

THE ONE STOP SHOP COMMUNITY REENTRY PROGRAM  
ACT OF 2020

SEPTEMBER 29, 2020.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

Mr. NADLER, from the Committee on the Judiciary,  
submitted the following

R E P O R T

[To accompany H.R. 8161]

The Committee on the Judiciary, to whom was referred the bill (H.R. 8161) to authorize implementation grants to community-based nonprofits to operate one-stop reentry centers, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all that follows after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “The One Stop Shop Community Reentry Program Act of 2020”.

**SEC. 2. COMMUNITY REENTRY CENTER GRANT PROGRAM.**

(a) PROGRAM AUTHORIZED.—The Attorney General is authorized to carry out a grant program to make grants to eligible entities for the purpose of creating community reentry centers.

(b) APPLICATION REQUIREMENTS.—Each application for a grant under this section shall—

(1) demonstrate a plan to work with community leaders who interact with formerly incarcerated people and their families to—

(A) identify specific strategies and approaches to providing reentry services;

(B) develop a needs assessment tool to survey or conduct focus groups with community members in order to identify—

(i) the needs of individuals returning to the community after conviction or incarceration, and the barriers such individuals face; and

(ii) the needs of the families and communities to which such individuals are returning; and

(C) use the information gathered pursuant to subparagraph (B) to determine the reentry services to be provided by the community reentry center;

(2) identify the correctional institutions from which individuals who are released from incarceration are likely to reenter the community served by the community reentry center, and develop a plan, if feasible, to provide transportation for such released individuals to the community reentry center, to the individual's residence, or to a location where the individual is ordered by a court to report;

(3) demonstrate a plan to provide accessible notice of the location of the reentry intake and coordination center and the services that it will provide (either directly or on a referral basis), including, where feasible, within and outside of correctional institutions identified under paragraph (1);

(4) demonstrate a plan to provide intake and reentry needs assessment that is trauma-informed and gender-responsive after an individual is released from a correctional institution, or, in the case of an individual who is convicted of an offense and not sentenced to a term of imprisonment, after such conviction, and where feasible, before release, to ensure that the individuals served by the center are referred to appropriate reentry services based on the individual's needs immediately upon release from a correctional institution or after conviction, and continuously thereafter as needed;

(5) demonstrate a plan to provide the reentry services identified in paragraph (1)(C);

(6) demonstrate a plan to continue to provide services (including through referral) for individuals served by the center who move to a different geographic area to ensure appropriate case management, case planning, and access to continuous or new services, where necessary, and based on consistent reevaluation of needs; and

(7) identify specific methods that the community reentry center will employ to achieve performance objectives among the individuals served by the center, including—

(A) increased access to and participation in reentry services;

(B) reduction in recidivism rates;

(C) increased numbers of individuals obtaining and retaining employment;

(D) increased enrollment in and degrees earned from educational programs, including high school, GED, and institutions of higher education;

(E) increased numbers of individuals obtaining and maintaining housing; and

(F) increased self-reports of successful community living, including stability of living situation and positive family relationships.

(c) PREFERENCE.—The Attorney General shall give preference to applicants that demonstrate that they seek to employ individuals who have been convicted of an offense, or served a term of imprisonment and have completed any court-ordered supervision, or that, to the extent allowable by law, employ such formerly incarcerated individuals in positions of responsibility.

(d) EVALUATION AND REPORT.—

(1) EVALUATION.—The Attorney General shall enter into a contract with a nonprofit organization with expertise in analyzing data related to reentry services and recidivism to monitor and evaluate each recipient of a grant and each community reentry center receiving funds under this section on an ongoing basis.

(2) ADMINISTRATIVE BURDEN.—The nonprofit organization described in paragraph (1) shall provide administrative support to assist recipients of grants authorized by this Act to comply with the conditions associated with the receipt of funding from the Department of Justice.

(3) REPORT.—Not later than one year after the date on which grants are initially made under this section, and annually thereafter, the Attorney General shall submit to Congress a report on the program, which shall include—

(A) the number of grants made, the number of eligible entities receiving such grants, and the amount of funding distributed to each eligible entity pursuant to this section;

(B) the location of each eligible entity receiving such a grant, and the population served by the community reentry center;

(C) the number of persons who have participated in reentry services offered by a community reentry center, disaggregated by type of services, and success rates of participants in each service to the extent possible;

(D) the number of persons who have participated in reentry services for which they received a referral from a community reentry center, disaggregated by type of services, and success rates of participants in each service;

(E) recidivism rates within the population served by each community reentry center, both before and after receiving a grant under this section;

(F) the numbers of individuals obtaining and retaining employment within the population served by each community reentry center, both before and after receiving a grant under this section; and

(G) the number of individuals obtaining and maintaining housing within the population served by each community reentry center, both before and after receiving a grant under this section.

(e) DEFINITIONS.—In this section:

(1) The term “eligible entity” means a community-based nonprofit organization that—

(A) has expertise in the provision of reentry services; and

(B) is located in a geographic area that has disproportionately high numbers of residents, when compared to the local community, who—

(i) have been arrested;

(ii) have been convicted of a criminal offense; and

(iii) return to such geographic area after incarceration.

(2) The term “community reentry center” means a center that—

(A) offers intake, reentry needs assessments, case management, and case planning for reentry services for individuals returning to the community after conviction or incarceration;

(B) provides the reentry services identified under subsection (b)(1)(C) at a single location; and

(C) provides referrals to appropriate service providers based on the assessment of needs of the individuals.

(3) The term “reentry services” means comprehensive and holistic services that improve outcomes for individuals returning to the community after conviction or incarceration, and may include—

(A) seeking and maintaining employment, including through assistance with drafting resumes, establishing emails accounts, locating job solicitations, submitting of job applications, and preparing for interviews;

(B) placement in job placement programs that partner with private employers;

(C) obtaining free and low-cost job skills classes, including computer skills, technical skills, vocational skills, and any other job-related skills;

(D) locating and maintaining housing, which may include counseling on public housing opportunities, assisting with applications for public housing benefits, locating and securing temporary or long-term shelter, and applying for home energy and utility assistance programs;

(E) obtaining identification cards and driver’s licenses;

(F) registering to vote, and applying for voting rights to be restored, where permitted by law;

(G) applying for or accessing GED courses;

(H) applying for loans for and admission to institutions of higher education;

(I) financial counseling;

(J) legal assistance or referrals for record expungement, forfeiture of property or assets, family law and custody matters, legal aid services (including other civil legal aid services), and relevant civil matters including housing and other issues;

(K) retrieving property or funds retained by the arresting agency or facility of incarceration, or retrieving property or funds obtained while incarcerated;

(L) transportation, including through provision of transit fare;

- (M) familial counseling;
  - (N) problem-solving, in coordination with counsel where necessary, any difficulties in compliance with court-ordered supervision requirements, including restrictions on living with certain family members, contact with certain friends, bond requirements, location and residency restrictions, electronic monitoring compliance, court-ordered substance abuse, and other court-ordered requirements;
  - (O) communication needs, including providing a mobile phone, mobile phone service or access, or internet access;
  - (P) applying for State or Federal government benefits, where eligible, and assisting in locating free or reduced cost food and sustenance benefits;
  - (Q) life skills assistance;
  - (R) mentorship;
  - (S) medical and mental health services, and cognitive-behavioral programming;
  - (T) substance abuse treatment;
  - (U) reactivation, application for, and maintenance of professional or other licenses; and
  - (V) providing case management services, in connection with court-orders terms of release, or other local publicly supported social work case management.
- (4) The term “community leader” means an individual who serves the community in a leadership role, including—
- (A) a school official;
  - (B) a faith leader;
  - (C) a social service provider;
  - (D) a member of a neighborhood association;
  - (E) a public safety representative;
  - (F) an employee of an organization that provides reentry services;
  - (G) a member of a civic or volunteer group related to the provision of reentry services;
  - (H) a health care professional; or
  - (I) an employee of a State, local, or tribal government agency with expertise in the provision of reentry services.
- (5) The term “success rate” means the rate of recidivism (as measured by a subsequent conviction or return to prison), job placement, permanent housing placement, or completion of certification, trade, or other education program.
- (f) **AUTHORIZATION OF APPROPRIATIONS.—**
- (1) **IN GENERAL.—**There is authorized to be appropriated \$10,000,000 for each of fiscal years 2021 through 2025 to carry out this section.
  - (2) **EQUITABLE DISTRIBUTION.—**The Attorney General shall ensure that grants awarded under this section are equitably distributed among the geographical regions and between urban and rural populations, including Indian Tribes, consistent with the objective of reducing recidivism.

**SEC. 3. GRANTS FOR REENTRY SERVICES ASSISTANCE HOTLINES.**

- (a) **GRANTS AUTHORIZED.—**
- (1) **IN GENERAL.—**The Attorney General is authorized to make grants to States and units of local government to operate reentry services assistance hotlines that are toll-free and operate 24 hours a day, 7 days a week.
  - (2) **GRANT PERIOD.—**A grant made under paragraph (1) shall be for a period of not more than 5 years.
- (b) **HOTLINE REQUIREMENTS.—**A grant recipient shall ensure, with respect to a hotline funded by a grant under subsection (a), that—
- (1) the hotline directs individuals to local reentry services (as such term is defined in section 2(e));
  - (2) any personally identifiable information that an individual provides to an agency of the State through the hotline is not directly or indirectly disclosed, without the consent of the individual, to any other agency or entity, or person;
  - (3) the staff members who operate the hotline are trained to be knowledgeable about—
    - (A) applicable Federal, State, and local reentry services; and
    - (B) the unique barriers to successful reentry into the community after a person has been convicted or incarcerated;
  - (4) the hotline is accessible to—
    - (A) individuals with limited English proficiency, where appropriate; and
    - (B) individuals with disabilities;
  - (5) the hotline has the capability to engage with individuals using text messages.

(c) BEST PRACTICES.—The Attorney General shall issue guidance to grant recipients on best practices for implementing the requirements of subsection (b).

(d) PREFERENCE.—The Attorney General shall give preference to applicants that demonstrate that they seek to employ individuals to operate the hotline who have been convicted of an offense, or have served a term of imprisonment and have completed any court-ordered supervision.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$1,500,000 for each of fiscal years 2021 through 2025 to carry out this section.

### **Purpose and Summary**

H.R. 8161, the “The One Stop Shop Community Reentry Program Act of 2020,” would fill a critical void in reentry services by providing resources for state and local jurisdictions to make grants to establish a more centralized process for assisting individuals who are reentering their communities after a period of incarceration. The one-stop shop model that this legislation promotes would aim to provide complete reentry services to address the critical elements of the reentry process that promote long-term reentry success. Notably, the one-stop centers would include support personnel, who themselves are formerly incarcerated individuals, to provide direct support for recently released individuals. In addition, where reentry services may not logistically be able to be placed in a single geographic location, this legislation authorizes the Attorney General to fund States and local jurisdictions to establish 24/7 reentry service assistance hotlines that direct recently released individuals to appropriate reentry resources.

When it passed the landmark Second Chance Act, Congress demonstrated its commitment to provide housing, employment assistance, substance abuse treatment and other related services to returning individuals with the goal of reducing recidivism. H.R. 8161 would go a step further by ensuring that returning citizens can more effectively access services such as those funded through the Second Chance Act, as well as other community-funded reentry programs.

### **Background and Need for the Legislation**

There are currently over 2.1 million people incarcerated in local, state, and federal correctional facilities. This number represents a more than 500% increase in the incarcerated population over the last 40 years.<sup>1</sup> Over 95% of people currently incarcerated will eventually be released back to their communities.<sup>2</sup> In fact, approximately 600,000 people are released from custody every year.<sup>3</sup> At the end of 2016, an estimated 4.5 million adults were under community supervision, which includes probation or parole.<sup>4</sup> Reentry services are essential for this population, to ensure that these indi-

<sup>1</sup>Wendy Sayer & Peter Wagner, *Mass Incarceration: The Whole Pie*, PRISON POLICY INITIATIVE, <https://www.prisonpolicy.org/reports/pie2019.html>; The Sentencing Project, Trends in U.S. Corrections U.S. State and Federal Prison Population, 1925–2017 (2019), <https://www.sentencingproject.org/wp-content/uploads/2016/01/Trends-in-US-Corrections.pdf>.

<sup>2</sup>John J. Gibbons & Nicholas de B. Katzenbach, CONFRONTING CONFINEMENT: A REPORT THE COMMISSION ON SAFETY AND ABUSE IN AMERICA’S PRISONS 11 (May 2006), <https://www.vera.org/publications/confronting-confinement>.

<sup>3</sup>E. Ann Carson, *Prisoners in 2016*, BUR. OF JUST. STATS 10 (JAN. 2018), <https://www.bjs.gov/content/pub/pdf/p16.pdf>.

<sup>4</sup>Danielle Kaeble, *Probation and Parole in United States 2016*, BUR. OF JUST. STATS, <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6188>.

viduals transition smoothly out of jail and prison and to keep recidivism to a minimum.

The recidivism rates for individuals leaving prisons remain high, and a large number of those released from prison will ultimately find themselves back in the criminal legal system. A 2018 study found that 83% of people released from prisons in 2005 were arrested at least once during the nine years following their release.<sup>5</sup> Of those released from state prisons, 44% were arrested at least once in the year immediately following their release.<sup>6</sup> A similar study on recidivism among federal offenders found that almost half of these returning individuals were rearrested at least once during an eight-year follow-up.<sup>7</sup> Most of the rearrests occurred within the first two years after release, with the median time to rearrest being 21 months.<sup>8</sup>

Lack of access to resources upon release leads to a cycle of re-arrest and reincarceration that some scholars call the “revolving door” to prison.<sup>9</sup> This cycle of recidivism has tremendous financial consequences—the United States spends over \$80 billion dollars a year on incarceration—not to mention the human toll it takes on families and communities.<sup>10</sup> The cycle of release, rearrest, and reincarceration,<sup>11</sup> also costs state and local communities over \$100 million in policing and judicial administration costs.<sup>12</sup>

#### A. UNIQUE CHALLENGES FACING RETURNING CITIZENS

While some returning individuals have a release plan, many people are released from custody with only their personal property, little money, and no place to go.<sup>13</sup> The result of not having a reentry plan can be ruinous. In the last decade, policymakers have begun to measure the effects of reentry on returning individuals, their families, and their communities. Studies show that most people enter the prison system with low levels of education, limited work experience, substance abuse issues, and mental health infirmities, and that these same issues are still present when a person is released from prison.<sup>14</sup> Without appropriate reentry services to assist them, many returning citizens find themselves back in the criminal justice system.<sup>15</sup> Indeed, even those individuals who are released

<sup>5</sup> Mariel Alper, & Matthew R. Durose, *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period* (2005–2014), BUR. OF JUST. STATS (JUN. 21, 2016), <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=5642>.

<sup>6</sup> *Id.*

<sup>7</sup> Kim Hunt & Robert Dumville, *Recidivism Among Federal Offenders: A Comprehensive Review*, U.S. SENTENCING COMM. 3 (Mar. 2016), [https://www.usc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism\\_overview.pdf](https://www.usc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism_overview.pdf).

<sup>8</sup> *Id.* at 5.

<sup>9</sup> PEW CENTER ON THE STATES, *State of Recidivism: The Revolving Door of America’s Prisons* 7 (Apr. 2011), [https://www.pewtrusts.org/-/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/sentencing\\_and\\_corrections/staterecidivismrevolvingdooramericaprison20pdf.pdf](https://www.pewtrusts.org/-/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/sentencing_and_corrections/staterecidivismrevolvingdooramericaprison20pdf.pdf).

<sup>10</sup> Melissa S. Kearney, *et al.*, *Ten Facts About Crime and Incarceration in the United States*, THE HAMILTON PROJECT (May 2014), [https://www.hamiltonproject.org/papers/ten\\_economic\\_facts\\_about\\_crime\\_and\\_incarceration\\_in\\_the\\_united\\_states/](https://www.hamiltonproject.org/papers/ten_economic_facts_about_crime_and_incarceration_in_the_united_states/).

<sup>11</sup> *Id.*

<sup>12</sup> Friedman, Barry, *We Spend Over \$100 Million a Year on Policing. We Have No Idea What Works*, WASH. POST, March 10, 2017, <https://www.washingtonpost.com/posteverything/wp/2017/03/10/we-spend-100-billion-on-policing-we-have-no-idea-what-works/>.

<sup>13</sup> Jocelyn Fontaine & Jennifer Biess, *Housing as a Platform for Formerly Incarcerated Persons*, URBAN INSTITUTE 2, 5–7 (Apr. 2012), <https://www.urban.org/sites/default/files/publication/25321/412552-Housing-as-a-Platform-for-Formerly-Incarcerated-Persons.PDF>.

<sup>14</sup> Baer, Demelza, *et al.*, *Understanding the Challenges to Prisoner Reentry; Research Findings from the Urban Institute’s Prisoner Reentry Portfolio*, URBAN INSTITUTE 2 (Jan. 2006), <https://www.urban.org/sites/default/files/publication/42981/411289-Understanding-the-Challenges-of-Prisoner-Reentry.PDF>.

<sup>15</sup> *Id.*

with a comprehensive reentry plan still face many unique challenges reintegrating into society.

### 1. Many Housing Options Are Out of Reach for Returning Citizens

Finding a safe and secure place to live is crucial to successful reintegration into society.<sup>16</sup> The first month after release is a particularly important period, “during which the risk of becoming homeless and/or returning to criminal justice involvement is high.”<sup>17</sup> Options for reentering individuals can be limited.<sup>18</sup> Securing safe and stable housing often poses a significant challenge for returning individuals. The private rental market is off-limits to many returning citizens because of the lack of affordable housing options in most major cities.<sup>19</sup> Even if someone has sufficient income to afford private market rent, many landlords refuse to rent to people with criminal records.<sup>20</sup> Additionally, people with certain criminal records are often barred from public housing.<sup>21</sup> These bans on public housing assistance keep formerly incarcerated persons from reuniting with their families because many local public housing agencies will evict or deny housing to an entire household if one family member has a prior conviction.<sup>22</sup> As a result, many returning citizens end up at homeless shelters, as a last resort.

The overall lack of housing options has profound effects on the entire prisoner reentry process and contributes to the cycle of incarceration. One study showed that homeless individuals who had access to stable housing were significantly less likely to recidivate,<sup>23</sup> while those without access to housing were more than twice as likely to commit another crime within the first 12 months of release.<sup>24</sup>

### 2. Barriers to Employment Increase Recidivism

Steady employment has been shown to help returning citizens gain economic stability and reduce recidivism.<sup>25</sup> While many formerly incarcerated people want to work, they face tremendous

<sup>16</sup>Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, PRISON POLICY INITIATIVE (Aug. 2018), <https://www.prisonpolicy.org/reports/housing.html> (“Stable housing is the foundation of successful reentry from prison.”).

<sup>17</sup>COUNCIL OF STATE GOVERNMENTS, *Report of the Re-Entry Policy Council Charting the Safe and Successful Return of Prisoners to the Community* 272 (2005), <https://csgjusticecenter.org/wp-content/uploads/2020/02/report-of-the-re-entry-policy-council-charting-the-safe-and-successful-return-of-prisoners-to-the-community.pdf>.

<sup>18</sup>Jocelyn Fontaine & Jennifer Biess, *Housing as a Platform for Formerly Incarcerated Persons*, URBAN INSTITUTE 2–5 (Apr. 2012), <https://www.urban.org/sites/default/files/publication/25321/412552-Housing-as-a-Platform-for-Formerly-Incarcerated-Persons.PDF>.

<sup>19</sup>Brenda Richardson, *America’s Affordable Housing Crisis is Only Getting Worse*, FORBES, Jan. 31, 2019.

<sup>20</sup>Mireya Navarro, *Federal Housing Authorities Warn Against Blanket Bans on Ex-offenders*, N.Y. TIMES, Apr. 4, 2016.

<sup>21</sup>42 U.S.C. 13663 (2018)(excluding certain sex offenders from public housing); see also 24 C.F.R. 982.553(a) (2020).

<sup>22</sup>Rebecca Vallas, et al, *Removing Barriers to Opportunity for Parents with Criminal Records and Their Children*, CTR. FOR AM. PROGRESS 10 (Dec. 2015), <https://cdn.americanprogress.org/wp-content/uploads/2015/12/09060720/CriminalRecords-report2.pdf>.

<sup>23</sup>Julian M. Somers et al., *Urban Inst., Housing First Reduces Re-Offending Among Formerly Homeless Adults with Mental Disorders: Results of a Randomized Controlled Trial*, PLOS ONE 1, 6–8 (Sept. 2013), <http://www.plosone.org/article/uri=info%3Adoi%2F10.1371%2Fjournal.pone.0072946&representation=PDF>.

<sup>24</sup>Lornet Turnbull, *Few Rentals for Freed Felons*, SEATTLE TIMES, Nov. 29, 2010, <https://www.seattletimes.com/seattle-news/few-rentals-for-freed-felons/>.

<sup>25</sup>Lucius Couloute & Daniel Kopf, *Out of Prison & Out of Work: Unemployment Among Formerly Incarcerated People*, PRISON POLICY INITIATIVE (July 2018), <https://www.prisonpolicy.org/reports/outofwork.html>.

challenges when seeking employment.<sup>26</sup> One frequently encountered barrier to employment is the lack of formal education or job training and limited work experience of some returning individuals. People in prison have lower levels of education and limited work experience than the general population.<sup>27</sup> The statistics are troubling; 41 percent of those in state and federal prisons do not have a high school diploma, compared with 18 percent of the general population.<sup>28</sup> While 48 percent of the general population has some college education, only 24 percent of people in federal prisons have a similar education level.<sup>29</sup> Further, while incarcerated, they are unable to work and gain job skills, are removed from their communities, and experience a disruption in social connections that would help them obtain a job upon release.<sup>30</sup>

Having a record of a prior criminal conviction poses another hurdle to finding stable employment. In most states, people with criminal convictions are categorically barred from obtaining certain occupational licenses for employment, such as for work as cosmetologists, barbers, teachers or mortgage brokers.<sup>31</sup> This is the case even if the license has nothing to do with the nature of the prior conviction.<sup>32</sup> Even when an occupational license is not a prerequisite, employers' general reluctance to hire people with criminal records serves as an additional barrier to employment.<sup>33</sup> For instance, one study found that only 40 percent of employers would "definitely" or "probably" hire someone with a criminal conviction, especially for a job that involves handling money or dealing with customers.<sup>34</sup>

Given these challenges, it is not surprising that the unemployment rate for formerly incarcerated people is five times higher than the rate for the general population.<sup>35</sup> Three in four formerly incarcerated individuals remain unemployed one year after release.<sup>36</sup> And, for those returning citizens who do get jobs, they are more likely to work part time and earn lower wages. A report from the Brookings Institution found that one year after release, about half

<sup>26</sup> *Id.* ("[I]ncarcerated people are unemployed at a rate of over 27%—higher than the total U.S. unemployment rate during any historical period, including the Great Depression.")

<sup>27</sup> Caroline Wolf Harlow, *Bureau of Justice Statistics Special Report, Education and Correctional Populations*, Bur. Just. Stats. 2, 10 (Jan. 1, 2003), <https://www.bjs.gov/content/pub/pdf/ecp.pdf>.

<sup>28</sup> *Id.* at 1.

<sup>29</sup> *Id.* at 2.

<sup>30</sup> John Schmitt & Kris Warner, *Ex-Offenders and the Labor Market*, CTR. FOR ECON. & POLICY RESEARCH 8 (NOV. 2010), [http://cepr.net/documents/publications/ex-offenders-2010\\_11.pdf](http://cepr.net/documents/publications/ex-offenders-2010_11.pdf).

<sup>31</sup> Allyson Fredericksen & Desiree Omli, *Jobs After Jail, Ending the Prison to Poverty Pipeline*, ALLIANCE FOR A JUST SOC'Y (2016), [https://jobgap2013.files.wordpress.com/2016/02/ajs\\_job\\_after\\_jail\\_report\\_final\\_pdf.pdf](https://jobgap2013.files.wordpress.com/2016/02/ajs_job_after_jail_report_final_pdf.pdf) (noting that on average, states have 123 restrictions on the type of work that those with felony convictions may engage in); Chidi Umez & Rebecca Pirius, *Barriers to Work: People with Criminal Records: Improving Access to Licensed Occupations for Individuals With Criminal Records*, NAT'L CONF. OF ST. LEG. (Jul. 17, 2018), <https://www.ncsl.org/research/labor-and-employment/barriers-to-work-individuals-with-criminal-records.aspx>.

<sup>32</sup> *Id.* at 19, 35.

<sup>33</sup> Schmitt, *Ex-Offenders and the Labor Market*, *supra* note 29, at 8.

<sup>34</sup> *Id.* at 10.

<sup>35</sup> Lucuis Coulote & Daniel Kopf, *Out of Prison and Out of Work*, PRISON POLICY INITIATIVE (Jul. 2018), <https://www.prisonpolicy.org/reports/outofwork.html>.

<sup>36</sup> AM. CIVIL LIBERTIES UNION, *Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company* 4 (2017), [https://www.aclu.org/sites/default/files/field\\_document/060917-trone-reportweb\\_0.pdf](https://www.aclu.org/sites/default/files/field_document/060917-trone-reportweb_0.pdf).



of returning citizens earned less than \$500 and only 20 percent earned more than \$15,000.<sup>37</sup>

Despite these many challenges, the majority of returning individuals want to work and believe that having a job after release is an important factor in helping them stay out of prison.<sup>38</sup> Indeed, as the data show, returning individuals who participate in structured reentry programs have a better chance of finding and maintaining fulltime employment.<sup>39</sup>

### 3. *People with Mental Health Disorders are Overrepresented in Prison Populations*

People with mental illnesses make up a significant portion of the prison population.<sup>40</sup> Because of this, our nation's corrections institutions are often, collectively, considered the biggest provider of mental health services in America.<sup>41</sup> For example, the Los Angeles County Jail, the Cook County Jail, and Rikers Island each hold more people with mental health disorders than any psychiatric hospital currently operating in the United States.<sup>42</sup> While only 18 percent of the general population has been diagnosed with a mental health disorder, among the prison population, that number is between 30 and 40 percent.<sup>43</sup>

Despite these numbers, few people in prison actually receive appropriate mental health services while serving a prison sentence.<sup>44</sup> Researchers point to insufficient screening and limited resources as explanations for the paucity of mental health services in prisons.<sup>45</sup> One study showed that only 52 percent of inmates who were taking medication for a mental health condition prior to incarceration actually received medication during their period of incarceration.<sup>46</sup> Without proper medication, these individuals were more likely to have disciplinary problems while incarcerated and the resulting punishment, including solitary confinement, can exacerbate these mental health conditions.<sup>47</sup>

<sup>37</sup> Adam Looney & Nicholas Turner, *Work and Opportunity Before and After Incarceration*, BROOKINGS INST. 7 (Mar. 14, 2018), <https://www.brookings.edu/research/work-and-opportunity-before-and-after-incarceration/>.

<sup>38</sup> Demelza Baer, et al., *Understanding the Challenges to Prisoner Reentry; Research Findings from the Urban Institute's Prisoner Reentry Portfolio*, URBAN INST. 2, 4 (Jan. 2003).

<sup>39</sup> See e.g., Aaron Yelowitz and Christopher Bollinger, *Prison-to-Work: The Benefits of Intensive Job Search Assistance for Former Inmates*, CIVIC REPORT, NO. CTR. FOR STATE & LOCAL LEADERSHIP 96 (Mar. 2015) (finding that a job assistance program that quickly placed individuals in jobs reduced the rates of recidivism).

<sup>40</sup> TREATMENT ADVOCACY CTR., *Background Paper: Serious Mental Illness Prevalence in Jails & Prisons* (Sept. 2016), <https://www.treatmentadvocacycenter.org/evidence-and-research/learn-more-about/3695#:~:text=Overall%2C%20approximately%2020%25%20of%20inmates,have%20a%20serious%20mental%20illness.>

<sup>41</sup> Jennifer M. Reingle Gonzalez & Nadine M. Connell, *Mental Health and Prisoners: Identifying Barriers to Mental Health Treatment and Medication Continuity*, AM. J. OF PUBLIC HEALTH, Vol. 104, No. 12 (2014).

<sup>42</sup> Cynthia Zubritsky, et al., *Breaking the Cycle of Recidivism: From In-Jail Behavioral Health Services to Community Support*, J. OF CRIM. & FORENSIC STUDIES, Vol. 1 Issue 2, 1 (2018), <http://www.bc-systemofcare.org/test/wordpress/wp-content/uploads/2019/03/ChancesR-JOCFS180010.pdf>.

<sup>43</sup> Heather Stringer, *Improving Mental Health for Inmates*, American Psychological Association, MONITOR ON PSYCHOLOGY, Vol. 50, No. 3 March (2019); Nat'l Alliance on Mental Illness, *Mental Health By the Numbers*, <https://www.nami.org/mhstats> ("19.1% of U.S. adults experienced mental illness in 2018 (47.6 million people)").

<sup>44</sup> Jennifer M. Reingle Gonzalez, & Nadine M. Connell, *Mental Health and Prisoners: Identifying Barriers to Mental Health Treatment and Medication Continuity*, AM. J. OF PUB. HEALTH, Vol. 104, No. 12 (2014).

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

Returning citizens with mental health conditions often do not fare any better once they are released. Many corrections institutions do not assist those about to be released to make arrangements for their care upon release.<sup>48</sup> Without these preparations, many recently released prisoners leave corrections facilities without referrals to mental or physical health providers in their communities or even an adequate supply of necessary medication.<sup>49</sup>

When returning individuals do not receive appropriate mental health treatment in prison, and are released without a plan for follow-up care, they are at higher risk of recidivism.<sup>50</sup> For those with a diagnosed mental health disorder, a 2014 study showed, the rates of recidivism were between 50 to 230 percent higher than for people without a mental health diagnosis.<sup>51</sup>

#### B. RECENT EFFORTS TO EASE REENTRY FOR THE FORMERLY INCARCERATED

In recent years, governmental organizations have recognized that targeting services to returning citizens results in lower rates of recidivism leading to safer and stronger communities. Both on the national level and in the states there have been significant efforts to provide services specifically to recently released persons. Congress' effort to assist and promote reentry programs nationwide is codified in the Second Chance Act.

In 2008, President George W. Bush signed into law the Second Chance Act.<sup>52</sup> This landmark bipartisan piece of legislation authorized grants to government agencies and nonprofit organizations to provide housing, employment assistance, substance abuse treatment, and other related services to returning citizens with the goal of reducing recidivism.<sup>53</sup> As originally enacted, the law authorized \$165 million for federal, state, and local agencies, as well as for non-profit organizations working on prisoner reentry.<sup>54</sup> Since 2009, more than 800 grants have been awarded to various entities to provide reentry services.<sup>55</sup>

Congress most recently reauthorized the Second Chance Act in the First Step Act of 2018 and authorized \$85 million through 2023.<sup>56</sup> While the Second Chance Act grants have been awarded to various entities to provide reentry services, a large portion of the grants have been distributed to state and county entities.<sup>57</sup> The Second Chance Act has highlighted the importance of funding reentry programs and has awarded numerous grants to organiza-

<sup>48</sup> Kamala Malik-Kane, *Returning Home Illinois Policy Brief, Health and Prisoner Reentry*, URBAN INST. 2-3 (Aug. 2005), <https://www.urban.org/sites/default/files/publication/42876/311214-Returning-Home-Illinois-Policy-Brief-Health-and-Prisoner-Reentry.PDF>.

<sup>49</sup> Jeffrey Draine, & Daniel Herman, *Critical Time Intervention for Reentry From Prison for Persons with Mental Illness*, PSYCHIATRIC SERVICES 1-2 (Dec. 2007), <https://ps.psychiatryonline.org/doi/full/10.1176/ps.2007.58.12.1577>.

<sup>50</sup> See e.g. Christine Herman, *Most Inmates With Mental Illness Still Wait For Decent Care*, NPR (Feb. 3, 2019), <https://www.npr.org/sections/health-shots/2019/02/03/690872394/most-inmates-with-mental-illness-still-wait-for-decent-care>.

<sup>51</sup> Gonzalez & Connell, *Mental Health and Prisoners*, *supra* note 43.

<sup>52</sup> Second Chance Act of 2007: Community Safety Through Recidivism Prevention, Pub. L. No. 110-199 (2008), 34 U.S.C. § 60501 (2018).

<sup>53</sup> *Id.*

<sup>54</sup> Second Chance Act, *supra* note 52.

<sup>55</sup> NAT. REENTRY RESOURCE CTR., *The Second Chance Act: Fact Sheet* (Apr. 2018), <https://csgjusticecenter.org/jc/publications/fact-sheet-the-second-chance-act/>; Second Chance Act, *supra* note 51.

<sup>56</sup> First Step Act of 2018, Pub. L. No. 115-391 (2018).

<sup>57</sup> See e.g., NAT. REENTRY RESOURCE CTR., *The Second Chance Act* (July 2018), [https://csgjusticecenter.org/wp-content/uploads/2020/02/July-2018\\_SCA\\_factsheet.pdf](https://csgjusticecenter.org/wp-content/uploads/2020/02/July-2018_SCA_factsheet.pdf).

tions, but many returning citizens still have a hard time accessing critical reentry services. For example, in many cities, reentry programs are located in different places, sometimes physically far from each other, making it difficult to obtain all the needed services, such as job training and mental health treatment, in an expeditious and efficient manner.

### **Hearings**

In compliance with section 103(i) of House Resolution 6, on February 27, 2020, the Subcommittee on Crime, Terrorism, and Homeland Security held a hearing entitled, “Returning Citizens: Challenges and Opportunities for Reentry,” that highlighted the number of challenges formerly incarcerated people face upon their release. The Subcommittee heard testimony concerning the difficulty assessing stable housing, obtaining mental health and drug treatment, and securing employment. Members questioned the panel of experts on the “one-stop shop” model. The testimony solicited formed the basis of this legislation.

### **Committee Consideration**

On September 15, 2020, the Committee met in open session and ordered the bill as an amendment in the nature of a substitute, H.R. 8161, favorably reported, by a voice vote, a quorum being present.

### **Committee Votes**

No record votes occurred during the Committee’s consideration of H.R. 8161.

### **Committee Oversight Findings**

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

### **New Budget Authority and Tax Expenditures and Congressional Budget Office Cost Estimate**

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office (CBO). The Committee has requested but not received from the Director of the CBO a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

### **Duplication of Federal Programs**

No provision of H.R. 8161 establishes or reauthorizes a program of the Federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance. The One Stop Shop grants are a supplement to those authorized in the Second Chance Act.

### **Performance Goals and Objectives**

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 8161 contains explicit performance metrics. It contains an authorization that would allow the Office of Justice Programs to contract with a non-profit specializing in analyzing data with regard to reentry services to support grantees with data collection and provide administrative support to grantees so that they may fully abide by the grant conditions. Pursuant to the bill, the Attorney General would be required to provide an annual report to Congress that includes data and performance goals on those served by the one-stop centers.

### **Advisory on Earmarks**

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 8161 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

### **Section-by-Section Analysis**

The following discussion describes the bill as reported by the Committee.

*Sec. 1. Short Title.* This section establishes the short title as the “The One Stop Shop Community Reentry Program Act of 2020.”

*Sec. 2. Community Center Grant Program.* Section 2 of the Act authorizes the Attorney General to make implementation grants available for creating one-stop community reentry centers.

*Application Requirements.* Subsection (b) outlines the application requirements for grantees to apply for one-stop community reentry center grants. To qualify, all applicants must collaborate with community leaders who work with the formerly incarcerated and their families to identify the needs of those who the grantee proposes to serve and to determine how to best meet their needs. Applicants must also provide plans to account for beneficiary transportation from service to service if it’s feasible, outline a process by which the grantee can continue to support beneficiaries if they move, and describe how recipients of grant funding plan to comply with grant performance objectives.

*Preference.* Subsection (c) would require the Attorney General to award these grants to applicants who intend to employ those who have been formerly convicted or incarcerated and have completed any court-ordered supervision, to the extent allowable by law, and to employ such formerly incarcerated individuals in positions of responsibility.

*Evaluation and Report.* Subsection (d) instructs the Attorney General to contract with a nonprofit specializing in analyzing data with regard to reentry services to support grantees with data collection and provide administrative support to grantees so that they may fully abide by the grant conditions. Pursuant to this section, the Attorney General would be required to provide an annual report to Congress that includes data on those served by the one-stop centers.

*Definitions.* Subsection (e) provides definitions for eligible entity; one stop community reentry center; reentry services; community leader; and success rate. The definition of the term reentry services includes job placement, job training, vocational and technical training placement, housing placement assistance, assistance to apply for benefits or entitlements, financial counseling, substance abuse treatment, and case management.

*Authorization for Appropriations.* Subsection (f) authorizes the appropriation of \$10 million each fiscal year from 2021 to 2025 and requires that the Attorney General equitably award the grants among the geographical regions and between urban and rural populations, including Indian Tribes.

*Sec. 3. Grants for Assistance Hotlines.* Section 3 of the bill authorizes the Attorney General to make grants to States and units of local government to establish 24/7 reentry service assistance hotlines. This section would require that each grant award last no more than five years. The Attorney General is authorized to expend \$1.5 million for each fiscal year from 2021 to 2025 for the reentry hotline program. In awarding grants, this section also requires the Attorney General to give preference, to the extent authorized by law, to applicants who employ those who have been formerly convicted or incarcerated and have completed any court-ordered supervision.

*Hotline Requirements.* Subsection (b) outlines the grant requirements. Under this section, funded hotlines must direct callers to reentry services, keep personally identifiable information confidential unless otherwise authorized by callers, and be accessible to those who are limited English proficient and who are individuals with disabilities. These hotlines would also have the ability to engage with individuals over text. Finally, this subsection would require that hotline operators be trained and knowledgeable about reentry services and other relevant information.