 ed—

17 (1) by redesignating Part X at the end (relating
18 to grants for sex offender apprehension and juvenile
19 sex offender treatment) as Part KK; and

20 (2) by adding at the end the following new part:

1 **“PART LL—PRISON-BASED FAMILY TREATMENT**
2 **PROGRAMS FOR INCARCERATED PARENTS**
3 **OF MINOR CHILDREN**

4 **“SEC. 3021. GRANTS AUTHORIZED.**

5 “The Attorney General may make grants to States,
6 units of local government, territories, and Indian tribes
7 to provide prison-based family treatment programs for in-
8 carcerated parents of minor children.

9 **“SEC. 3022. USE OF GRANT FUNDS.**

10 “An entity that receives a grant under this part shall
11 use amounts provided under the grant to—

12 “(1) develop, implement, and expand prison-
13 based family treatment programs in correctional fa-
14 cilities for incarcerated parents with minor children,
15 excluding from the programs those parents with re-
16 spect to whom there is reasonable evidence of do-
17 mestic violence or child abuse;

18 “(2) coordinate the design and implementation
19 of such programs between appropriate correctional
20 facility representatives, the Single State Authority
21 for Substance Abuse (as defined in section 201(e) of
22 the Second Chance Act of 2007), and other appro-
23 priate governmental agencies; and

24 “(3) develop and implement a pre-release as-
25 sessment and a reentry plan for each incarcerated

1 parent scheduled to be released to the community,
2 and such plan shall include—

3 “(A) a treatment program for the incarcer-
4 ated parent to receive continuous substance
5 abuse treatment services and related support
6 services, as needed;

7 “(B) a housing plan during transition from
8 incarceration to reentry, as needed;

9 “(C) a vocational or employment plan, in-
10 cluding training and job placement services;
11 and

12 “(D) any other services necessary to pro-
13 vide successful reentry into the community.

14 **“SEC. 3023. PROGRAM REQUIREMENTS.**

15 “A prison-based family treatment program for incar-
16 cerated parents with respect to which a grant is made
17 shall comply with the following requirements:

18 “(1) The program shall integrate techniques to
19 assess the strengths and needs of immediate and ex-
20 tended family of the incarcerated parent to support
21 a treatment plan of the incarcerated parent.

22 “(2) The program shall ensure that each partic-
23 ipant in the program has access to consistent and
24 uninterrupted care if transferred to a different cor-

1 rectional facility within the State or other relevant
2 entity.

3 “(3) The program shall be located in an area
4 separate from the general population of the prison
5 or jail.

6 **“SEC. 3024. APPLICATIONS.**

7 “To be eligible for a grant under this part for a pris-
8 on-based family treatment program, an entity described
9 in section 3021 shall, in addition to any other requirement
10 specified by the Attorney General, submit an application
11 to the Attorney General in such form and manner and
12 at such time as specified by the Attorney General. Such
13 application shall include a description of the methods and
14 measurements the entity will use for purposes of evalu-
15 ating the program involved and such other information as
16 the Attorney General may reasonably require.

17 **“SEC. 3025. REPORTS.**

18 “An entity that receives a grant under this part for
19 a prison-based family treatment program during a fiscal
20 year shall submit to the Attorney General, not later than
21 a date specified by the Attorney General, a report that
22 describes and evaluates the effectiveness of such program
23 during such fiscal year. Such evaluation shall be based on
24 evidence-based data and shall use the methods and meas-

1 urements described in the application of the entity for pur-
2 poses of evaluating the program.

3 **“SEC. 3026. PRISON-BASED FAMILY TREATMENT PROGRAM**
4 **DEFINED.**

5 “In this part, the term ‘prison-based family treat-
6 ment program’ means a program for incarcerated parents
7 in a correctional facility that provides a comprehensive re-
8 sponse to offender needs, including substance abuse treat-
9 ment, child early intervention services, family counseling,
10 legal services, medical care, mental health services, nurs-
11 ery and preschool, parenting skills training, pediatric care,
12 physical therapy, prenatal care, sexual abuse therapy, re-
13 lapse prevention, transportation, and vocational or GED
14 training.

15 **“SEC. 3027. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to carry out
17 this part \$10,000,000 for each of fiscal years 2008 and
18 2009.”.

19 **SEC. 116. GRANT PROGRAMS RELATING TO EDUCATIONAL**
20 **METHODS AT PRISONS, JAILS, AND JUVENILE**
21 **FACILITIES.**

22 Title I of the Omnibus Crime Control and Safe
23 Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended
24 by section 115 of this Act, is further amended by adding
25 at the end the following new part:

1 **“PART MM—GRANT PROGRAM TO EVALUATE**
2 **EDUCATIONAL METHODS AT PRISONS, JAILS,**
3 **AND JUVENILE FACILITIES**

4 **“SEC. 3031. GRANT PROGRAM TO EVALUATE EDUCATIONAL**
5 **METHODS AT PRISONS, JAILS, AND JUVENILE**
6 **FACILITIES.**

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

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

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).

20 “(b) APPLICATION.—To be eligible for a grant under
21 this section, a State or other entity described in subsection
22 (a) shall submit to the Attorney General an application
23 in such form and manner and at such time as the Attorney
24 General specifies. Such application shall contain such in-
25 formation as the Attorney General specifies.

1 “(c) REPORT.—Not later than 90 days after the last
2 day of the final fiscal year for which an entity described
3 in subsection (a) receives a grant under such subsection,
4 such an entity shall submit to the Attorney General a de-
5 tailed report of the aggregate findings and conclusions of
6 the evaluation described in subsection (a)(1), and the rec-
7 ommendations to the Attorney General described in sub-
8 section (a)(2).

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated—

11 “(1) to carry out subsection (a)(1), \$5,000,000
12 for each of the fiscal years 2008 and 2009; and

13 “(2) to carry out subsection (a)(2), \$5,000,000
14 for each of the fiscal years 2008 and 2009.

15 **“SEC. 3032. GRANTS TO IMPROVE EDUCATIONAL SERVICES**
16 **IN PRISONS, JAILS, AND JUVENILE FACILI-**
17 **TIES.**

18 “(a) GRANT PROGRAM AUTHORIZED.—The Attorney
19 General shall carry out a grant program under which the
20 Attorney General makes grants to States, units of local
21 government, territories, and Indian tribes for the purpose
22 of improving the academic and vocational education pro-
23 grams available to offenders in prisons, jails, and juvenile
24 facilities.

1 “(b) APPLICATION.—To be eligible for a grant under
2 this section, an entity described in subsection (a) shall
3 submit to the Attorney General an application in such
4 form and manner and at such time as the Attorney Gen-
5 eral specifies. Such application shall contain such informa-
6 tion as the Attorney General specifies.

7 “(c) REPORTS.—An entity that receives a grant
8 under subsection (a) during a fiscal year shall, not later
9 than the last day of the following fiscal year, submit to
10 the Attorney General a report that describes and assesses
11 the uses of such grant.

12 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated \$10,000,000 to carry
14 out this section for each of fiscal years 2008 and 2009.”.

15 **Subtitle C—Conforming** 16 **Amendments**

17 **SEC. 121. USE OF VIOLENT OFFENDER TRUTH-IN-SEN-** 18 **TENCING GRANT FUNDING FOR DEMONSTRA-** 19 **TION PROJECT ACTIVITIES.**

20 Section 20102(a) of the Violent Crime Control and
21 Law Enforcement Act of 1994 (42 U.S.C. 13702(a)) is
22 amended—

23 (1) in paragraph (2) by striking “and” at the
24 end;

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

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

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

8 **TITLE II—ENHANCED DRUG**
9 **TREATMENT AND MEN-**
10 **TORING GRANT PROGRAMS**
11 **Subtitle A—Drug Treatment**

12 **SEC. 201. GRANTS FOR DEMONSTRATION PROGRAMS TO**
13 **REDUCE DRUG USE AND RECIDIVISM IN**
14 **LONG-TERM SUBSTANCE ABUSERS.**

15 (a) **AWARDS REQUIRED.**—The Attorney General
16 shall make competitive grants to eligible partnerships, in
17 accordance with this section, for the purpose of estab-
18 lishing demonstration programs to reduce the use of alco-
19 hol and other drugs by supervised long-term substance
20 abusers during the period in which each such long-term
21 substance abuser is in prison, jail, or a juvenile facility,
22 and until the completion of parole or court supervision of
23 such abuser.

1 (b) USE OF GRANT FUNDS.—A grant made under
2 subsection (a) to an eligible partnership for a demonstra-
3 tion program, shall be used—

4 (1) to support the efforts of the agencies, orga-
5 nizations, and researchers included in the eligible
6 partnership, with respect to the program;

7 (2) to develop and implement a program for su-
8 pervised long-term substance abusers during the pe-
9 riod described in subsection (a), which shall in-
10 clude—

11 (A) alcohol and drug abuse assessments
12 that—

13 (i) are provided by a State-approved
14 program; and

15 (ii) provide adequate incentives for
16 completion of a comprehensive alcohol or
17 drug abuse treatment program, including
18 through the use of graduated sanctions;
19 and

20 (B) coordinated and continuous delivery of
21 drug treatment and case management services
22 during such period; and

23 (3) to provide addiction recovery support serv-
24 ices (such as job training and placement, peer sup-
25 port, mentoring, education, and other related serv-

1 ices) to strengthen rehabilitation efforts for long-
2 term substance abusers.

3 (c) APPLICATION.—To be eligible for a grant under
4 subsection (a) for a demonstration program, an eligible
5 partnership shall submit to the Attorney General an appli-
6 cation that—

7 (1) identifies the role, and certifies the involve-
8 ment, of each agency or organization involved in
9 such partnership, with respect to the program;

10 (2) includes a plan for using judicial or other
11 criminal or juvenile justice authority to supervise the
12 long-term substance abusers who are participating in
13 a demonstration program under this section, includ-
14 ing for—

15 (A) administering drug tests for such
16 abusers on a regular basis; and

17 (B) swiftly and certainly imposing an es-
18 tablished set of graduated sanctions for non-
19 compliance with conditions for reentry into the
20 community relating to drug abstinence (whether
21 imposed as a pre-trial, probation, or parole con-
22 dition, or otherwise);

23 (3) includes a plan to provide supervised long-
24 term substance abusers with coordinated and contin-
25 uous services that are based on evidence-based strat-

1 egies that assist such abusers by providing such
2 abusers with—

3 (A) drug treatment while in prison, jail, or
4 a juvenile facility;

5 (B) continued treatment during the period
6 in which each such long-term substance abuser
7 is in prison, jail, or a juvenile facility, and until
8 the completion of parole or court supervision of
9 such abuser;

10 (C) addiction recovery support services;

11 (D) employment training and placement;

12 (E) family-based therapies;

13 (F) structured post-release housing and
14 transitional housing, including housing for re-
15 covering substance abusers; and

16 (G) other services coordinated by appro-
17 priate case management services;

18 (4) includes a plan for coordinating the data in-
19 frastructures among the entities included in the eli-
20 gible partnership and between such entities and the
21 providers of services under the demonstration pro-
22 gram involved (including providers of technical as-
23 sistance) to assist in monitoring and measuring the
24 effectiveness of demonstration programs under this
25 section; and

1 (5) includes a plan to monitor and measure the
2 number of long-term substance abusers—

3 (A) located in each community involved;

4 and

5 (B) who improve the status of their em-
6 ployment, housing, health, and family life.

7 (d) REPORTS TO CONGRESS.—

8 (1) INTERIM REPORT.—Not later than Sep-
9 tember 30, 2008, the Attorney General shall submit
10 to Congress a report that identifies the best prac-
11 tices relating to the comprehensive and coordinated
12 treatment of long-term substance abusers, including
13 the best practices identified through the activities
14 funded under this section.

15 (2) FINAL REPORT.—Not later than September
16 30, 2009, the Attorney General shall submit to Con-
17 gress a report on the demonstration programs fund-
18 ed under this section, including on the matters spec-
19 ified in paragraph (1).

20 (e) DEFINITIONS.—In this section:

21 (1) ELIGIBLE PARTNERSHIP.—The term “eligi-
22 ble partnership” means a partnership that in-
23 cludes—

24 (A) the applicable Single State Authority
25 for Substance Abuse;

1 (B) the State, local, territorial, or tribal
2 criminal or juvenile justice authority involved;

3 (C) a researcher who has experience in evi-
4 dence-based studies that measure the effective-
5 ness of treating long-term substance abusers
6 during the period in which such abusers are
7 under the supervision of the criminal or juvenile
8 justice system involved;

9 (D) community-based organizations that
10 provide drug treatment, related recovery serv-
11 ices, job training and placement, educational
12 services, housing assistance, mentoring, or med-
13 ical services; and

14 (E) Federal agencies (such as the Drug
15 Enforcement Agency, the Bureau of Alcohol,
16 Tobacco, Firearms, and Explosives, and United
17 States Attorney's offices).

18 (2) LONG-TERM SUBSTANCE ABUSER.—The
19 term “long-term substance abuser” means an of-
20 fender, who—

21 (A) is in a prison, jail, or juvenile facility;

22 (B) has abused illegal drugs or alcohol for
23 a significant number of years; and

1 (C) is scheduled to be released from pris-
2 on, jail, or a juvenile facility within the next 24
3 months.

4 (3) SINGLE STATE AUTHORITY FOR SUBSTANCE
5 ABUSE.—The term “Single State Authority for Sub-
6 stance Abuse” means an entity designated by the
7 Governor or chief executive officer of a State as the
8 single State administrative authority responsible for
9 the planning, development, implementation, moni-
10 toring, regulation, and evaluation of substance abuse
11 services.

12 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$5,000,000 for each of fiscal years 2008 and 2009.

15 **SEC. 202. GRANTS FOR DEMONSTRATION PROGRAMS BY**
16 **LOCAL PARTNERSHIPS TO REDUCE ILLEGAL**
17 **DRUG DEMAND BY PROVIDING DRUG TREAT-**
18 **MENT.**

19 (a) GRANT AWARDS REQUIRED.—The Attorney Gen-
20 eral shall make competitive awards for demonstration pro-
21 grams by eligible partnerships for the purpose of reducing
22 illegal drug demand by providing for drug treatment upon
23 request programs through evidence-based models of such
24 programs that—

1 (1) increase the accessibility of such a program
2 to any individual who requests to participate in such
3 program;

4 (2) increase public awareness of the availability
5 of such programs; and

6 (3) decrease the cost of drug treatment.

7 (b) USE OF AWARD AMOUNTS.—Grant amounts re-
8 ceived under this section shall be used—

9 (1) to support the efforts of the agencies, orga-
10 nizations, and researchers included in the eligible
11 partnership;

12 (2) to develop a program that provides drug
13 treatment upon request—

14 (A) at no cost to an individual who partici-
15 pates in the program; and

16 (B) within a reasonable period to any indi-
17 vidual that requests such treatment;

18 (3) to increase awareness of the availability of
19 such a program to any individual that may be inter-
20 ested in participating in such a program; and

21 (4) to record the outcomes of the program de-
22 veloped.

23 (c) REPORTS TO CONGRESS.—

24 (1) INTERIM REPORT.—Not later than Sep-
25 tember 30, 2008 the Attorney General shall submit

1 to Congress a report that identifies the best prac-
2 tices in providing for drug treatment upon request
3 programs, including the best practices identified
4 through the activities funded under this section.

5 (2) FINAL REPORT.—Not later than September
6 30, 2009, the Attorney General shall submit to Con-
7 gress a report on the demonstration programs fund-
8 ed under this section, including on the matters spec-
9 ified in paragraph (1).

10 (d) DEFINITIONS.—For purposes of this section:

11 (1) DRUG TREATMENT UPON REQUEST.—The
12 term “drug treatment upon request” means a drug
13 treatment program that provides to any individual
14 who requests to participate in such program full
15 availability and accessibility to such program with-
16 out delay.

17 (2) ELIGIBLE PARTNERSHIP.—The term “eligi-
18 ble partnership” means a working group whose ap-
19 plication to the Attorney General—

20 (A) identifies the roles played, and certifies
21 the involvement of, two or more agencies or or-
22 ganizations, which may include—

23 (i) State or local agencies (such as
24 those carrying out police, probation, pros-

1 ecution, courts, corrections, parole, or
2 treatment functions);

3 (ii) Federal agencies (such as the
4 Drug Enforcement Agency, the Bureau of
5 Alcohol, Tobacco, Firearms, and Explo-
6 sives, and United States Attorney offices);
7 and

8 (iii) community-based organizations;

9 (B) includes a qualified researcher;

10 (C) includes a plan for identifying, with re-
11 spect to the date of the enactment of this Act—

12 (i) the availability, as of such date, of
13 each drug treatment upon request pro-
14 gram;

15 (ii) the demand, as of such date, for
16 drug treatment that has not been met
17 through programs in existence before such
18 date;

19 (iii) the ease and quality of access to
20 drug treatment, as of such date; and

21 (iv) the criteria that have influenced
22 the outcome of drug treatment upon re-
23 quest programs; and

24 (D) includes a plan that describes the
25 methodology and outcome measures proposed

1 for evaluating the impact of each model used
2 for a drug treatment upon request program.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$5,000,000 for each of fiscal years 2008 and 2009.

6 **SEC. 203. OFFENDER DRUG TREATMENT INCENTIVE**
7 **GRANTS.**

8 (a) GRANT PROGRAM AUTHORIZED.—The Attorney
9 General shall carry out a grant program under which the
10 Attorney General makes grants to States, units of local
11 government, territories, and Indian tribes in an amount
12 described in subsection (c) to improve the provision of
13 drug treatment to offenders in prisons, jails, and juvenile
14 facilities.

15 (b) REQUIREMENTS FOR APPLICATION.—To be eligi-
16 ble to receive a grant under subsection (a) for a given fis-
17 cal year, an entity described in such subsection shall, in
18 addition to any other requirements specified by the Attor-
19 ney General, submit to the Attorney General an applica-
20 tion that demonstrates that, with respect to offenders in
21 prisons, jails, and juvenile facilities who require drug
22 treatment and who are in the custody of the jurisdiction
23 involved, during the previous fiscal year the entity pro-
24 vided drug treatment meeting standards set forth by the
25 Single State Authority for Substance Abuse (as defined

1 in section 201(e)) to a number of such offenders that is
2 two times the number of such offenders to whom the entity
3 provided such drug treatment in the fiscal year that was
4 two years before such given fiscal year. Such application
5 shall be submitted in such form and manner and at such
6 time as specified by the Attorney General.

7 (c) ALLOCATION OF GRANT AMOUNTS BASED ON
8 DRUG TREATMENT PERCENT DEMONSTRATED.—In allo-
9 cating grant amounts under this part, the Attorney Gen-
10 eral shall base the amount allocated to an entity for a fis-
11 cal year on the percent of offenders described in sub-
12 section (b) to whom the entity provided drug treatment
13 in the previous fiscal year, as demonstrated by the entity
14 in its application under such subsection.

15 (d) USES OF GRANTS.—A grant awarded to an entity
16 under subsection (a) shall be used—

17 (1) for continuing and improving drug treat-
18 ment programs provided at prisons, jails, and juve-
19 nile facilities of such entity; and

20 (2) to strengthen rehabilitation efforts for of-
21 fenders by providing addiction recovery support serv-
22 ices, such as job training and placement, education,
23 peer support, mentoring, and other similar services.

24 (e) TECHNICAL ASSISTANCE.—The Attorney General
25 may provide technical assistance to any entity awarded a

1 grant under this section to establish or expand drug treat-
2 ment services under this section if such entity does not
3 have any (or has only a few) prisons, jails, or juvenile fa-
4 cilities that offer such services.

5 (f) REPORTS.—An entity that receives a grant under
6 subsection (a) during a fiscal year shall, not later than
7 the last day of the following fiscal year, submit to the At-
8 torney General a report that describes and assesses the
9 uses of such grant.

10 (g) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated \$10,000,000 to carry
12 out this section for each of fiscal years 2008 and 2009.

13 **SEC. 204. ENSURING AVAILABILITY AND DELIVERY OF NEW**
14 **PHARMACOLOGICAL DRUG TREATMENT**
15 **SERVICES.**

16 (a) GRANT PROGRAM AUTHORIZED.—The Attorney
17 General, through the National Institute of Justice, and in
18 consultation with the National Institute on Drug Abuse
19 and the Substance Abuse and Mental Health Services Ad-
20 ministration, shall carry out a grant program under which
21 the Attorney General makes grants to States, units of
22 local government, territories, Indian tribes, and public and
23 private organizations to establish pharmacological drug
24 treatment services as part of the available drug treatment

1 programs being offered by such grantees to offenders who
2 are in prison or jail.

3 (b) CONSIDERATION OF PHARMACOLOGICAL TREAT-
4 MENTS.—In awarding grants under this section to eligible
5 entities, the Attorney General shall consider—

6 (1) the number and availability of pharma-
7 cological treatments offered under the proposed or
8 existing program involved; and

9 (2) the participation of researchers who are fa-
10 miliar with evidence-based studies and are able to
11 measure the effectiveness of such treatments using
12 randomized trials.

13 (c) APPLICATIONS.—

14 (1) IN GENERAL.—To be eligible for a grant
15 under this section, an entity described in subsection
16 (a) shall submit to the Attorney General an applica-
17 tion in such form and manner and at such time as
18 the Attorney General specifies.

19 (2) INFORMATION REQUIRED.—An application
20 submitted under paragraph (1) shall—

21 (A) provide assurances that grant funds
22 will be used only toward a program that is cre-
23 ated in coordination with (or approved by) the
24 Single State Authority for Substance Abuse, as
25 defined in section 201(e), of the State involved

1 to ensure pharmacological drug treatment serv-
2 ices provided under such program are clinically
3 appropriate;

4 (B) demonstrate how pharmacological drug
5 treatment services offered under the proposed
6 or existing program are part of a clinically-ap-
7 propriate and comprehensive treatment plan;
8 and

9 (C) contain such other information as the
10 Attorney General specifies.

11 (d) REPORTS.—An entity that receives a grant under
12 subsection (a) during a fiscal year shall, not later than
13 the last day of the following fiscal year, submit to the At-
14 torney General a report that describes and assesses the
15 uses of such grant.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated \$10,000,000 to carry
18 out this section for each of fiscal years 2008 and 2009.

19 **SEC. 205. STUDY OF EFFECTIVENESS OF DEPOT**
20 **NALTREXONE FOR HEROIN ADDICTION.**

21 (a) GRANT PROGRAM AUTHORIZED.—The Attorney
22 General, through the National Institute of Justice, and in
23 consultation with the National Institute on Drug Abuse,
24 shall carry out a grant program under which the Attorney
25 General makes grants to public and private research enti-

1 ties (including consortia, single private research entities,
2 and individual institutions of higher education) to evaluate
3 the effectiveness of depot naltrexone for the treatment of
4 heroin addiction.

5 (b) EVALUATION PROGRAM.—To be eligible to receive
6 a grant under this section, an entity described in sub-
7 section (a) shall submit to the Attorney General an appli-
8 cation that—

9 (1) contains such information as the Attorney
10 General specifies, including information that dem-
11 onstrates that—

12 (A) the applicant conducts research at a
13 private or public institution of higher education;

14 (B) the applicant has an established or
15 proposed plan to work with parole officers or
16 probation officers for offenders who are under
17 court supervision; and

18 (C) the evaluation described in subsection
19 (a) will measure the effectiveness of such treat-
20 ments using randomized trials; and

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

23 (c) REPORTS.—An entity that receives a grant under
24 subsection (a) during a fiscal year shall, not later than
25 the last day of the following fiscal year, submit to the At-

1 torney General a report that describes and assesses the
2 uses of such grant.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated \$5,000,000 to carry out
5 this section for each of fiscal years 2008 and 2009.

6 **Subtitle B—Job Training**

7 **SEC. 211. TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS.**

8
9 (a) AUTHORITY TO MAKE GRANTS.—From amounts
10 made available to carry out this section, the Attorney Gen-
11 eral shall make grants to States, units of local govern-
12 ment, territories, and Indian tribes to provide technology
13 career training to prisoners.

14 (b) USE OF FUNDS.—Grants awarded under sub-
15 section (a) may be used for establishing a technology ca-
16 reers training program to train prisoners during the 3-
17 year period before release from prison, jail, or a juvenile
18 facility for technology-based jobs and careers.

19 (c) REPORTS.—Not later than the last day of each
20 fiscal year, an entity that receives a grant under sub-
21 section (a) during the preceding fiscal year shall submit
22 to the Attorney General a report that describes and as-
23 sesses the uses of such grant during the preceding fiscal
24 year.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$5,000,000 for each of fiscal years 2008 and 2009.

4 **Subtitle C—Mentoring**

5 **SEC. 221. MENTORING GRANTS TO NONPROFIT ORGANIZA-** 6 **TIONS.**

7 (a) AUTHORITY TO MAKE GRANTS.—From amounts
8 made available to carry out this section, the Attorney Gen-
9 eral shall make grants to nonprofit organizations for the
10 purpose of providing mentoring and other transitional
11 services essential to reintegrating offenders into the com-
12 munity.

13 (b) USE OF FUNDS.—Grant funds awarded under
14 subsection (a) may be used for—

15 (1) mentoring adult and juvenile offenders dur-
16 ing incarceration, through transition back to the
17 community, and post-release;

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

20 (3) training regarding offender and victims
21 issues.

22 (c) APPLICATION; PRIORITY CONSIDERATION.—

23 (1) IN GENERAL.—To be eligible to receive a
24 grant under this section, a nonprofit organization

1 shall submit an application to the Attorney General
2 based on criteria developed by the Attorney General.

3 (2) PRIORITY CONSIDERATION.—Priority con-
4 sideration shall be given to any application that—

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

8 (B) provides for an independent evaluation
9 that includes, to the maximum extent feasible,
10 random assignment of offenders to program de-
11 livery and control groups.

12 (d) STRATEGIC PERFORMANCE OUTCOMES.—The At-
13 torney General shall require each applicant under this sec-
14 tion to identify specific performance outcomes related to
15 the long-term goal of stabilizing communities by reducing
16 recidivism (using a measure that is consistent with the re-
17 search undertaken by the Bureau of Justice Statistics pur-
18 suant to section 241(b)(6)), and reintegrating offenders
19 into society.

20 (e) REPORTS.—Not later than the last day of each
21 fiscal year, an entity that receives a grant under sub-
22 section (a) during the preceding fiscal year shall submit
23 to the Attorney General a report that describes and as-
24 sesses the uses of such grant during the preceding fiscal

1 year and that identifies the progress of the grantee toward
2 achieving its strategic performance outcomes.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to the Attorney General
5 to carry out this section \$15,000,000 for each of fiscal
6 years 2008 and 2009.

7 **SEC. 222. BUREAU OF PRISONS POLICY ON MENTORING**
8 **CONTACTS.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of enactment of this Act, the Director of the Bureau
11 of Prisons shall, in order to promote stability and contin-
12 ued assistance to offenders after release from prison,
13 adopt and implement a policy to ensure that persons who
14 provide mentoring services to incarcerated offenders are
15 permitted to continue such services after the offender is
16 released from prison. The policy shall permit the continu-
17 ation of such mentoring services unless the Director can
18 demonstrate that such services would be a significant se-
19 curity risk to the offender, incarcerated offenders, persons
20 who provide such services, or any other person.

21 (b) REPORT.—Not later than September 30, 2008,
22 the Director of the Bureau of Prisons shall submit to Con-
23 gress a report on the extent to which the policy described
24 in subsection (a) has been implemented and followed.

1 **Subtitle D—Administration of**
2 **Justice Reforms**

3 **CHAPTER 1—IMPROVING FEDERAL**
4 **OFFENDER REENTRY**

5 **SEC. 231. FEDERAL PRISONER REENTRY PROGRAM.**

6 (a) **ESTABLISHMENT.**—The Director of the Bureau
7 of Prisons (hereinafter in this chapter referred to as the
8 “Director”) shall establish a prisoner reentry program (re-
9 ferred to in this section as the “Program”) to prepare
10 prisoners for release and successful reentry into the com-
11 munity.

12 (b) **PROGRAM ELEMENTS.**—The Program shall pro-
13 vide for the following, in accordance with this section:

14 (1) **VOLUNTARY ENROLLMENT.**—Voluntary en-
15 rollment for prisoners meeting enrollment criteria es-
16 tablished by the Director, provided such criteria pro-
17 vides that a prisoner may not enroll in the Program
18 any earlier than the first day of the two-year period
19 preceding the prisoner’s expected release date.

20 (2) **PROGRAM PHASES.**—An initial institutional
21 phase, a transitional institution phase, and a transi-
22 tional community phase under subsection (c), during
23 each of which each prisoner enrolled in the Program
24 receives reentry education (as described in sub-
25 section (e)).

1 (3) PROGRAM INCENTIVES.—Program incen-
2 tives described in subsection (d) for prisoners meet-
3 ing the phase requirements of the Program.

4 (c) PROGRAM PHASES.—The Program shall include
5 the following phases:

6 (1) INITIAL INSTITUTIONAL PHASE.—An initial
7 institutional phase for prisoners enrolled in the Pro-
8 gram at each Federal institution and, to the extent
9 feasible, in an area set apart from the general prison
10 population.

11 (2) TRANSITIONAL INSTITUTION PHASE.—A
12 transitional institution phase at each Federal insti-
13 tution for prisoners that have completed the initial
14 institutional phase but have not yet been released or
15 placed in pre-release custody.

16 (3) TRANSITIONAL COMMUNITY PHASE.—A
17 transitional community phase at each community
18 corrections facility for prisoners that have completed
19 the initial institutional phase, have remained eligible
20 during the transitional institution phase, and have
21 been transferred to a community corrections facility.

22 (d) PROGRAM INCENTIVES.—

23 (1) IN GENERAL.—Subject to paragraph (4),
24 under the Program a prisoner eligible under para-

1 graph (2) for Program incentives may receive any of
2 the following incentives:

3 (A) Temporary release for reentry prepara-
4 tion purposes.

5 (B) The maximum allowable period in a
6 community corrections facility.

7 (C) Early release, but not earlier than the
8 date that is one year before the prisoner's origi-
9 nal scheduled release.

10 (D) Such other incentives as the Director
11 considers appropriate.

12 (2) ELIGIBILITY FOR INCENTIVES.—

13 (A) INITIAL INSTITUTIONAL PHASE.—To
14 be eligible for Program incentives during the
15 initial institutional phase, a prisoner must suc-
16 cessfully complete 500 hours of reentry edu-
17 cation before the end of the one-year period be-
18 ginning on the date of the prisoner's enrollment
19 in the Program.

20 (B) TRANSITIONAL INSTITUTION PHASE.—
21 To remain eligible for Program incentives dur-
22 ing the transitional institution phase, a prisoner
23 must successfully complete two hours of reentry
24 education during each month—

1 (i) beginning after the month the pris-
2 oner completes the initial institutional
3 phase; and

4 (ii) ending before the month the pris-
5 oner is released or placed in pre-release
6 custody.

7 (C) TRANSITIONAL COMMUNITY PHASE.—

8 To remain eligible for Program incentives dur-
9 ing the transitional community phase, a pris-
10 oner must successfully complete one hour of re-
11 entry education during each month—

12 (i) beginning after the month of the
13 prisoner's transfer to a community correc-
14 tions facility; and

15 (ii) ending before the month the pris-
16 oner is released.

17 (3) REVOCATION OF INCENTIVES.—If a pris-
18 oner fails to meet the eligibility requirements to re-
19 ceive Program incentives during a given phase of the
20 Program, the Director may revoke any Program in-
21 centive granted to the prisoner.

22 (4) LIMITATIONS.—

23 (A) CONSIDERING PUBLIC SAFETY.—When
24 considering whether to grant a Program incen-
25 tive to a prisoner, the Director shall take into

1 account the prisoner's behavior while impris-
2 oned and history of criminal conduct to deter-
3 mine whether granting such incentive would en-
4 danger the safety of the public.

5 (B) INELIGIBILITY UNDER OTHER PROVI-
6 SION OF LAW.—For purposes of this subsection,
7 any prisoner who is ineligible for a Program in-
8 centive by operation of any other provision of
9 law shall be ineligible for such incentive.

10 (e) PROGRAM REENTRY EDUCATION.—For purposes
11 of subsection (b)(2), reentry education shall include class-
12 es and activities designed to prepare prisoners for release
13 and successful reentry into the community. Each such
14 class or activity shall relate to one or more of the following
15 categories:

16 (1) Health and nutrition issues a prisoner may
17 face after release.

18 (2) Finding employment and preparation for re-
19 entry and assimilation into the workforce.

20 (3) Dealing with personal money management
21 and financial planning.

22 (4) Familiarization with available community
23 resources, including housing availability and public
24 welfare benefits and services.

1 **SEC. 233. IMPROVED REENTRY PROCEDURES FOR FED-**
2 **ERAL PRISONERS.**

3 The Attorney General shall take such steps as are
4 necessary to modify the procedures and policies of the De-
5 partment of Justice with respect to the transition of of-
6 fenders from the custody of the Bureau of Prisons to the
7 community—

8 (1) to enhance case planning and implementa-
9 tion of reentry programs, policies, and guidelines;
10 and

11 (2) to improve such transition to the commu-
12 nity, including placement of such individuals in com-
13 munity corrections facilities.

14 **SEC. 234. DUTIES OF THE BUREAU OF PRISONS.**

15 (a) DUTIES OF THE BUREAU OF PRISONS EX-
16 PANDED.—Section 4042(a) of title 18, United States
17 Code, is amended—

18 (1) in paragraph (4), by striking “and” at the
19 end;

20 (2) in paragraph (5), by striking the period and
21 inserting a semicolon; and

22 (3) by adding at the end the following:

23 “(6) provide for pre-release planning procedures
24 for prisoners to ensure eligibility for Federal and
25 State benefits upon release (including benefits under
26 the old-age, survivors, and disability insurance pro-

1 gram under title II of the Social Security Act, the
2 supplemental security income program under title
3 XVI of such Act, the Medicare program under title
4 XVIII of such Act, the Medicaid program under title
5 XIX of such Act, and a program of the Department
6 of Veterans Affairs under title 38) is established
7 prior to release, subject to any limitations in law;

8 “(7) include as part of the standard intake pro-
9 cedures for offenders entering Federal custody the
10 collection of information regarding the dependent
11 children of such an offender, including the number,
12 age, and residence of such children;

13 “(8) ensure that all policies, practices, and fa-
14 cilities of the Bureau of Prisons support the rela-
15 tionship between parent and child; and

16 “(9) identify and address the training needs of
17 employees of the Bureau of Prisons with respect to
18 the effect of incarceration on children, families, and
19 communities, age-appropriate interactions, and com-
20 munity resources for the families of offenders.”.

21 (b) MEASURING THE REMOVAL OF OBSTACLES TO
22 REENTRY.—

23 (1) PROGRAM REQUIRED.—The Director shall
24 carry out a program under which each institution
25 within the Bureau of Prisons codes the reentry

1 needs and deficits of inmates as identified by an as-
2 sessment tool that is used to produce an individual-
3 ized skills development plan for each inmate.

4 (2) TRACKING.—In carrying out the program
5 under this subsection, the Director shall quan-
6 titatively track, by institution and Bureau-wide, the
7 progress in responding to the reentry needs and defi-
8 cits of individual inmates.

9 (3) ANNUAL REPORT.—On an annual basis, the
10 Director shall prepare and submit to the Committee
11 on the Judiciary of the Senate and the Committee
12 on the Judiciary of the House of Representatives a
13 report that documents the progress of each institu-
14 tion within the Bureau, and of the Bureau as a
15 whole, in responding to the reentry needs and defi-
16 cits of inmates. The report shall be prepared in a
17 manner that groups institutions by security level to
18 allow comparisons of similar institutions.

19 (4) EVALUATION.—The Director shall—

20 (A) implement a formal standardized proc-
21 ess for evaluating each institution’s success in
22 enhancing skills and resources to assist in re-
23 entry; and

24 (B) ensure that—

1 (i) each institution is held accountable
2 for low performance under such an evalua-
3 tion; and

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

6 (c) MEASURING AND IMPROVING RECIDIVISM OUT-
7 COMES.—

8 (1) ANNUAL REPORT REQUIRED.—

9 (A) IN GENERAL.—At the end of each fis-
10 cal year, the Director shall submit to the Com-
11 mittee on the Judiciary of the Senate and the
12 Committee on the Judiciary of the House of
13 Representatives a report containing the statis-
14 tics demonstrating the relative reduction in re-
15 cidivism for inmates released by the Bureau of
16 Prisons within that fiscal year and the 2 prior
17 fiscal years, comparing inmates who partici-
18 pated in major inmate programs (including resi-
19 dential drug treatment, vocational training, and
20 prison industries) with inmates who did not
21 participate in such programs. Such statistics
22 shall be compiled separately for each such fiscal
23 year.

24 (B) SCOPE.—A report under this para-
25 graph is not required to include statistics for a

1 fiscal year that begins before the date of the en-
2 actment of this Act.

3 (C) CONTENTS.—Each report under this
4 section shall provide the recidivism statistics for
5 the Bureau of Prisons as a whole, and sepa-
6 rately for each institution of the Bureau.

7 (2) MEASURE USED.—In preparing the reports
8 required by subsection (a), the Director shall, in
9 consultation with the Director of the Bureau of Jus-
10 tice Statistics, select a measure for recidivism (such
11 as rearrest, reincarceration, or any other valid, evi-
12 dence-based measure) that the Director considers
13 appropriate and that is consistent with the research
14 undertaken by the Bureau of Justice Statistics pur-
15 suant to section 241(b)(6).

16 (3) GOALS.—

17 (A) IN GENERAL.—After the Director sub-
18 mits the first report required by paragraph (1),
19 the Director shall establish goals for reductions
20 in recidivism rates and shall work to attain
21 those goals.

22 (B) CONTENTS.—The goals established
23 under subparagraph (A) shall use the relative
24 reductions in recidivism measured for the fiscal

1 year covered by that first report as a baseline
2 rate, and shall include—

3 (i) a 5-year goal to increase, at a min-
4 imum, the baseline relative reduction rate
5 by 2 percent within 5 fiscal years; and

6 (ii) a 10-year goal to increase, at a
7 minimum, the baseline relative reduction
8 rate by 5 percent within 10 fiscal years.

9 (d) **FORMAT.**—Any written information that the Bu-
10 reau of Prisons provides to inmates for reentry planning
11 purposes shall use common terminology and language.

12 (e) **MEDICAL CARE.**—The Bureau of Prisons shall
13 provide the United States Probation and Pretrial Services
14 System with relevant information on the medical care
15 needs and the mental health treatment needs of inmates
16 scheduled for release from custody. The United States
17 Probation and Pretrial Services System shall take this in-
18 formation into account when developing supervision plans
19 in an effort to address the medical care and mental health
20 care needs of such inmates. The Bureau of Prisons shall
21 provide inmates with a sufficient amount of all necessary
22 medications (which will normally consist of, at a minimum,
23 a 2-week supply of such medications) upon release from
24 custody.

1 **SEC. 235. AUTHORIZATION OF APPROPRIATIONS FOR BU-**
2 **REAU OF PRISONS.**

3 There are authorized to be appropriated to the Direc-
4 tor to carry out sections 231, 232, 233, and 234 of this
5 chapter, \$5,000,000 for each of the fiscal years 2008 and
6 2009.

7 **SEC. 236. ENCOURAGEMENT OF EMPLOYMENT OF FORMER**
8 **PRISONERS.**

9 The Attorney General shall take such steps as are
10 necessary to implement a program to educate employers
11 about existing incentives for hiring former Federal, State,
12 or local prisoners, including the Federal bonding program
13 and tax credits.

14 **SEC. 237. ELDERLY NONVIOLENT OFFENDER PILOT PRO-**
15 **GRAM.**

16 (a) PROGRAM ESTABLISHED.—

17 (1) IN GENERAL.—Notwithstanding section
18 3624 of title 18, United States Code, or any other
19 provision of law, the Director shall conduct a pilot
20 program to determine the effectiveness of removing
21 each eligible elderly offender from a Bureau of Pris-
22 on facility and placing such offender on home deten-
23 tion until the date on which the term of imprison-
24 ment to which the offender was sentenced expires.

25 (2) TIMING OF PLACEMENT IN HOME DETEN-
26 TION.—

1 (A) IN GENERAL.—In carrying out the
2 pilot program under paragraph (1), the Direc-
3 tor shall—

4 (i) in the case of an offender who is
5 determined to be an eligible elderly of-
6 fender on or before the date specified in
7 subparagraph (B), place such offender on
8 home detention not later than 180 days
9 after the date of the enactment of this Act;
10 and

11 (ii) in the case of an offender who is
12 determined to be an eligible elderly of-
13 fender after the date specified in subpara-
14 graph (B) and before the date that is 3
15 years and 91 days after the date of the en-
16 actment of this Act, place such offender on
17 home detention not later than 90 days
18 after the date of such determination.

19 (B) DATE SPECIFIED.—For purposes of
20 subparagraph (A), the date specified in this
21 subparagraph is the date that is 90 days after
22 the date of the enactment of this Act.

23 (3) VIOLATION OF TERMS OF HOME DETEN-
24 TION.—A violation by an eligible elderly offender of
25 the terms of the home detention, including the com-

1 mission of another Federal, State, or local crime,
2 shall result in the removal of the offender from
3 home detention and the return of the offender to the
4 designated Bureau of Prisons institution in which
5 the offender was imprisoned immediately before
6 placement on home detention under paragraph (1).

7 (b) SCOPE OF PILOT PROGRAM.—

8 (1) PARTICIPATING DESIGNATED FACILITIES.—

9 The pilot program under subsection (a) shall be con-
10 ducted through at least 1 Bureau of Prisons institu-
11 tion designated by the Director as appropriate for
12 the pilot program.

13 (2) DURATION.—The pilot program shall be

14 conducted during each of fiscal years 2008 and
15 2009.

16 (c) PROGRAM EVALUATION.—

17 (1) IN GENERAL.—The Director shall contract

18 with an independent organization to monitor and
19 evaluate the progress of each eligible elderly offender
20 placed on home detention under subsection (a)(1)
21 for the period such offender is on home detention
22 during the duration described in subsection (b)(2).

23 (2) ANNUAL REPORT.—The organization de-

24 scribed in paragraph (1) shall annually submit to
25 the Director and to Congress a report on the pilot

1 program under subsection (a)(1), which shall in-
2 clude—

3 (A) an evaluation of the effectiveness of
4 the pilot program in providing a successful
5 transition for eligible elderly offenders from in-
6 carceration to the community, including data
7 relating to the recidivism rates for such offend-
8 ers; and

9 (B) the cost savings to the Federal Gov-
10 ernment resulting from the early removal of
11 such offenders from incarceration.

12 (3) PROGRAM ADJUSTMENTS.—Upon review of
13 the report submitted under paragraph (2), the Di-
14 rector shall submit recommendations to Congress for
15 adjustments to the pilot program, including its ex-
16 pansion to additional facilities.

17 (d) DEFINITIONS.—In this section:

18 (1) ELIGIBLE ELDERLY OFFENDER.—The term
19 “eligible elderly offender” means an offender in the
20 custody of the Bureau of Prisons who—

21 (A) is not less than 60 years of age;

22 (B) is serving a term of imprisonment
23 after conviction for an offense other than a
24 crime of violence and has served the greater of
25 10 years or $\frac{1}{2}$ of the term of imprisonment;

1 (C) has not been convicted in the past of
2 any Federal or State crime of violence;

3 (D) has not been determined by the Bu-
4 reau of Prisons, on the basis of information the
5 Bureau uses to make custody classifications,
6 and in the sole discretion of the Bureau, to
7 have a history of violence; and

8 (E) has not escaped, or attempted to es-
9 cape, from a Bureau of Prisons institution.

10 (2) HOME DETENTION.—The term “home de-
11 tention” has the same meaning given the term in the
12 Federal Sentencing Guidelines, and includes deten-
13 tion in a nursing home or other residential long-term
14 care facility.

15 (3) TERM OF IMPRISONMENT.—The term “term
16 of imprisonment” includes multiple terms of impris-
17 onment ordered to run consecutively or concurrently,
18 which shall be treated as a single, aggregate term of
19 imprisonment for purposes of this section.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$5,000,000 for each of fiscal years 2008 and 2009.

1 **CHAPTER 2—REENTRY RESEARCH**

2 **SEC. 241. OFFENDER REENTRY RESEARCH.**

3 (a) NATIONAL INSTITUTE OF JUSTICE.—From
4 amounts made available to carry out this Act, the National
5 Institute of Justice may conduct research on juvenile and
6 adult offender reentry, including—

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

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

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

20 (b) BUREAU OF JUSTICE STATISTICS.—From
21 amounts made available to carry out this Act, 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 who is returning to
5 prison, jail, or a juvenile facility and which of those
6 returning prisoners represent the greatest risk to
7 victims and community safety;

8 (3) annual reports on the profile of the popu-
9 lation coming out of prisons, jails, and juvenile fa-
10 cilities;

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 award 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 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$1,000,000 for each of fiscal years 2008 and 2009.

4 **SEC. 243. ADDRESSING THE NEEDS OF CHILDREN OF IN-**
5 **CARCERATED PARENTS.**

6 (a) BEST PRACTICES.—The Attorney General shall
7 collect data and develop best practices of State corrections
8 departments and child protection agencies relating to the
9 communication and coordination between such State de-
10 partments and agencies to ensure the safety and support
11 of children of incarcerated parents (including those in fos-
12 ter care and kinship care), and the support of parent-child
13 relationships between incarcerated (and formerly incarcer-
14 ated) parents and their children, as appropriate to the
15 health and well-being of the children. Such best practices
16 shall include information related to policies, procedures,
17 and programs that may be used by States to address—

18 (1) maintenance of the parent-child bond dur-
19 ing incarceration;

20 (2) parental self-improvement; and

21 (3) parental involvement in planning for the fu-
22 ture and well-being of their children.

23 (b) DISSEMINATION TO STATES.—Not later than 1
24 year after the date of the enactment of this Act, the Attor-

1 ney General shall disseminate to States and other relevant
2 entities the best practices described in subsection (a).

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 **CHAPTER 3—CORRECTIONAL REFORMS**
15 **TO EXISTING LAW**

16 **SEC. 251. CLARIFICATION OF AUTHORITY TO PLACE PRIS-**
17 **ONER IN COMMUNITY CORRECTIONS.**

18 (a) PRE-RELEASE CUSTODY.—

19 (1) AMENDMENT.—Section 3624(c) of title 18,
20 United States Code, is amended to read as follows:

21 “(c) PRE-RELEASE CUSTODY.—

22 “(1) IN GENERAL.—The Director of the Bureau
23 of Prisons shall, to the extent practicable, ensure
24 that a prisoner serving a term of imprisonment
25 spends a portion of the final months of such term

1 (not to exceed 12 months), under conditions that
2 will afford the prisoner a reasonable opportunity to
3 adjust to and prepare for the prisoner's reentry into
4 the community. Such conditions may include a com-
5 munity correctional facility.

6 “(2) HOME CONFINEMENT AUTHORITY.—The
7 authority provided by this subsection may be used to
8 place a prisoner in home confinement for the last 10
9 percent of the term of imprisonment or the final 6
10 months of such term, whichever is shorter.

11 “(3) ASSISTANCE.—The United States Proba-
12 tion System shall, to the extent practicable, offer as-
13 sistance to a prisoner during such pre-release cus-
14 tody.

15 “(4) NO LIMITATIONS.—Nothing in this sub-
16 section shall be construed to limit or restrict the au-
17 thority of the Director of the Bureau of Prisons
18 granted under section 3621 of this title.

19 “(5) REPORTING.—Not later than 1 year after
20 the date of enactment of the Second Chance Act of
21 2007 (and every year thereafter), the Director of the
22 Bureau of Prisons shall transmit to the Committees
23 on the Judiciary of the Senate and the House of
24 Representatives a report describing the Bureau's
25 utilization of community corrections facilities. Such

1 report shall set forth the number and percentage of
2 Federal prisoners placed in community corrections
3 facilities during the preceding year, the average
4 length of such placements, trends in such utilization,
5 the reasons some prisoners are not placed in commu-
6 nity corrections facilities, and any other information
7 that may be useful to the committees in determining
8 if the Bureau is utilizing community corrections fa-
9 cilities in an effective manner.

10 “(6) ISSUANCE OF REGULATIONS.—Not later
11 than 90 days after the date of enactment of the Sec-
12 ond Chance Act of 2007, the Director of Bureau of
13 Prisons shall issue regulations pursuant to this sub-
14 section, which shall include modifications to section
15 570.21 of the Bureau’s regulations (28 C.F.R.
16 570.21), to ensure that such section is in accordance
17 with the provisions of this subsection.”.

18 (2) APPLICABILITY OF AMENDMENT.—The
19 amendment made by this subsection shall apply with
20 respect to any prisoner who—

21 (A) is serving a term of imprisonment on
22 the date of enactment of this Act;

23 (B) has been sentenced to a term of im-
24 prisonment before the date of enactment of this

1 Act, but who has not begun to serve such sen-
2 tence on such date of enactment; or

3 (C) is sentenced to a term of imprisonment
4 on or after the date of enactment of this Act.

5 (b) COURTS MAY NOT REQUIRE A SENTENCE OF IM-
6 PRISONMENT TO BE SERVED IN A COMMUNITY CORREC-
7 TIONS FACILITY.—Section 3621(b) of title 18, United
8 States Code, is amended by adding at the end the fol-
9 lowing: “Any order, recommendation, or request by a sen-
10 tencing court that a convicted person serve a term of im-
11 prisonment in a community corrections facility has no
12 binding effect on the discretionary authority of the Bureau
13 under this section to determine or change the place of im-
14 prisonment of that person.”.

15 **SEC. 252. RESIDENTIAL DRUG ABUSE PROGRAM IN FED-**
16 **ERAL PRISONS.**

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

1 **SEC. 253. MEDICAL CARE FOR PRISONERS.**

2 Section 3621 of title 18, United States Code, is fur-
3 ther amended by adding at the end the following new sub-
4 section:

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

6 “(1) IN GENERAL.—In order to ensure a min-
7 imum standard of health and habitability, the Bu-
8 reau of Prisons shall ensure that each prisoner in a
9 community confinement facility has access to nec-
10 essary medical care, mental health care, and medi-
11 cine.

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

18 **SEC. 254. CONTRACTING FOR SERVICES FOR POST-CONVIC-**
19 **TION SUPERVISION OFFENDERS.**

20 Section 3672 of title 18, United States Code, is
21 amended by inserting after the third sentence in the sev-
22 enth paragraph the following new sentence: “He also shall
23 have the authority to contract with any appropriate public
24 or private agency or person to monitor and provide serv-
25 ices to any offender in the community, including treat-
26 ment, equipment and emergency housing, corrective and

1 preventative guidance and training, and other rehabilita-
2 tive services designed to protect the public and promote
3 the successful reentry of the offender into the commu-
4 nity.”.

Union Calendar No. 82

110TH CONGRESS
1ST Session

H. R. 1593

[Report No. 110-140]

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.

MAY 9, 2007

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed