To increase public safety and reduce recidivism rates by creating a 3-year pilot program under which the Attorney General provides grants to correctional facilities to establish a 40-hour work week curriculum of responsible activities for incarcerated individuals.

IN THE HOUSE OF REPRESENTATIVES
JANUARY 13, 2010

Mr. WEINER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL
To increase public safety and reduce recidivism rates by creating a 3-year pilot program under which the Attorney General provides grants to correctional facilities to establish a 40-hour work week curriculum of responsible activities for incarcerated individuals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “The Inmate Work, Education, and Responsibility Curriculum Act of 2009” or the “I–WERC Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) More than 2,300,000 people are incarcerated in Federal, State, Tribal, or local correction facilities in the United States, with an average stay of 30 months.

(2) Of the individuals now in prison, 97 percent will eventually be released into communities. More than 700,000 of these individuals are released into communities every year.

(3) A Bureau of Justice Statistics Report found 67.5 percent of people released from correctional facilities in 1994 were arrested again within the 3-year period after their release from incarceration.

(4) Many of the men and women who will leave correction facilities each year have mental health and alcohol or substance use disorders, have low levels of education and job training, and face significant barriers to employment.

(5) A number of studies have shown that at every stage of the criminal justice process—from arrest, pretrial, conviction, to incarceration—81 percent of those incarcerated in Federal facilities, and 77 percent of those housed in local jails have alcohol and drug use problems, or were under the influence of alcohol or drugs when they committed their of-
fenses. However, only 13 percent of these individuals receive drug and alcohol treatment while they are incarcerated according to the Office of National Drug Control Policy.

(6) Substance use disorder treatment has been proven to reduce drug use, recidivism, unemployment, and homelessness, according to several studies, and every dollar invested in substance use disorder treatment saves taxpayers $7.46 in other social costs.

(7) Individuals reentering society from incarceration have significant educational needs. Fewer than half of those released have a high school education or higher. The typical Louisiana inmate has a fifth grade literacy level.

(8) Prison inmates interviewed as part of the Department of Justice’s Serious and Violent Offender Reentry Initiative evaluation identified education as topping their list of most vital needs for a successful reentry into the community from prison.

(9) According to a recent study of releases from the Indiana Department of Corrections, recidivism, education, and employment are closely linked. As the level of education goes up, the likelihood of employ-
ment increases. As employment increases, the likelihood of recidivism decreases.

(10) According to the National Center for Education Statistics, more prison inmates were on waiting lists for vocational training programs than were enrolled in such programs when sampled as part of the National Assessment of Adult Literacy in 2004.

(11) State, Tribal, and local governments have not been able to maintain prison education programs in the face of a prison population that has nearly doubled in the past decade. As a result, according to the National Institute for Literacy, the percentage of incarcerated individuals participating in correctional education programs is declining.

(12) A study funded by the Department of Education found that participation in correctional education programs lowers the likelihood of an individual being incarcerated again by 29 percent, and that for every dollar spent on education, more than two dollars in reduced prison costs would be returned to taxpayers. The Federal Bureau of Prisons also found a 33 percent drop in recidivism among people detained in Federal facilities who participate in vocational and apprenticeship training.
(13) According to the National Institute of Justice, 60 percent of formerly incarcerated individuals are unemployed after 1 year of release. Unemployment can contribute to the likelihood of repeating criminal conduct.

(14) Job training and placement programs for formerly incarcerated people have been shown in a number of studies to improve employment outcomes and reduce recidivism.

SEC. 3. PURPOSE.

The purpose of this Act is to increase public safety and reduce recidivism rates by establishing a grant program under which the Attorney General provides competitive grants to State, Tribal, and local corrections agencies to help finance a 40-hour work week curriculum of self-improvement activities for incarcerated individuals that promotes responsibility, education, family, work, and parenthood.

SEC. 4. PILOT PROGRAM TO MAKE GRANTS TO STATE, TRIBAL, AND LOCAL CORRECTIONS AGENCIES.

(a) GRANTS AUTHORIZED.—For the purpose described in section 3, the Attorney General shall establish a 3-year pilot program under which the Attorney General is authorized to make grants on a competitive basis to
State, Tribal, and local corrections agencies to fund a 40-hour work week curriculum of self-improvement activities for inmates that promote responsibility, education, family, work, and parenthood in accordance with the provisions of this section.

(b) Application.—

(1) In general.—Each State, Tribal, or local corrections agency seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require.

(2) Contents.—Each application submitted pursuant to paragraph (1) shall—

(A) describe and outline the 40-hour work week curriculum that each applicant plans to implement under the grant, including what activities a participant will be expected to attend as part of such curriculum;

(B) list the prisons or jail facilities where the 40-hour work week curriculum will be implemented;

(C) detail the number of people who will participate in the curriculum and how such people will be chosen to participate;
(D) state the budget plan of the applicant for implementation of the grant, as well as an identification of sources for the matching requirement imposed under section 7; and

(E) explain the standards for determining the performance of an incarcerated individual participating in the 40-hour work week curriculum.

(e) USE OF FUNDS.—

(1) 40-HOUR WORK WEEK CURRICULUM.—A grant awarded to a State, Tribal, or local corrections agency under this section shall be used to establish a 40-hour work week curriculum that includes a minimum of 3 of the following coordinated activities:

(A) Working toward and acquiring a General Equivalency Diploma (in this section referred to as “GED”), under which GED classes must be included in the curriculum for all incarcerated individuals lacking a high school diploma or GED.

(B) Literacy training.

(C) College courses.

(D) Vocational training and education under which—
(i) such training and education shall be in accordance with State and local laws prohibiting currently and formerly incarcerated people from engaging in certain trades or occupations; and

(ii) facilities shall provide job training for positions that are currently in high demand to meet workforce needs.

(E) Civic or citizenship education.

(F) Special education.

(G) Cognitive skills training.

(H) Job and skills training, which shall be in accordance with State and local laws prohibiting currently and formerly incarcerated people from engaging in certain trades or occupations.

(I) Clinically appropriate substance use disorder services, including prevention and treatment services and appropriate recovery support services.

(J) Mental health treatment.

(K) Anger management or conflict resolution programs.

(L) Prison work and other prison jobs.

(M) Restorative justice activities, including community service, victim restitution, victim-of-
defender dialogue, and groups or classes focusing on accountability, victim impact, or both.

   (N) Mentoring sessions.

   (O) Life skills training, including parenting classes, financial management, entrepreneurship training, health education, and career development.

   (2) APPLICATION OF STATE AND FEDERAL LICENSING REQUIREMENTS; COORDINATION WITH STATE SUBSTANCE ABUSE AGENCIES.—All curriculum activities and providers must comport with applicable State and Federal licensing requirements. Grantees must ensure that all substance use disorder services, including prevention, treatment, and recovery support services, are provided in coordination with the State substance abuse agency.

   (3) ADDITIONAL AUTHORIZED ACTIVITIES.—In addition to the activities described in paragraph (1), a demonstration grant awarded to a State, Tribal, or local corrections agency under this section may be used—

   (A) to pay teachers, counselors, therapists, and other specialists to work with incarcerated people as part of the 40-hour work week curriculum established under this section;
(B) to make grants to nonprofit organizations, educational facilities, or other community partners to implement programs that provide one or more of the approved 40-hour work week curriculum activities;

(C) to pay for the costs associated with undertaking the initial assessments for participants required under section 5(a); and

(D) to pay for security and administrative costs associated with providing activities within the authorized curriculum.

SEC. 5. PARTICIPATION REQUIREMENTS.

(a) Assessments.—Any incarcerated person who is required to, or volunteers to, participate in the 40-hour work week curriculum funded by a grant awarded under section 4 shall be subject to an assessment, using validated assessment tools, of the person’s mental, physical, intellectual, and vocational abilities in order to formulate an initial curriculum for such person.

(b) Participation.—

(1) Required participants.—Corrections officials may require each incarcerated person who is within 3 years of the release date or date of parole eligibility for such person to participate in the 40-
hour work week curriculum funded by a grant under section 4.

(2) Voluntary Participants.—Corrections officials may expand the 40-hour work week curriculum so funded to other incarcerated persons who on a voluntary basis wish to participate in such curriculum but are not yet within 3 years of their release date or parole eligibility date.

(3) Consultation.—Corrections officials may consult with the applicable parole board when identifying participants for the 40-hour work week curriculum so funded.

(e) Incentives for Participating Inmates.—Under a 40-hour work week curriculum funded by a grant awarded under section 4, an incarcerated person who participates in such curriculum may receive rewards for successful completion of such curriculum, including—

(1) good time credit;

(2) monetary compensation;

(3) additional and more flexible visitation rights, consistent with public safety and in accordance with visitation guidelines;

(4) letters of recommendation for when the incarcerated person leaves the correctional institution involved; and
(d) **REQUIRED INFORMATION TO BE SUPPLIED TO PARTICIPATING INDIVIDUALS.**—Any incarcerated person who participates in a 40-hour work week curriculum funded by a grant awarded under section 4 shall receive information on how such person can restore any legal, civil, or employment rights, including voting rights, under the laws of the State in which such person is going to be released.

**SEC. 6. RESEARCH GRANT.**

The Attorney General is authorized to award a grant to the National Institute of Justice to design and conduct a study of the 40-hour work week curriculums funded by grants awarded under section 4 to determine the success or failure of such curriculums.

**SEC. 7. MATCHING REQUIREMENT.**

(a) **IN GENERAL.**—The Attorney General may not make a grant to a State, Tribal, or local corrections agency under section 4 unless the State, Tribal, or local corrections agency agrees that with respect to the costs incurred by the State, Tribal, or local corrections agency in carrying out the 40-hour work week curriculum for which the grant was awarded, the State, Tribal, or local corrections agency will make available (directly or through donations...
from public or private entities) non-Federal contributions
in an amount equal to 50 percent of such costs.

(b) IN-KIND CONTRIBUTIONS.—The recipient of a
grant awarded under section 4 may meet the matching
requirement under subsection (A) by making in-kind con-
tributions of goods or services that are directly related to
the purpose for which such grant was awarded.

SEC. 8. SUBMISSION OF REPORTS TO CONGRESS.
Not later than January 31 of each year (before
2014), the Attorney General shall submit to the Com-
mittee on the Judiciary of the Senate and the Committee
on the Judiciary of the House of Representatives a report
on the success or failure of the curriculums developed
under this bill during the preceding year.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.
(a) IN GENERAL.—There are authorized to be appro-
priated $160,000,000 for each of the fiscal years 2011,
2012, and 2013 to carry out the provisions of this Act.
(b) RESEARCH GRANT.—Of the amounts appro-
priated in subsection (a), $5,000,000 for each of fiscal
years 2011, 2012, and 2013 shall be used to carry out
the research grant established under section 6.