

110TH CONGRESS  
1ST SESSION

# H. R. 4063

To authorize grants for programs that provide support services to exonerees.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2007

Mr. PAYNE (for himself, Mr. SCOTT of Virginia, Ms. NORTON, Mr. FATTAH, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. RUSH, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. ELLISON, Ms. KILPATRICK, Mr. GRIJALVA, Mr. NADLER, Mr. LEWIS of Georgia, Mrs. JONES of Ohio, Ms. MOORE of Wisconsin, Mr. DAVIS of Illinois, and Mr. BISHOP of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To authorize grants for programs that provide support services to exonerees.

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 “Restitution for the Ex-  
5 onerated Act of 2007”.

6 **SEC. 2. GRANT PROGRAM AUTHORIZED.**

7 (a) **EXONEREE SERVICES GRANTS AUTHORIZED.**—

8 The Attorney General may award grants to eligible organi-

1 zations to carry out programs that provide support serv-  
2 ices to exonerees.

3 (b) GRANT PERIOD; RENEWABILITY.—A grant  
4 awarded under this section shall be for a period of one  
5 year, and may be renewed for subsequent one-year periods  
6 as the Attorney General determines to be appropriate.

7 (c) EMERGENCY GRANTS.—The Attorney General  
8 may award an emergency grant under this subsection to  
9 an eligible organization that is receiving a grant under  
10 subsection (a), in addition to such grant under subsection  
11 (a), if the Attorney General determines that there is a sys-  
12 temic problem related to the provision of exoneree support  
13 services in the geographic region serviced by such organi-  
14 zation, and that there is a need to address such systemic  
15 problem immediately by increasing the resources available  
16 to such organization. Such an emergency grant shall be  
17 used by the eligible organization to address the immediate  
18 need for support services for exonerees in such region,  
19 shall be awarded for a period not to exceed 6 months, and  
20 shall not be renewable. An eligible organization may not  
21 receive more than one emergency grant under this sub-  
22 section.

23 **SEC. 3. GRANT USES.**

24 A grant under this section shall be used by an eligible  
25 organization—

1           (1) to carry out a program that provides and  
2           coordinates the delivery of support services for  
3           exonerees, including—

4                   (A) employment training;

5                   (B) vocational training;

6                   (C) education;

7                   (D) health care services;

8                   (E) mental health services;

9                   (F) housing assistance;

10                  (G) substance abuse training;

11                  (H) legal assistance;

12                  (I) children and family support; and

13                  (J) other appropriate services, as deter-  
14                  mined by the Attorney General; and

15           (2) for administrative expenses necessary to  
16           carry out the program described in paragraph (1),  
17           including staff salaries, research, and training.

18 **SEC. 4. APPLICATIONS.**

19           (a) **IN GENERAL.**—To request a grant under this  
20           Act, an eligible organization shall submit an application  
21           to the Attorney General at such time, in such manner,  
22           and containing such information as the Attorney General  
23           may require. Such application shall—

24                   (1) describe the program to be funded by the  
25                   grant, and the need for such program;

1           (2) describe a long-term strategy and detailed  
2 implementation for such program;

3           (3) identify the governmental and community  
4 agencies with which the program will collaborate,  
5 and that the program will utilize to enhance  
6 exoneree services; and

7           (4) describe the methodology and outcome  
8 measures that will be used to evaluate the effective-  
9 ness of such program.

10       (b) APPLICATION DEADLINES.—The Attorney Gen-  
11 eral shall solicit and review applications for grants under  
12 this Act at least once during each six-month period.

13       (c) PRIORITY BASED ON NEED.—In awarding grants  
14 under this Act, the Attorney General shall give priority  
15 to eligible organizations that serve geographic regions that  
16 have the greatest need for exoneree support services, as  
17 determined by the Attorney General.

18 **SEC. 5. REPORTS.**

19       For each year in which an eligible organization re-  
20 ceives a grant under this Act, the eligible organization  
21 shall submit a report to the Attorney General that de-  
22 scribes the program carried out by the organization with  
23 such grant, and evaluates the effectiveness of such pro-  
24 gram during such year.

1 **SEC. 6. DEFINITIONS.**

2 In this Act:

3 (1) **ELIGIBLE ORGANIZATION.**—The term “eligi-  
4 ble organization” mean any nonprofit organization  
5 that—

6 (A) has experience and expertise in coordi-  
7 nating and delivering support services specific  
8 to the needs of exonerees; or

9 (B) demonstrates the capacity to effec-  
10 tively coordinate and deliver such support serv-  
11 ices, as determined by the Attorney General.

12 (2) **EXONEREE.**—The term “exoneree” means  
13 an individual who—

14 (A) has been convicted by a Federal or  
15 State court of an offense that is punishable by  
16 a term of imprisonment that is equal to or  
17 greater than one year;

18 (B) has served a term of imprisonment of  
19 at least 6 months in a Federal or State prison  
20 or other correctional facility as a result of such  
21 conviction; and

22 (C) has been determined to be factually in-  
23 nocent of such offense.

24 (3) **FACTUALLY INNOCENT.**—The term “factu-  
25 ally innocent” means, with respect to an individual  
26 who has been convicted of an offense described in

1 paragraph (2)(A), when one or more of the following  
2 has occurred:

3 (A) A court has issued a factual finding of  
4 innocence.

5 (B) The Governor of the State in which  
6 the individual was convicted has issued a par-  
7 don based on the facts of the offense for which  
8 the individual was convicted.

9 (C) The conviction has been vacated or re-  
10 versed by a court.

11 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

12 There is authorized to be appropriated to carry out  
13 this Act \$1,250,000 for each of the fiscal years 2008  
14 through 2012. Amounts authorized under this section  
15 shall remain available until expended.

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