

110TH CONGRESS
1ST SESSION

H. R. 1593

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

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

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”.

1 SEC. 2. TABLE OF CONTENTS.

2 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.

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

4 (4) According to the Bureau of Justice Statis-
5 tics, expenditures on corrections alone increased
6 from \$9,000,000,000 in 1982 to \$59,600,000,000 in
7 2002. These figures do not include the cost of arrest
8 and prosecution, nor do they take into account the
9 cost to victims.

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

19 (6) Between 1991 and 1999, the number of
20 children with a parent in a Federal or State correc-
21 tional facility increased by more than 100 percent,
22 from approximately 900,000 to approximately
23 2,000,000. According to the Bureau of Prisons,
24 there is evidence to suggest that inmates who are
25 connected to their children and families are more

1 likely to avoid negative incidents and have reduced
2 sentences.

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

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

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

20 (10) Fifty-seven percent of Federal and 70 per-
21 cent of State inmates used drugs regularly before
22 going to prison, and the Bureau of Justice Statistics
23 report titled “Trends in State Parole, 1990–2000”
24 estimates the use of drugs or alcohol around the

1 time of the offense that resulted in the incarceration
2 of the inmate at as high as 84 percent.

3 (11) Family-based treatment programs have
4 proven results for serving the special populations of
5 female offenders and substance abusers with chil-
6 dren. An evaluation by the Substance Abuse and
7 Mental Health Services Administration of family-
8 based treatment for substance-abusing mothers and
9 children found that 6 months after such treatment,
10 60 percent of the mothers remained alcohol and
11 drug free, and drug-related offenses declined from
12 28 percent to 7 percent. Additionally, a 2003 evalua-
13 tion of residential family-based treatment programs
14 revealed that 60 percent of mothers remained clean
15 and sober 6 months after treatment, criminal arrests
16 declined by 43 percent, and 88 percent of the chil-
17 dren treated in the program with their mothers re-
18 mained stabilized.

19 (12) A Bureau of Justice Statistics analysis in-
20 dicated that only 33 percent of Federal inmates and
21 36 percent of State inmates had participated in resi-
22 dential in-patient treatment programs for alcohol
23 and drug abuse 12 months before their release. Fur-
24 ther, over $\frac{1}{3}$ of all jail inmates have some physical
25 or mental disability and 25 percent of jail inmates

1 have been treated at some time for a mental or emo-
2 tional problem.

3 (13) State Substance Abuse Agency Directors,
4 also known as Single State Authorities (SSAs), man-
5 age the Nation's publicly funded substance abuse
6 prevention and treatment systems. SSAs are respon-
7 sible for planning and implementing State-wide sys-
8 tems of care that provide clinically appropriate sub-
9 stance abuse services. Given the high rate of sub-
10 stance use disorders among offenders reentering our
11 communities, successful reentry programs require
12 close interaction and collaboration with SSAs when
13 planning, implementing, and evaluating reentry pro-
14 grams.

15 (14) According to the National Institute of Lit-
16 eracy, 70 percent of all prisoners function at the
17 lowest literacy levels.

18 (15) Less than 32 percent of State prison in-
19 mates have a high school diploma or a higher level
20 of education, compared to 82 percent of the general
21 population.

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

1 (17) The percentage of State prisoners partici-
2 pating in educational programs decreased by more
3 than 8 percent between 1991 and 1997, despite
4 growing evidence of how educational programming
5 while incarcerated reduces recidivism.

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

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

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

14 Not later than January 31 of each year, the Attorney
15 General shall submit all reports received under this Act
16 and the amendments made by this Act during the pre-
17 ceding year to the Committee on the Judiciary of the Sen-
18 ate and the Committee on the Judiciary of the House of
19 Representatives.

1 **TITLE I—AMENDMENTS RE-**
2 **LATED TO THE OMNIBUS**
3 **CRIME CONTROL AND SAFE**
4 **STREETS ACT OF 1968**
5 **Subtitle A—Improvements to**
6 **Existing Programs**

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

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

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

17 “(A) correctional agencies and other crimi-
18 nal and juvenile justice agencies of the grant
19 recipient develop and carry out plans to facili-
20 tate the reentry into the community of each of-
21 fender in the custody of the jurisdiction in-
22 volved;

23 “(B) the supervision and services provided
24 to offenders in the custody of the jurisdiction
25 involved are coordinated with the supervision

1 and services provided to offenders after reentry
2 into the community, including coordination with
3 Comprehensive and Continuous Offender Re-
4 entry Task Forces under section 2902 or with
5 similar planning groups;

6 “(C) the efforts of various public and pri-
7 vate entities to provide supervision and services
8 to offenders after reentry into the community,
9 and to family members of such offenders, are
10 coordinated; and

11 “(D) offenders awaiting reentry into the
12 community are provided with documents (such
13 as identification papers, referrals to services,
14 medical prescriptions, job training certificates,
15 apprenticeship papers, and information on ob-
16 taining public assistance) useful in achieving a
17 successful transition from prison, jail, or a juve-
18 nile facility;

19 “(2) carrying out programs and initiatives by
20 units of local government to strengthen reentry serv-
21 ices for individuals released from local jails, includ-
22 ing coordination with Comprehensive and Contin-
23 uous Offender Reentry Task Forces under section
24 2902 or with similar planning groups;

1 “(3) assessing the literacy, educational, and vo-
2 cational needs of offenders in custody and identi-
3 fying and providing services appropriate to meet
4 those needs, including follow-up assessments and
5 long-term services;

6 “(4) facilitating collaboration among corrections
7 (including community corrections), technical schools,
8 community colleges, businesses, nonprofit, and the
9 workforce development and employment service sec-
10 tors—

11 “(A) to promote, where appropriate, the
12 employment of people released from prison, jail,
13 or a juvenile facility through efforts such as
14 educating employers about existing financial in-
15 centives;

16 “(B) to facilitate the creation of job oppor-
17 tunities, including transitional jobs and time-
18 limited subsidized work experience (where ap-
19 propriate);

20 “(C) to connect offenders to employment
21 (including supportive employment and employ-
22 ment services before their release to the com-
23 munity), provide work supports (including
24 transportation and retention services), as ap-
25 propriate, and identify labor market needs to

1 ensure that education and training are appro-
2 priate; and

3 “(D) to address obstacles to employment
4 that are not directly connected to the offense
5 committed and the risk that the offender pre-
6 sents to the community and provide case man-
7 agement services as necessary to prepare of-
8 fenders for jobs that offer the potential for ad-
9 vancement and growth;

10 “(5) providing offenders with education, job
11 training, responsible parenting and healthy relation-
12 ship skills training (designed specifically to address
13 the needs of fathers and mothers in or transitioning
14 from prison, jail, or a juvenile facility), English lit-
15 eracy education, work experience programs, self-re-
16 spect and life skills training, and other skills useful
17 in achieving a successful transition from prison, jail,
18 or a juvenile facility;

19 “(6) providing structured post-release housing
20 and transitional housing (including group homes for
21 recovering substance abusers (with appropriate safe-
22 guards that may include single-gender housing))
23 through which offenders are provided supervision
24 and services immediately following reentry into the
25 community;

1 “(7) assisting offenders in securing permanent
2 housing upon release or following a stay in transi-
3 tional housing;

4 “(8) providing substance abuse treatment and
5 services, including providing a full continuum of sub-
6 stance abuse treatment services that encompasses
7 outpatient services, comprehensive residential serv-
8 ices and recovery, and recovery home services to of-
9 fenders reentering the community from prison, jail,
10 or a juvenile facility;

11 “(9) expanding family-based drug treatment
12 centers that offer family-based comprehensive treat-
13 ment services for parents and their children as a
14 complete family unit, as appropriate to the safety,
15 security, and well-being of the family;

16 “(10) encouraging collaboration among juvenile
17 and adult corrections, community corrections, and
18 community health centers to allow access to afford-
19 able and quality primary health care for offenders
20 during the period of transition from prison, jail, or
21 a juvenile facility;

22 “(11) providing or facilitating health care serv-
23 ices to offenders (including substance abuse screen-
24 ing, treatment, and aftercare, infectious disease
25 screening and treatment, and screening, assessment,

1 and aftercare for mental health services) to protect
2 the communities in which offenders will live;

3 “(12) enabling prison, jail, or juvenile facility
4 mentors of offenders to remain in contact with those
5 offenders (including through the use of all available
6 technology) while in prison, jail, or a juvenile facility
7 and after reentry into the community, and encour-
8 aging the involvement of prison, jail, or a juvenile
9 facility mentors in the reentry process;

10 “(13) systems under which family members of
11 offenders are involved in facilitating the successful
12 reentry of those offenders into the community (as
13 appropriate to the safety, security, and well-being of
14 the family), including removing obstacles to the
15 maintenance of family relationships while the of-
16 fender is in custody, strengthening the family’s ca-
17 pacity to function as a stable living situation during
18 reentry, and involving family members in the plan-
19 ning and implementation of the reentry process;

20 “(14) creating, developing, or enhancing of-
21 fender and family assessments, curricula, policies,
22 procedures, or programs (including mentoring pro-
23 grams)—

24 “(A) to help offenders with a history or
25 identified risk of domestic violence, dating vio-

1 lence, sexual assault, or stalking reconnect with
2 their families and communities (as appropriate
3 to the safety, security, and well-being of the
4 family), and become non-abusive parents or
5 partners; and

6 “(B) under which particular attention is
7 paid to the safety of children affected and the
8 confidentiality concerns of victims, and efforts
9 are coordinated with victim service providers;

10 “(15) maintaining the parent-child relationship,
11 as appropriate to the safety, security, and well-being
12 of the child as determined by the relevant correc-
13 tions and child protective services agencies, includ-
14 ing—

15 “(A) implementing programs in correc-
16 tional agencies to include the collection of infor-
17 mation regarding any dependent children of an
18 offender as part of intake procedures, including
19 the number, age, and location or jurisdiction of
20 such children;

21 “(B) connecting those identified children
22 with services as appropriate and needed;

23 “(C) carrying out programs (including
24 mentoring) that support children of incarcerated
25 parents, including those in foster care and

1 those cared for by grandparents or other rel-
2 atives (which is commonly referred to as kin-
3 ship care);

4 “(D) developing programs and activities
5 (including mentoring) that support parent-child
6 relationships, as appropriate to the safety, secu-
7 rity, and well-being of the family, including
8 technology to promote the parent-child relation-
9 ship and to facilitate participation in parent-
10 teacher conferences, books on tape programs,
11 family days, and visitation areas for children
12 while visiting an incarcerated parent;

13 “(E) helping incarcerated parents to learn
14 responsible parenting and healthy relationship
15 skills;

16 “(F) addressing visitation obstacles to chil-
17 dren of an incarcerated parent, such as the lo-
18 cation of facilities in remote areas, telephone
19 costs, mail restrictions, and visitation policies;
20 and

21 “(G) identifying and addressing obstacles
22 to collaborating with child welfare agencies in
23 the provision of services jointly to offenders in
24 custody and to the children of such offenders;

1 “(16) carrying out programs for the entire fam-
2 ily unit, including the coordination of service delivery
3 across agencies;

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

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

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

13 “(A) monitor offenders returning to the
14 community;

15 “(B) provide returning offenders with—

16 “(i) drug and alcohol testing and
17 treatment; and

18 “(ii) mental and medical health as-
19 sessment and services;

20 “(C) facilitate restorative justice practices
21 and convene family or community impact pan-
22 els, family impact educational classes, victim
23 impact panels, or victim impact educational
24 classes;

1 “(D) provide and coordinate the delivery of
2 other community services to offenders, includ-
3 ing—

4 “(i) employment training;

5 “(ii) education;

6 “(iii) housing assistance;

7 “(iv) children and family support, to
8 include responsible parenting and healthy
9 relationship skill training designed specifi-
10 cally to address the needs of incarcerated
11 and transitioning fathers and mothers;

12 “(v) conflict resolution skills training;

13 “(vi) family violence intervention pro-
14 grams; and

15 “(vii) other appropriate services; and

16 “(E) establish and implement graduated
17 sanctions and incentives;

18 “(20) developing a case management reentry
19 program that—

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

22 “(B) provides for a reentry service network
23 solely for such eligible veterans that coordinates
24 community services and veterans services for of-

1 fenders who qualify for such veterans services;
2 and

3 “(21) protecting communities against dan-
4 gerous offenders, including—

5 “(A) conducting studies in collaboration
6 with Federal research initiatives in effect on the
7 date of enactment of the Second Chance Act of
8 2007, to determine which offenders are return-
9 ing to prisons, jails, and juvenile facilities and
10 which of those returning offenders represent the
11 greatest risk to community safety;

12 “(B) developing and implementing proce-
13 dures to assist relevant authorities in deter-
14 mining when release is appropriate and in the
15 use of data to inform the release decision;

16 “(C) using validated assessment tools to
17 assess the risk factors of returning inmates,
18 and developing or adopting procedures to en-
19 sure that dangerous felons are not released
20 from prison prematurely; and

21 “(D) developing and implementing proce-
22 dures to identify efficiently and effectively those
23 violators of probation, parole, or post-incarcer-
24 ation supervision who represent the greatest
25 risk to community safety.”.

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

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

12 (1) by redesignating subsection (h) as sub-
13 section (o); and

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

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

20 “(1) contains a reentry strategic plan, as de-
21 scribed in subsection (h), which describes the long-
22 term strategy and incorporates a detailed implemen-
23 tation schedule, including the plans of the applicant
24 to pay for the program after the Federal funding is
25 discontinued;

1 “(2) identifies the local government role and
2 the role of governmental agencies and nonprofit or-
3 ganizations that will be coordinated by, and that will
4 collaborate on, the offender reentry strategy of the
5 applicant and certifies their involvement; and

6 “(3) describes the evidence-based methodology
7 and outcome measures that will be used to evaluate
8 the program, and specifically explains how such
9 measurements will provide valid measures of the
10 program’s impact.

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

14 “(1) reflects explicit support of the chief execu-
15 tive officer of the State, unit of local government,
16 territory, or Indian tribe applying for a grant under
17 this section;

18 “(2) provides extensive discussion of the role of
19 State corrections departments, community correc-
20 tions agencies, juvenile justice systems, or local jail
21 systems in ensuring successful reentry of offenders
22 into their communities;

23 “(3) provides extensive evidence of collaboration
24 with State and local government agencies overseeing
25 health, housing, child welfare, education, substance

1 abuse, victims services, and employment services,
2 and with local law enforcement;

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

7 “(5) includes the use of a State, local, terri-
8 torial, or tribal task force, described in subsection
9 (i), to carry out the activities funded under the
10 grant.

11 “(f) PRIORITY CONSIDERATIONS.—The Attorney
12 General shall give priority to grant applications under this
13 section that best—

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

17 “(2) include—

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

21 “(B) consultations with crime victims and
22 offenders who are released from prisons, jails,
23 and juvenile facilities; and

24 “(C) coordination with families of offend-
25 ers;

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

4 “(A) planning while offenders are in pris-
5 on, jail, or a juvenile facility, pre-release transi-
6 tion housing, and community release;

7 “(B) establishing pre-release planning pro-
8 cedures to ensure that the eligibility of an of-
9 fender for Federal or State benefits upon re-
10 lease is established prior to release, subject to
11 any limitations in law, and to ensure that of-
12 fenders obtain all necessary referrals for reentry
13 services; and

14 “(C) delivery of continuous and appro-
15 priate drug treatment, medical care, job train-
16 ing and placement, educational services, or any
17 other service or support needed for reentry;

18 “(4) review the process by which the applicant
19 adjudicates violations of parole, probation, or super-
20 vision following release from prison, jail, or a juve-
21 nile facility, taking into account public safety and
22 the use of graduated, community-based sanctions for
23 minor and technical violations of parole, probation,
24 or supervision (specifically those violations that are
25 not otherwise, and independently, a violation of law);

1 “(5) provide for an independent evaluation of
2 reentry programs that include, to the maximum ex-
3 tent possible, random assignment and controlled
4 studies to determine the effectiveness of such pro-
5 grams; and

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

8 “(g) USES OF GRANT FUNDS.—

9 “(1) FEDERAL SHARE.—

10 “(A) IN GENERAL.—Except as provided in
11 subparagraph (B), the Federal share of a grant
12 received under this section may not exceed 75
13 percent of the project funded under such grant
14 in fiscal year 2008.

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

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

19 “(ii) publishes in the Federal Register
20 the rationale for the waiver.

21 “(2) SUPPLEMENT NOT SUPPLANT.—Federal
22 funds received under this section shall be used to
23 supplement, not supplant, non-Federal funds that
24 would otherwise be available for the activities funded
25 under this section.

1 “(h) REENTRY STRATEGIC PLAN.—

2 “(1) IN GENERAL.—As a condition of receiving
3 financial assistance under this section, each appli-
4 cant shall develop a comprehensive strategic reentry
5 plan that contains measurable annual and 5-year
6 performance outcomes, and that uses, to the max-
7 imum extent possible, random assigned and con-
8 trolled studies to determine the effectiveness of the
9 program. One goal of the plan shall be to reduce the
10 rate of recidivism (as defined by the Attorney Gen-
11 eral, consistent with the research on offender reentry
12 undertaken by the Bureau of Justice Statistics) for
13 offenders released from prison, jail, or a juvenile fa-
14 cility who are served with funds made available
15 under this section.

16 “(2) COORDINATION.—In developing a reentry
17 plan under this subsection, an applicant shall coordi-
18 nate with communities and stakeholders, including
19 persons in the fields of public safety, juvenile and
20 adult corrections, housing, health, education, sub-
21 stance abuse, children and families, victims services,
22 employment, and business and members of nonprofit
23 organizations that can provide reentry services.

24 “(3) MEASUREMENTS OF PROGRESS.—Each re-
25 entry plan developed under this subsection shall

1 measure the progress of the applicant toward in-
2 creasing public safety by reducing rates of recidivism
3 and enabling released offenders to transition suc-
4 cessfully back into their communities.

5 “(i) REENTRY TASK FORCE.—

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

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

19 “(B) provide the analysis described in sub-
20 section (e)(4).

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

24 “(A) relevant State, tribal, territorial, or
25 local leaders; and

1 “(B) representatives of relevant—

2 “(i) agencies;

3 “(ii) service providers;

4 “(iii) nonprofit organizations; and

5 “(iv) stakeholders.

6 “(j) STRATEGIC PERFORMANCE OUTCOMES.—

7 “(1) IN GENERAL.—Each applicant shall identify
8 in the reentry strategic plan developed under
9 subsection (h), specific performance outcomes related
10 to the long-term goals of increasing public
11 safety and reducing recidivism.

12 “(2) PERFORMANCE OUTCOMES.—The performance
13 outcomes identified under paragraph (1) shall
14 include, with respect to offenders released back into
15 the community—

16 “(A) reduction in recidivism rates, which
17 shall be reported in accordance with the measure
18 selected by the Director of the Bureau of
19 Prisons under section 234(c)(2) of the Second
20 Chance Act of 2007;

21 “(B) reduction in crime;

22 “(C) increased employment and education
23 opportunities;

24 “(D) reduction in violations of conditions
25 of supervised release;

1 “(E) increased child support;

2 “(F) increased housing opportunities;

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

4 and

5 “(H) increased participation in substance
6 abuse and mental health services.

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

12 “(4) COORDINATION.—A grantee under this
13 section shall coordinate with communities and stake-
14 holders about the selection of performance outcomes
15 identified by the applicant, and shall consult with
16 the Attorney General for assistance with data collec-
17 tion and measurement activities as provided for in
18 the grant application materials.

19 “(5) REPORT.—

20 “(A) IN GENERAL.—Each grantee under
21 this section shall submit an annual report to
22 the Attorney General that—

23 “(i) identifies the progress of the
24 grantee toward achieving its strategic per-
25 formance outcomes; and

1 “(ii) describes other activities con-
2 ducted by the grantee to increase the suc-
3 cess rates of the reentry population, such
4 as programs that foster effective risk man-
5 agement and treatment programming, of-
6 fender accountability, and community and
7 victim participation.

8 “(B) SUBMISSION TO CONGRESS.—On an
9 annual basis, the Attorney General shall submit
10 all reports received under this paragraph during
11 the previous year to the Committee on the Judi-
12 ciary of the Senate and the Committee on the
13 Judiciary of the House of Representatives.

14 “(k) PERFORMANCE MEASUREMENT.—

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

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

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

1 “(C) provide to all grantees technical as-
2 sistance and training on performance measures
3 and data collection for purposes of this section;
4 and

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

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

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

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

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

5 “(2) the reentry plan of the grantee includes
6 performance measures to assess the progress of the
7 grantee toward increasing public safety by reducing
8 the rate at which individuals released from prisons,
9 jails, or juvenile facilities who participate in the re-
10 entry system supported by Federal funds are recom-
11 mitted to prisons, jails, or juvenile facilities; and

12 “(3) the grantee will coordinate with the Attor-
13 ney General, nonprofit organizations (if relevant
14 input from nonprofit organizations is available and
15 appropriate), and other experts regarding the selec-
16 tion and implementation of the performance meas-
17 ures described in subsection (k).

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

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

1 “(2) ELIGIBLE ORGANIZATION.—An organiza-
2 tion eligible for the grant under paragraph (1) is
3 any national nonprofit organization approved by the
4 Interagency Task Force on Federal Programs and
5 Activities Relating to the Reentry of Offenders Into
6 the Community, that provides technical assistance
7 and training to, and has special expertise and broad,
8 national-level experience in, offender reentry pro-
9 grams, training, and research.

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

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

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

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

1 “(D) disseminate information to States
2 and other relevant entities about best practices,
3 policy standards, and research findings;

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

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

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

20 “(H) develop a national reentry research
21 agenda;

22 “(I) bridge the gap between reentry re-
23 search and practice by translating knowledge
24 from research into practical information; and

1 “(J) establish a database to enhance the
2 availability of information that will assist of-
3 fenders in areas such as housing, employment,
4 counseling, mentoring, medical and mental
5 health services, substance abuse treatment,
6 transportation, and daily living skills.

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

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

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

15 “(2) not more than 2 percent shall be made
16 available to the National Institute of Justice to
17 evaluate the effectiveness of the demonstration
18 projects funded under this section, using a method-
19 ology that—

20 “(A) includes, to the maximum extent fea-
21 sible, random assignment of offenders (or enti-
22 ties working with such persons) to program de-
23 livery and control groups; and

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

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

9 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
10 2976(o) of the Omnibus Crime Control and Safe Streets
11 Act of 1968 (42 U.S.C. 3797w), as so redesignated by
12 subsection (c) of this section, is amended—

13 (1) in paragraph (1), by striking “\$15,000,000
14 for fiscal year 2003” and all that follows and insert-
15 ing “\$65,000,000 for fiscal year 2008, and
16 \$65,000,000 for fiscal year 2009.”; and

17 (2) by amending paragraph (2) to read as fol-
18 lows:

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

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

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

8 (1) by striking the subsection heading and in-
9 serting “REQUIREMENT FOR AFTERCARE COMPO-
10 NENT.—”; and

11 (2) by amending paragraph (1) to read as fol-
12 lows:

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

24 (b) DEFINITION.—Section 1904(d) of the Omnibus
25 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
26 3796ff–3(d)) is amended to read as follows:

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

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

20 **Subtitle B—New and Innovative**
21 **Programs to Improve Offender**
22 **Reentry Services**

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

24 (a) IN GENERAL.—Part FF of title I of the Omnibus
25 Crime Control and Safe Streets Act of 1968 (42 U.S.C.

1 3797w et seq.), as amended by section 101, is further
2 amended by inserting at the end the following:

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

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

7 “(1) State and local courts; and

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

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

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

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

22 “(A) drug and alcohol testing and assess-
23 ment for treatment;

24 “(B) assessment for substance abuse from
25 a substance abuse professional who is approved

1 by the State and licensed by the appropriate en-
2 tity to provide alcohol and drug addiction treat-
3 ment, as appropriate;

4 “(C) substance abuse treatment from a
5 provider that is approved by the State, and li-
6 censed, if necessary, to provide medical and
7 other health services;

8 “(D) health (including mental health) serv-
9 ices and assessment;

10 “(E) aftercare and case management serv-
11 ices that—

12 “(i) facilitate access to clinical care
13 and related health services; and

14 “(ii) coordinate with such clinical care
15 and related health services; and

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

17 “(3) convene community impact panels, victim
18 impact panels, or victim impact educational classes;

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

22 “(A) housing assistance;

23 “(B) education;

24 “(C) employment training;

25 “(D) conflict resolution skills training;

1 “(E) batterer intervention programs; and

2 “(F) other appropriate social services; and

3 “(5) establish and implement graduated sanc-
4 tions and incentives.

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

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

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

19 “(2) describes a long-term strategy and detailed
20 implementation plan for such program, including
21 how the entity plans to pay for the program after
22 the Federal funding ends;

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

25 “(4) certifies that—

1 “(A) all agencies affected by the program,
2 including existing community corrections and
3 parole entities, have been appropriately con-
4 sulted in the development of the program;

5 “(B) there will be appropriate coordination
6 with all such agencies in the implementation of
7 the program; and

8 “(C) there will be appropriate coordination
9 and consultation with the Single State Author-
10 ity for Substance Abuse (as defined in section
11 201(e) of the Second Chance Act of 2007) of
12 the State; and

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

15 “(e) MATCHING REQUIREMENTS.—The Federal
16 share of a grant under this section may not exceed 75
17 percent of the costs of the project assisted by such grant
18 unless the Attorney General—

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

21 “(2) publicly delineates the rationale for the
22 waiver.

23 “(f) ANNUAL REPORT.—Each entity receiving a
24 grant under this section shall submit to the Attorney Gen-
25 eral, for each fiscal year in which funds from the grant

1 are expended, a report, at such time and in such manner
2 as the Attorney General may reasonably require, that con-
3 tains—

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

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

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

11 “(g) AUTHORIZATION OF APPROPRIATIONS.—

12 “(1) IN GENERAL.—There are authorized to be
13 appropriated \$10,000,000 for each of fiscal years
14 2008 and 2009 to carry out this section.

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

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

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

1 **SEC. 112. GRANTS FOR COMPREHENSIVE AND CONTINUOUS**
2 **OFFENDER REENTRY TASK FORCES.**

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

7 **“PART CC—GRANTS FOR COMPREHENSIVE AND**
8 **CONTINUOUS OFFENDER REENTRY TASK**
9 **FORCES**

10 **“SEC. 2901. AUTHORIZATION.**

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

18 **“SEC. 2902. COMPREHENSIVE AND CONTINUOUS OFFENDER**
19 **REENTRY TASK FORCES.**

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

24 “(1) develops a community reentry plan, de-
25 scribed in section 2903, for each juvenile and adult

1 offender to be released from a correctional facility in
2 the applicable jurisdiction;

3 “(2) supervises and assesses the progress of
4 each such offender, with respect to such plan, start-
5 ing on a date before the offender is released from a
6 correctional facility and ending on the date on which
7 the court supervision of such offender ends;

8 “(3) conducts a detailed assessment of the
9 needs of each offender to address employment train-
10 ing, medical care, drug treatment, education, and
11 any other identified need of the offender to assist in
12 the offender’s reentry;

13 “(4) demonstrates affirmative steps to imple-
14 ment such a community reentry plan by consulting
15 and coordinating with other public and nonprofit en-
16 tities, as appropriate;

17 “(5) establishes appropriate measurements for
18 determining the efficacy of such community reentry
19 plans by monitoring offender performance under
20 such reentry plans;

21 “(6) complies with applicable State, local, terri-
22 torial, and tribal rules and regulations regarding the
23 provision of applicable services and treatment in the
24 applicable jurisdiction; and

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

9 “(b) CONSULTATION REQUIRED.—A Comprehensive
10 and Continuous Offender Reentry Task Force for a county
11 or other defined geographic area shall perform the duties
12 described in paragraphs (1) and (2) of subsection (a) in
13 consultation with representatives of—

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

16 “(2) the community health care services of the
17 county or area;

18 “(3) the drug treatment programs of the county
19 or area;

20 “(4) the employment opportunities available in
21 the county or area;

22 “(5) housing opportunities available in the
23 county or area; and

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

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

2 “For purposes of section 2902(a)(1), a community
3 reentry plan for an offender is a plan relating to the re-
4 entry of the offender into the community and, according
5 to the needs of the offender, shall—

6 “(1) identify employment opportunities and
7 goals;

8 “(2) identify housing opportunities;

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

10 “(4) provide for any needed mental health serv-
11 ices;

12 “(5) provide for any needed health care serv-
13 ices;

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

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

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

20 **“SEC. 2904. APPLICATION.**

21 “To be eligible for a grant under this part, a State
22 or other relevant entity shall submit to the Attorney Gen-
23 eral an application in such form and manner and at such
24 time as the Attorney General specifies. Such application
25 shall contain such information as the Attorney General
26 specifies.

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

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

5 **“SEC. 2906. REPORTS.**

6 “An entity that receives funds under this part for a
7 Comprehensive and Continuous Offender Reentry Task
8 Force during a fiscal year shall submit to the Attorney
9 General, not later than a date specified by the Attorney
10 General, a report that describes and evaluates the effec-
11 tiveness of such Task Force during such fiscal year.

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

13 “There are authorized to be appropriated
14 \$10,000,000 to carry out this section for each of fiscal
15 years 2008 and 2009.”.

16 **SEC. 113. PROSECUTION DRUG TREATMENT ALTERNATIVE**
17 **TO PRISON PROGRAMS.**

18 (a) AUTHORIZATION.—Title I of the Omnibus Crime
19 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
20 et seq.), as amended by section 112 of this Act, is further
21 amended by inserting after section 2907 the following new
22 part:

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

2 **ALTERNATIVE TO PRISON PROGRAMS**

3 **“SEC. 2911. GRANT AUTHORITY.**

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

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

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

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

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

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

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

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

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

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

17 “(B) notify such prosecutor and such court
18 if the offender absconds from the facility of the
19 treatment provider or otherwise violates the
20 terms and conditions of the program, consistent
21 with Federal and State confidentiality require-
22 ments; and

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

1 which shall include verifying an offender’s addresses
2 and other contacts, and, if necessary, locating, ap-
3 prehending, and arresting an offender who has ab-
4 sconded from the facility of a substance abuse treat-
5 ment provider or otherwise violated the terms and
6 conditions of the program, consistent with Federal
7 and State confidentiality requirements, and return-
8 ing such offender to court for sentencing for the
9 crime involved.

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

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

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

18 “(2) Payments for substance abuse treatment
19 providers that are approved by the State and li-
20 censed, if necessary, to provide alcohol and drug ad-
21 diction treatment to eligible offenders participating
22 in the program, including aftercare supervision, vo-
23 cational training, education, and job placement.

24 “(3) Payments to public and nonprofit private
25 entities that are approved by the State and licensed,

1 if necessary, to provide alcohol and drug addiction
2 treatment to offenders participating in the program.

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

7 **“SEC. 2913. APPLICATIONS.**

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

16 **“SEC. 2914. FEDERAL SHARE.**

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

22 **“SEC. 2915. GEOGRAPHIC DISTRIBUTION.**

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

1 “(1) in each State; and

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

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

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

13 **“SEC. 2917. DEFINITIONS.**

14 “In this part:

15 “(1) STATE OR LOCAL PROSECUTOR.—The
16 term ‘State or local prosecutor’ means any district
17 attorney, State attorney general, county attorney, or
18 corporation counsel who has authority to prosecute
19 criminal offenses under State or local law.

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

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

1 “(B) has never been charged with or con-
2 victed of an offense, during the course of
3 which—

4 “(i) the person carried, possessed, or
5 used a firearm or dangerous weapon; or

6 “(ii) there occurred the use of force
7 against the person of another, without re-
8 gard to whether any of the behavior de-
9 scribed in clause (i) or (ii) is an element of
10 the offense or for which the person is
11 charged or convicted;

12 “(C) does not have one or more prior con-
13 victions for a felony crime of violence involving
14 the use or attempted use of force against a per-
15 son with the intent to cause death or serious
16 bodily harm; and

17 “(D)(i) has received an assessment for al-
18 cohol or drug addiction from a substance abuse
19 professional who is approved by the State and
20 licensed by the appropriate entity to provide al-
21 cohol and drug addiction treatment, as appro-
22 priate; and

23 “(ii) has been found to be in need of sub-
24 stance abuse treatment because that offender
25 has a history of substance abuse that is a sig-

1 nificant contributing factor to that offender’s
2 criminal conduct.”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
4 1001(a) of title I of the Omnibus Crime Control and Safe
5 Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by
6 adding at the end the following new paragraph:

7 “(26) There are authorized to be appropriated
8 to carry out part DD such sums as may be nec-
9 essary for each of fiscal years 2008 and 2009.”.

10 **SEC. 114. GRANTS FOR FAMILY SUBSTANCE ABUSE TREAT-**
11 **MENT ALTERNATIVES TO INCARCERATION.**

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

15 **“PART JJ—GRANTS FOR FAMILY SUBSTANCE**
16 **ABUSE TREATMENT ALTERNATIVES TO IN-**
17 **CARCERATION**

18 **“SEC. 3001. GRANTS AUTHORIZED.**

19 “The Attorney General may make grants to States,
20 units of local government, territories, and Indian tribes
21 to develop, implement, and expand comprehensive and
22 clinically-appropriate family-based substance abuse treat-
23 ment programs as alternatives to incarceration for non-
24 violent parent drug offenders.

1 **“SEC. 3002. USE OF GRANT FUNDS.**

2 “Grants made to an entity under section 3001 for
3 a program described in such section may be used for the
4 following:

5 “(1) Salaries, personnel costs, facility costs, and
6 other costs directly related to the operation of the
7 program.

8 “(2) Payments to providers of substance abuse
9 treatment for providing treatment and case manage-
10 ment to nonviolent parent drug offenders partici-
11 pating in the program, including comprehensive
12 treatment for mental health disorders, parenting
13 classes, educational classes, vocational training, and
14 job placement.

15 “(3) Payments to public and nonprofit private
16 entities to provide substance abuse treatment to
17 nonviolent parent drug offenders participating in the
18 program.

19 **“SEC. 3003. PROGRAM REQUIREMENTS.**

20 “A program for which a grant is made under section
21 3001 shall comply with the following requirements:

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

1 “(2) The program shall provide for appropriate
2 coordination and consultation with the Single State
3 Authority for Substance Abuse (as defined in section
4 201(e) of the Second Chance Act of 2007) of the
5 State in which the program is located.

6 “(3) The program shall consist of clinically-ap-
7 propriate, comprehensive, and long-term family
8 treatment, including the treatment of the nonviolent
9 parent drug offender, the child of such offender, and
10 any other appropriate member of the family of the
11 offender.

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

15 “(5) The program shall provide that if a non-
16 violent parent drug offender who participates in the
17 program does not successfully complete the program
18 the offender shall serve an appropriate sentence of
19 imprisonment with respect to the underlying crime
20 involved.

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

1 “(7) The program shall include the implementa-
2 tion of a system of graduated sanctions (including
3 incentives) that are applied based on the account-
4 ability of the nonviolent parent drug offender in-
5 volved throughout the course of the program to en-
6 courage compliance with the program.

7 “(8) The program shall develop and implement
8 a reentry plan for each nonviolent parent drug of-
9 fender that shall include reinforcement strategies for
10 family involvement as appropriate, relapse strategies,
11 support groups, placement in transitional housing,
12 and continued substance abuse treatment, as need-
13 ed.

14 **“SEC. 3004. DEFINITIONS.**

15 “In this part:

16 “(1) NONVIOLENT PARENT DRUG OFFEND-
17 ERS.—The term ‘nonviolent parent drug offender’
18 means an offender who is a parent of a minor and
19 who is convicted of a drug (or drug-related) felony
20 that is a nonviolent offense.

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

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

2 “There are authorized to be appropriated to carry out
3 this part \$10,000,000 for each of fiscal years 2008 and
4 2009.”.

5 **SEC. 115. PRISON-BASED FAMILY TREATMENT PROGRAMS**
6 **FOR INCARCERATED PARENTS OF MINOR**
7 **CHILDREN.**

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

11 (1) by redesignating Part X at the end (relating
12 to grants for sex offender apprehension and juvenile
13 sex offender treatment) as Part KK; and

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

15 **“PART LL—PRISON-BASED FAMILY TREATMENT**
16 **PROGRAMS FOR INCARCERATED PARENTS**
17 **OF MINOR CHILDREN**

18 **“SEC. 3021. GRANTS AUTHORIZED.**

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

23 **“SEC. 3022. USE OF GRANT FUNDS.**

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

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

7 “(2) coordinate the design and implementation
8 of such programs between appropriate correctional
9 facility representatives, the Single State Authority
10 for Substance Abuse (as defined in section 201(e) of
11 the Second Chance Act of 2007), and other appro-
12 priate governmental agencies; and

13 “(3) develop and implement a pre-release as-
14 sessment and a reentry plan for each incarcerated
15 parent scheduled to be released to the community,
16 and such plan shall include—

17 “(A) a treatment program for the incarcer-
18 ated parent to receive continuous substance
19 abuse treatment services and related support
20 services, as needed;

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

23 “(C) a vocational or employment plan, in-
24 cluding training and job placement services;
25 and

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

3 **“SEC. 3023. PROGRAM REQUIREMENTS.**

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

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

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

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

19 **“SEC. 3024. APPLICATIONS.**

20 “To be eligible for a grant under this part for a pris-
21 on-based family treatment program, an entity described
22 in section 3021 shall, in addition to any other requirement
23 specified by the Attorney General, submit an application
24 to the Attorney General in such form and manner and
25 at such time as specified by the Attorney General. Such

1 application shall include a description of the methods and
2 measurements the entity will use for purposes of evalu-
3 ating the program involved and such other information as
4 the Attorney General may reasonably require.

5 **“SEC. 3025. REPORTS.**

6 “An entity that receives a grant under this part for
7 a prison-based family treatment program during a fiscal
8 year shall submit to the Attorney General, not later than
9 a date specified by the Attorney General, a report that
10 describes and evaluates the effectiveness of such program
11 during such fiscal year. Such evaluation shall be based on
12 evidence-based data and shall use the methods and meas-
13 urements described in the application of the entity for pur-
14 poses of evaluating the program.

15 **“SEC. 3026. PRISON-BASED FAMILY TREATMENT PROGRAM**
16 **DEFINED.**

17 “In this part, the term ‘prison-based family treat-
18 ment program’ means a program for incarcerated parents
19 in a correctional facility that provides a comprehensive re-
20 sponse to offender needs, including substance abuse treat-
21 ment, child early intervention services, family counseling,
22 legal services, medical care, mental health services, nurs-
23 ery and preschool, parenting skills training, pediatric care,
24 physical therapy, prenatal care, sexual abuse therapy, re-

1 lapse prevention, transportation, and vocational or GED
2 training.

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

4 “There are authorized to be appropriated to carry out
5 this part \$10,000,000 for each of fiscal years 2008 and
6 2009.”.

7 **SEC. 116. GRANT PROGRAMS RELATING TO EDUCATIONAL**
8 **METHODS AT PRISONS, JAILS, AND JUVENILE**
9 **FACILITIES.**

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

14 **“PART MM—GRANT PROGRAM TO EVALUATE**
15 **EDUCATIONAL METHODS AT PRISONS, JAILS,**
16 **AND JUVENILE FACILITIES**

17 **“SEC. 3031. GRANT PROGRAM TO EVALUATE EDUCATIONAL**
18 **METHODS AT PRISONS, JAILS, AND JUVENILE**
19 **FACILITIES.**

20 “(a) GRANT PROGRAM AUTHORIZED.—The Attorney
21 General shall carry out a grant program under which the
22 Attorney General makes grants to States, units of local
23 government, territories, Indian tribes, and other public
24 and private entities to—

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

4 “(2) identify, and make recommendations to the
5 Attorney General regarding, best practices relating
6 to academic and vocational education for offenders
7 in prisons, jails, and juvenile facilities, based on the
8 evaluation under paragraph (1).

9 “(b) APPLICATION.—To be eligible for a grant under
10 this section, a State or other entity described in subsection
11 (a) shall submit to the Attorney General an application
12 in such form and manner and at such time as the Attorney
13 General specifies. Such application shall contain such in-
14 formation as the Attorney General specifies.

15 “(c) REPORT.—Not later than 90 days after the last
16 day of the final fiscal year for which an entity described
17 in subsection (a) receives a grant under such subsection,
18 such an entity shall submit to the Attorney General a de-
19 tailed report of the aggregate findings and conclusions of
20 the evaluation described in subsection (a)(1), and the rec-
21 ommendations to the Attorney General described in sub-
22 section (a)(2).

23 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated—

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

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

5 **“SEC. 3032. GRANTS TO IMPROVE EDUCATIONAL SERVICES**
6 **IN PRISONS, JAILS, AND JUVENILE FACILI-**
7 **TIES.**

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 for the purpose
12 of improving the academic and vocational education pro-
13 grams available to offenders in prisons, jails, and juvenile
14 facilities.

15 “(b) APPLICATION.—To be eligible for a grant under
16 this section, an entity described in subsection (a) shall
17 submit to the Attorney General an application in such
18 form and manner and at such time as the Attorney Gen-
19 eral specifies. Such application shall contain such informa-
20 tion as the Attorney General specifies.

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

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

4 **Subtitle C—Conforming** 5 **Amendments**

6 **SEC. 121. USE OF VIOLENT OFFENDER TRUTH-IN-SEN-** 7 **TENCING GRANT FUNDING FOR DEMONSTRA-** 8 **TION PROJECT ACTIVITIES.**

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

12 (1) in paragraph (2) by striking “and” at the
13 end;

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

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

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

1 **TITLE II—ENHANCED DRUG**
2 **TREATMENT AND MEN-**
3 **TORING GRANT PROGRAMS**
4 **Subtitle A—Drug Treatment**

5 **SEC. 201. GRANTS FOR DEMONSTRATION PROGRAMS TO**
6 **REDUCE DRUG USE AND RECIDIVISM IN**
7 **LONG-TERM SUBSTANCE ABUSERS.**

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

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

20 (1) to support the efforts of the agencies, orga-
21 nizations, and researchers included in the eligible
22 partnership, with respect to the program;

23 (2) to develop and implement a program for su-
24 pervised long-term substance abusers during the pe-

1 riod described in subsection (a), which shall in-
2 clude—

3 (A) alcohol and drug abuse assessments
4 that—

5 (i) are provided by a State-approved
6 program; and

7 (ii) provide adequate incentives for
8 completion of a comprehensive alcohol or
9 drug abuse treatment program, including
10 through the use of graduated sanctions;
11 and

12 (B) coordinated and continuous delivery of
13 drug treatment and case management services
14 during such period; and

15 (3) to provide addiction recovery support serv-
16 ices (such as job training and placement, peer sup-
17 port, mentoring, education, and other related serv-
18 ices) to strengthen rehabilitation efforts for long-
19 term substance abusers.

20 (c) APPLICATION.—To be eligible for a grant under
21 subsection (a) for a demonstration program, an eligible
22 partnership shall submit to the Attorney General an appli-
23 cation that—

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

4 (2) includes a plan for using judicial or other
5 criminal or juvenile justice authority to supervise the
6 long-term substance abusers who are participating in
7 a demonstration program under this section, includ-
8 ing for—

9 (A) administering drug tests for such
10 abusers on a regular basis; and

11 (B) swiftly and certainly imposing an es-
12 tablished set of graduated sanctions for non-
13 compliance with conditions for reentry into the
14 community relating to drug abstinence (whether
15 imposed as a pre-trial, probation, or parole con-
16 dition, or otherwise);

17 (3) includes a plan to provide supervised long-
18 term substance abusers with coordinated and contin-
19 uous services that are based on evidence-based strat-
20 egies that assist such abusers by providing such
21 abusers with—

22 (A) drug treatment while in prison, jail, or
23 a juvenile facility;

24 (B) continued treatment during the period
25 in which each such long-term substance abuser

1 is in prison, jail, or a juvenile facility, and until
2 the completion of parole or court supervision of
3 such abuser;

4 (C) addiction recovery support services;

5 (D) employment training and placement;

6 (E) family-based therapies;

7 (F) structured post-release housing and
8 transitional housing, including housing for re-
9 covering substance abusers; and

10 (G) other services coordinated by appro-
11 priate case management services;

12 (4) includes a plan for coordinating the data in-
13 frastructures among the entities included in the eli-
14 gible partnership and between such entities and the
15 providers of services under the demonstration pro-
16 gram involved (including providers of technical as-
17 sistance) to assist in monitoring and measuring the
18 effectiveness of demonstration programs under this
19 section; and

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

22 (A) located in each community involved;

23 and

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

1 (d) REPORTS TO CONGRESS.—

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

9 (2) FINAL REPORT.—Not later than September
10 30, 2009, the Attorney General shall submit to Con-
11 gress a report on the demonstration programs fund-
12 ed under this section, including on the matters spec-
13 ified in paragraph (1).

14 (e) DEFINITIONS.—In this section:

15 (1) ELIGIBLE PARTNERSHIP.—The term “eligi-
16 ble partnership” means a partnership that in-
17 cludes—

18 (A) the applicable Single State Authority
19 for Substance Abuse;

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

22 (C) a researcher who has experience in evi-
23 dence-based studies that measure the effective-
24 ness of treating long-term substance abusers
25 during the period in which such abusers are

1 under the supervision of the criminal or juvenile
2 justice system involved;

3 (D) community-based organizations that
4 provide drug treatment, related recovery serv-
5 ices, job training and placement, educational
6 services, housing assistance, mentoring, or med-
7 ical services; and

8 (E) Federal agencies (such as the Drug
9 Enforcement Agency, the Bureau of Alcohol,
10 Tobacco, Firearms, and Explosives, and United
11 States Attorney's offices).

12 (2) LONG-TERM SUBSTANCE ABUSER.—The
13 term “long-term substance abuser” means an of-
14 fender, who—

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

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

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

21 (3) SINGLE STATE AUTHORITY FOR SUBSTANCE
22 ABUSE.—The term “Single State Authority for Sub-
23 stance Abuse” means an entity designated by the
24 Governor or chief executive officer of a State as the
25 single State administrative authority responsible for

1 the planning, development, implementation, moni-
2 toring, regulation, and evaluation of substance abuse
3 services.

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

7 **SEC. 202. GRANTS FOR DEMONSTRATION PROGRAMS BY**
8 **LOCAL PARTNERSHIPS TO REDUCE ILLEGAL**
9 **DRUG DEMAND BY PROVIDING DRUG TREAT-**
10 **MENT.**

11 (a) GRANT AWARDS REQUIRED.—The Attorney Gen-
12 eral shall make competitive awards for demonstration pro-
13 grams by eligible partnerships for the purpose of reducing
14 illegal drug demand by providing for drug treatment upon
15 request programs through evidence-based models of such
16 programs that—

17 (1) increase the accessibility of such a program
18 to any individual who requests to participate in such
19 program;

20 (2) increase public awareness of the availability
21 of such programs; and

22 (3) decrease the cost of drug treatment.

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

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

4 (2) to develop a program that provides drug
5 treatment upon request—

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

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

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

13 (4) to record the outcomes of the program de-
14 veloped.

15 (c) REPORTS TO CONGRESS.—

16 (1) INTERIM REPORT.—Not later than Sep-
17 tember 30, 2008 the Attorney General shall submit
18 to Congress a report that identifies the best prac-
19 tices in providing for drug treatment upon request
20 programs, including the best practices identified
21 through the activities funded under this section.

22 (2) FINAL REPORT.—Not later than September
23 30, 2009, the Attorney General shall submit to Con-
24 gress a report on the demonstration programs fund-

1 ed under this section, including on the matters spec-
2 ified in paragraph (1).

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

4 (1) DRUG TREATMENT UPON REQUEST.—The
5 term “drug treatment upon request” means a drug
6 treatment program that provides to any individual
7 who requests to participate in such program full
8 availability and accessibility to such program with-
9 out delay.

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

13 (A) identifies the roles played, and certifies
14 the involvement of, two or more agencies or or-
15 ganizations, which may include—

16 (i) State or local agencies (such as
17 those carrying out police, probation, pros-
18 ecution, courts, corrections, parole, or
19 treatment functions);

20 (ii) Federal agencies (such as the
21 Drug Enforcement Agency, the Bureau of
22 Alcohol, Tobacco, Firearms, and Explo-
23 sives, and United States Attorney offices);
24 and

25 (iii) community-based organizations;

1 (B) includes a qualified researcher;

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

4 (i) the availability, as of such date, of
5 each drug treatment upon request pro-
6 gram;

7 (ii) the demand, as of such date, for
8 drug treatment that has not been met
9 through programs in existence before such
10 date;

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

13 (iv) the criteria that have influenced
14 the outcome of drug treatment upon re-
15 quest programs; and

16 (D) includes a plan that describes the
17 methodology and outcome measures proposed
18 for evaluating the impact of each model used
19 for a drug treatment upon request program.

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

1 **SEC. 203. OFFENDER DRUG TREATMENT INCENTIVE**
2 **GRANTS.**

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

10 (b) REQUIREMENTS FOR APPLICATION.—To be eligi-
11 ble to receive a grant under subsection (a) for a given fis-
12 cal year, an entity described in such subsection shall, in
13 addition to any other requirements specified by the Attor-
14 ney General, submit to the Attorney General an applica-
15 tion that demonstrates that, with respect to offenders in
16 prisons, jails, and juvenile facilities who require drug
17 treatment and who are in the custody of the jurisdiction
18 involved, during the previous fiscal year the entity pro-
19 vided drug treatment meeting standards set forth by the
20 Single State Authority for Substance Abuse (as defined
21 in section 201(e)) to a number of such offenders that is
22 two times the number of such offenders to whom the entity
23 provided such drug treatment in the fiscal year that was
24 two years before such given fiscal year. Such application
25 shall be submitted in such form and manner and at such
26 time as specified by the Attorney General.

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

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

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

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

18 (e) TECHNICAL ASSISTANCE.—The Attorney General
19 may provide technical assistance to any entity awarded a
20 grant under this section to establish or expand drug treat-
21 ment services under this section if such entity does not
22 have any (or has only a few) prisons, jails, or juvenile fa-
23 cilities that offer such services.

24 (f) REPORTS.—An entity that receives a grant under
25 subsection (a) during a fiscal year shall, not later than

1 the last day of the following fiscal year, submit to the At-
2 torney General a report that describes and assesses the
3 uses of such grant.

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

7 **SEC. 204. ENSURING AVAILABILITY AND DELIVERY OF NEW**
8 **PHARMACOLOGICAL DRUG TREATMENT**
9 **SERVICES.**

10 (a) GRANT PROGRAM AUTHORIZED.—The Attorney
11 General, through the National Institute of Justice, and in
12 consultation with the National Institute on Drug Abuse
13 and the Substance Abuse and Mental Health Services Ad-
14 ministration, shall carry out a grant program under which
15 the Attorney General makes grants to States, units of
16 local government, territories, Indian tribes, and public and
17 private organizations to establish pharmacological drug
18 treatment services as part of the available drug treatment
19 programs being offered by such grantees to offenders who
20 are in prison or jail.

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

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

4 (2) the participation of researchers who are fa-
5 miliar with evidence-based studies and are able to
6 measure the effectiveness of such treatments using
7 randomized trials.

8 (c) APPLICATIONS.—

9 (1) IN GENERAL.—To be eligible for a grant
10 under this section, an entity described in subsection
11 (a) shall submit to the Attorney General an applica-
12 tion in such form and manner and at such time as
13 the Attorney General specifies.

14 (2) INFORMATION REQUIRED.—An application
15 submitted under paragraph (1) shall—

16 (A) provide assurances that grant funds
17 will be used only toward a program that is cre-
18 ated in coordination with (or approved by) the
19 Single State Authority for Substance Abuse, as
20 defined in section 201(e), of the State involved
21 to ensure pharmacological drug treatment serv-
22 ices provided under such program are clinically
23 appropriate;

24 (B) demonstrate how pharmacological drug
25 treatment services offered under the proposed

1 or existing program are part of a clinically-ap-
2 propriate and comprehensive treatment plan;
3 and

4 (C) contain such other information as the
5 Attorney General specifies.

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

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

14 **SEC. 205. STUDY OF EFFECTIVENESS OF DEPOT**
15 **NALTREXONE FOR HEROIN ADDICTION.**

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 shall carry out a grant program under which the Attorney
20 General makes grants to public and private research enti-
21 ties (including consortia, single private research entities,
22 and individual institutions of higher education) to evaluate
23 the effectiveness of depot naltrexone for the treatment of
24 heroin addiction.

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

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

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

10 (B) the applicant has an established or
11 proposed plan to work with parole officers or
12 probation officers for offenders who are under
13 court supervision; and

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

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

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

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

4 **Subtitle B—Job Training**

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

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 States, units of local govern-
10 ment, territories, and Indian tribes to provide technology
11 career training to prisoners.

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

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

23 (d) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this section
25 \$5,000,000 for each of fiscal years 2008 and 2009.

1 **Subtitle C—Mentoring**

2 **SEC. 221. MENTORING GRANTS TO NONPROFIT ORGANIZA-** 3 **TIONS.**

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

10 (b) **USE OF FUNDS.**—Grant funds awarded under
11 subsection (a) may be used for—

12 (1) mentoring adult and juvenile offenders dur-
13 ing incarceration, through transition back to the
14 community, and post-release;

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

17 (3) training regarding offender and victims
18 issues.

19 (c) **APPLICATION; PRIORITY CONSIDERATION.**—

20 (1) **IN GENERAL.**—To be eligible to receive a
21 grant under this section, a nonprofit organization
22 shall submit an application to the Attorney General
23 based on criteria developed by the Attorney General.

24 (2) **PRIORITY CONSIDERATION.**—Priority con-
25 sideration shall be given to any application that—

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

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

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

16 (e) REPORTS.—Not later than the last day of each
17 fiscal year, an entity that receives a grant under sub-
18 section (a) during the preceding fiscal year shall submit
19 to the Attorney General a report that describes and as-
20 sesses the uses of such grant during the preceding fiscal
21 year and that identifies the progress of the grantee toward
22 achieving its strategic performance outcomes.

23 (f) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to the Attorney General

1 to carry out this section \$15,000,000 for each of fiscal
2 years 2008 and 2009.

3 **SEC. 222. BUREAU OF PRISONS POLICY ON MENTORING**
4 **CONTACTS.**

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

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

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 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.”.

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