

110TH CONGRESS
1ST SESSION

S. 1060

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 SENATE OF THE UNITED STATES

MARCH 29, 2007

Mr. BIDEN (for himself, Mr. SPECTER, Mr. BROWNBACK, and Mr. LEAHY) introduced the following bill; which was read twice and 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 “Recidivism Reduction
5 and Second Chance Act of 2007” or the “Second Chance
6 Act of 2007”.

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

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

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

TITLE I—AMENDMENTS RELATED TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Subtitle A—Improvements to Existing Programs

- Sec. 101. Reauthorization of adult and juvenile offender State and local reentry demonstration projects.
- Sec. 102. Improvement of the residential substance abuse treatment for State offenders program.

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

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

Subtitle C—Conforming Amendments

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

TITLE II—ENHANCED DRUG TREATMENT AND MENTORING GRANT PROGRAMS

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

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- Sec. 211. Technology careers training demonstration grants.
- Sec. 212. Grants to States for improved workplace and community transition training for incarcerated youth offenders.

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.
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- Sec. 236. Encouragement of employment of former prisoners.
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- 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 or State prisons or in local jails.
 5 Nearly 650,000 people are released from Federal
 6 and State incarceration into communities nationwide
 7 each year.

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

13 (3) Recent studies indicate that over $\frac{2}{3}$ of re-
 14 leased State prisoners are expected to be rearrested

1 for a felony or serious misdemeanor within 3 years
2 after release.

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

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

18 (6) Between 1991 and 1999, the number of
19 children with a parent in a Federal or State correc-
20 tional facility increased by more than 100 percent,
21 from approximately 900,000 to approximately
22 2,000,000. According to the Bureau of Prisons,
23 there is evidence to suggest that inmates who are
24 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 (in this para-
5 graph referred to as “SSAs”), manage the publicly
6 funded substance abuse prevention and treatment
7 system of the Nation. SSAs are responsible for plan-
8 ning and implementing State-wide systems of care
9 that provide clinically appropriate substance abuse
10 services. Given the high rate of substance use dis-
11 orders among offenders reentering our communities,
12 successful reentry programs require close interaction
13 and collaboration with each SSA as the program is
14 planned, implemented and evaluated.

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 each report received under this Act
16 or an amendment made by this Act during the preceding
17 year to the Committee on the Judiciary of the Senate and
18 the Committee on the Judiciary of the House of Rep-
19 resentatives.

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 the correc-
7 tions (including community corrections), technical
8 school, community college, business, nonprofit, work-
9 force development, and employment service sectors—

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

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

19 “(C) to connect offenders to employment
20 (including supportive employment and employ-
21 ment services before their release to the com-
22 munity), provide work supports (including
23 transportation and retention services), as ap-
24 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
6 substance 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 to the community;

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 incarcer-
25 ated 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, in-
8 cluding 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 de-
 7 scribed 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 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 the involvement of such
6 agencies and organizations; and

7 “(3) describes the evidence-based methodology
8 and outcome measures that will be used to evaluate
9 the program funded with a grant under this section,
10 and specifically explains how such measurements will
11 provide valid measures of the impact of that pro-
12 gram.

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

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

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

1 “(3) provides extensive evidence of collaboration
2 with State and local government agencies overseeing
3 health, housing, child welfare, education, substance
4 abuse, victims services, and employment services,
5 and with local law enforcement agencies;

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

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

14 “(f) PRIORITY CONSIDERATIONS.—The Attorney
15 General shall give priority to grant applications under this
16 section that best—

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

20 “(2) include—

21 “(A) input from nonprofit organizations, in
22 any case where relevant input is available and
23 appropriate to the grant application;

1 “(B) consultation with crime victims and
2 offenders who are released from prisons, jails,
3 and juvenile facilities; and

4 “(C) coordination with families of offend-
5 ers;

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

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

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

19 “(C) delivery of continuous and appro-
20 priate drug treatment, medical care, job train-
21 ing and placement, educational services, or any
22 other service or support needed for reentry;

23 “(4) review the process by which the applicant
24 adjudicates violations of parole, probation, or super-
25 vision following release from prison, jail, or a juve-

nile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

“(5) provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs; and

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

“(g) USES OF GRANT FUNDS.—

“(1) FEDERAL SHARE.—

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

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

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

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

1 “(2) SUPPLEMENT NOT SUPPLANT.—Federal
2 funds received under this section shall be used to
3 supplement, not supplant, non-Federal funds that
4 would otherwise be available for the activities funded
5 under this section.

6 “(h) REENTRY STRATEGIC PLAN.—

7 “(1) IN GENERAL.—As a condition of receiving
8 financial assistance under this section, each appli-
9 cant shall develop a comprehensive strategic reentry
10 plan that contains measurable annual and 5-year
11 performance outcomes, and that uses, to the max-
12 imum extent possible, random assigned and con-
13 trolled studies to determine the effectiveness of the
14 program funded with a grant under this section. One
15 goal of that plan shall be to reduce the rate of re-
16 cidivism (as defined by the Attorney General, con-
17 sistent with the research on offender reentry under-
18 taken by the Bureau of Justice Statistics) for of-
19 fenders released from prison, jail, or a juvenile facil-
20 ity who are served with funds made available under
21 this section by 50 percent over a period of 5 years.

22 “(2) COORDINATION.—In developing a reentry
23 plan under this subsection, an applicant shall coordi-
24 nate with communities and stakeholders, including
25 persons in the fields of public safety, juvenile and

1 adult corrections, housing, health, education, sub-
2 stance abuse, children and families, victims services,
3 employment, and business and members of nonprofit
4 organizations that can provide reentry services.

5 “(3) MEASUREMENTS OF PROGRESS.—Each re-
6 entry plan developed under this subsection shall
7 measure the progress of the applicant toward in-
8 creasing public safety by reducing rates of recidivism
9 and enabling released offenders to transition suc-
10 cessfully back into their communities.

11 “(i) REENTRY TASK FORCE.—

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

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

1 “(B) provide the analysis described in sub-
2 section (e)(4).

3 “(2) MEMBERSHIP.—The task force or other
4 authority under this subsection shall be comprised
5 of—

6 “(A) relevant State, tribal, territorial, or
7 local leaders; and

8 “(B) representatives of relevant—

9 “(i) agencies;

10 “(ii) service providers;

11 “(iii) nonprofit organizations; and

12 “(iv) stakeholders.

13 “(j) STRATEGIC PERFORMANCE OUTCOMES.—

14 “(1) IN GENERAL.—Each applicant shall iden-
15 tify in the reentry strategic plan developed under
16 subsection (h), specific performance outcomes relat-
17 ing to the long-term goals of increasing public safety
18 and reducing recidivism.

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

23 “(A) reduction in recidivism rates, which
24 shall be reported in accordance with the meas-
25 ure selected by the Director of the Bureau of

1 Justice Statistics under section 234(c)(2) of the
2 Second Chance Act of 2007;

3 “(B) reduction in crime;

4 “(C) increased employment and education
5 opportunities;

6 “(D) reduction in violations of conditions
7 of supervised release;

8 “(E) increased payment of child support;

9 “(F) increased housing opportunities;

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

11 and

12 “(H) increased participation in substance
13 abuse and mental health services.

14 “(3) OTHER OUTCOMES.—A grantee under this
15 section may include in the reentry strategic plan de-
16 veloped under subsection (h) other performance out-
17 comes that increase the success rates of offenders
18 who transition from prison, jails, or juvenile facili-
19 ties.

20 “(4) COORDINATION.—A grantee under this
21 section shall coordinate with communities and stake-
22 holders about the selection of performance outcomes
23 identified by the applicant, and shall consult with
24 the Attorney General for assistance with data collec-

tion and measurement activities as provided for in the grant application materials.

“(5) REPORT.—Each grantee under this section shall submit an annual report to the Attorney General that—

“(A) identifies the progress of the grantee toward achieving its strategic performance outcomes; and

“(B) describes other activities conducted by the grantee to increase the success rates of the reentry population, such as programs that foster effective risk management and treatment programming, offender accountability, and community and victim participation.

“(k) PERFORMANCE MEASUREMENT.—

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

“(A) identify primary and secondary sources of information to support the measurement of the performance indicators identified under this section;

“(B) identify sources and methods of data collection in support of performance measurement 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 progress of the
 7 grantee toward a 10 percent reduction in the rate of
 8 recidivism over a 2-year period.

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

15 “(m) NATIONAL ADULT AND JUVENILE OFFENDER
 16 REENTRY RESOURCE CENTER.—

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

22 “(2) ELIGIBLE ORGANIZATION.—An organiza-
 23 tion eligible for the grant under paragraph (1) is
 24 any national nonprofit organization approved by the
 25 Interagency Task Force on Federal Programs and

1 Activities Relating to the Reentry of Offenders Into
 2 the Community, that provides technical assistance
 3 and training to, and has special expertise and broad,
 4 national-level experience in, offender reentry pro-
 5 grams, training, and research.

6 “(3) USE OF FUNDS.—The organization receiv-
 7 ing a grant under paragraph (1) shall establish a
 8 National Adult and Juvenile Offender Reentry Re-
 9 source Center to—

10 “(A) provide education, training, and tech-
 11 nical assistance for States, tribes, territories,
 12 local governments, service providers, nonprofit
 13 organizations, and corrections institutions;

14 “(B) collect data and best practices in of-
 15 fender reentry from demonstration grantees and
 16 others agencies and organizations;

17 “(C) develop and disseminate evaluation
 18 tools, mechanisms, and measures to better as-
 19 sess and document coalition performance meas-
 20 ures and outcomes;

21 “(D) disseminate information to States
 22 and other relevant entities about best practices,
 23 policy standards, and research findings;

24 “(E) develop and implement procedures to
 25 assist relevant authorities in determining when

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

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

10 “(G) collaborate with the Interagency Task
11 Force on Federal Programs and Activities Re-
12 lating to the Reentry of Offenders Into the
13 Community, and the Federal Resource Center
14 for Children of Prisoners;

15 “(H) develop a national reentry research
16 agenda; and

17 “(I) establish a database to enhance the
18 availability of information that will assist of-
19 fenders in areas including housing, employment,
20 counseling, mentoring, medical and mental
21 health services, substance abuse treatment,
22 transportation, and daily living skills.

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

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

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

6 “(2) not more than 2 percent shall be made
7 available to the National Institute of Justice to
8 evaluate the effectiveness of the demonstration
9 projects funded under this section, using a method-
10 ology that—

11 “(A) includes, to the maximum extent fea-
12 sible, random assignment of offenders (or enti-
13 ties working with such persons) to program de-
14 livery and control groups; and

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

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

1 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
 2 2976(o) of the Omnibus Crime Control and Safe Streets
 3 Act of 1968 (42 U.S.C. 3797w), as so redesignated by
 4 subsection (c) of this section, is amended—

5 (1) in paragraph (1), by striking “\$15,000,000
 6 for fiscal year 2003” and all that follows and insert-
 7 ing “\$50,000,000 for each of fiscal years 2008 and
 8 2009.”; and

9 (2) by amending paragraph (2) to read as fol-
 10 lows:

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

15 **SEC. 102. IMPROVEMENT OF THE RESIDENTIAL SUBSTANCE**
 16 **ABUSE TREATMENT FOR STATE OFFENDERS**
 17 **PROGRAM.**

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

22 (1) by striking the subsection heading and in-
 23 serting “REQUIREMENT FOR AFTERCARE COMPO-
 24 NENT.—”; and

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

3 “(1) To be eligible for funding under this part,
4 a State shall ensure that individuals who participate
5 in the substance abuse treatment program estab-
6 lished or implemented with assistance provided
7 under this part will be provided with aftercare serv-
8 ices, which may include case management services
9 and a full continuum of support services that ensure
10 providers furnishing services under that program are
11 approved by the appropriate State or local agency,
12 and licensed, if necessary, to provide medical treat-
13 ment or other health services.”.

14 (b) DEFINITION.—Section 1904(d) of the Omnibus
15 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
16 3796ff–3(d)) is amended to read as follows:

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

1 (c) REQUIREMENT FOR STUDY AND REPORT ON
 2 AFTERCARE SERVICES.—The Attorney General, through
 3 the National Institute of Justice, and in consultation with
 4 the National Institute on Drug Abuse, shall conduct a
 5 study on the use and effectiveness of funds used by the
 6 Department of Justice for aftercare services under section
 7 1902(c) of the Omnibus Crime Control and Safe Streets
 8 Act of 1968, as amended by subsection (a) of this section,
 9 for offenders who reenter the community after completing
 10 a substance abuse program in prison or jail.

11 **Subtitle B—New and Innovative**
 12 **Programs to Improve Offender**
 13 **Reentry Services**

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

15 (a) IN GENERAL.—Part FF of title I of the Omnibus
 16 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
 17 3797w et seq.) is amended by adding at the end the fol-
 18 lowing:

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

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

23 “(1) State and local courts; and

24 “(2) State agencies, municipalities, public agen-
 25 cies, nonprofit organizations, territories, and Indian

1 tribes that have agreements with courts to take the
 2 lead in establishing a reentry court (as described in
 3 section 2976(b)(19)).

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

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

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

13 “(A) drug and alcohol testing and assess-
 14 ment for treatment;

15 “(B) assessment for substance abuse from
 16 a substance abuse professional who is approved
 17 by the State and licensed by the appropriate en-
 18 tity to provide alcohol and drug addiction treat-
 19 ment, as appropriate;

20 “(C) substance abuse treatment from a
 21 provider that is approved by the State, and li-
 22 censed, if necessary, to provide medical and
 23 other health services;

24 “(D) health (including mental health) serv-
 25 ices and assessment;

1 “(E) aftercare and case management serv-
2 ices that—

3 “(i) facilitate access to clinical care
4 and related health services; and

5 “(ii) coordinate with such clinical care
6 and related health services; and

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

8 “(3) convene community impact panels, victim
9 impact panels, or victim impact educational classes;

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

13 “(A) housing assistance;

14 “(B) education;

15 “(C) employment training;

16 “(D) conflict resolution skills training;

17 “(E) batterer intervention programs; and

18 “(F) other appropriate social services; and

19 “(5) establish and implement graduated sanc-
20 tions and incentives.

21 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed as preventing a grantee that oper-
23 ates a drug court under part EE at the time a grant is
24 awarded under this section from using funds from such
25 grant to supplement the drug court under part EE in ac-

1 cordance with paragraphs (1) through (5) of subsection
2 (b).

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

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

10 “(2) describes a long-term strategy and detailed
11 implementation plan for such program, including
12 how the entity plans to pay for the program after
13 the Federal funding is discontinued;

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

16 “(4) certifies that—

17 “(A) all agencies affected by the program,
18 including community corrections and parole en-
19 tities, have been appropriately consulted in the
20 development of the program;

21 “(B) there will be appropriate coordination
22 with all such agencies in the implementation of
23 the program; and

24 “(C) there will be appropriate coordination
25 and consultation with the Single State Author-

1 ity for Substance Abuse (as that term is de-
2 fined in section 201(e) of the Second Chance
3 Act of 2007) of the State; and

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

6 “(e) MATCHING REQUIREMENTS.—The Federal
7 share of a grant under this section may not exceed 75
8 percent of the costs of the project assisted by such grant
9 unless the Attorney General—

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

12 “(2) publicly delineates the rationale for the
13 waiver.

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

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

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

1 “(3) such other information as the Attorney
2 General may require.

3 “(g) AUTHORIZATION OF APPROPRIATIONS.—

4 “(1) IN GENERAL.—There are authorized to be
5 appropriated \$10,000,000 for each of fiscal years
6 2008 and 2009 to carry out this section.

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

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

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

15 **SEC. 112. GRANTS FOR COMPREHENSIVE AND CONTINUOUS**
16 **OFFENDER REENTRY TASK FORCES.**

17 Title I of the Omnibus Crime Control and Safe
18 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended
19 by inserting after part BB the following:

20 **“PART CC—GRANTS FOR COMPREHENSIVE AND**
21 **CONTINUOUS OFFENDER REENTRY TASK**
22 **FORCES**

23 **“SEC. 2901. AUTHORIZATION.**

24 “The Attorney General shall carry out a grant pro-
25 gram under which the Attorney General makes grants to

1 States, units of local government, territories, Indian
 2 tribes, and other public and private entities for the pur-
 3 pose of establishing and administering task forces (to be
 4 known as ‘Comprehensive and Continuous Offender Re-
 5 entry Task Forces’), in accordance with this part.

6 **“SEC. 2902. COMPREHENSIVE AND CONTINUOUS OFFENDER**
 7 **REENTRY TASK FORCES.**

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

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

16 “(2) supervises and assesses the progress of
 17 each such offender, with respect to such plan, start-
 18 ing on a date before the offender is released from a
 19 correctional facility and ending on the date on which
 20 the court supervision of such offender ends;

21 “(3) conducts a detailed assessment of the
 22 needs of each offender to address employment train-
 23 ing, medical care, drug treatment, education, and
 24 any other identified need of the offender to assist in
 25 the offender’s reentry;

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

5 “(5) establishes appropriate measurements for
6 determining the efficacy of such community reentry
7 plans by monitoring offender performance under
8 such reentry plans;

9 “(6) complies with applicable State, local, terri-
10 torial, and tribal rules and regulations regarding the
11 provision of applicable services and treatment in the
12 applicable jurisdiction; and

13 “(7) consults and coordinates with the Single
14 State Authority for Substance Abuse (as that term
15 is defined in section 201(e) of the Second Chance
16 Act of 2007) and the criminal justice agencies of the
17 State to ensure that offender reentry plans are co-
18 ordinated and delivered in the most cost-effective
19 manner, as determined by the Attorney General, in
20 consultation with the grantee.

21 “(b) CONSULTATION REQUIRED.—A Comprehensive
22 and Continuous Offender Reentry Task Force for a county
23 or other defined geographic area shall perform the duties
24 described in paragraphs (1) and (2) of subsection (a) in
25 consultation with representatives of—

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

3 “(2) the community health care services of that
4 county or area;

5 “(3) the drug treatment programs of that coun-
6 ty or area;

7 “(4) the employment services organizations
8 available in that county or area;

9 “(5) the housing services organizations avail-
10 able in the county or area; and

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

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

14 “For purposes of section 2902(a)(1), a community
15 reentry plan for an offender is a plan relating to the re-
16 entry of the offender into the community and, according
17 to the needs of the offender, shall—

18 “(1) identify employment opportunities and
19 goals;

20 “(2) identify housing opportunities;

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

22 “(4) provide for any needed mental health serv-
23 ices;

24 “(5) provide for any needed health care serv-
25 ices;

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

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

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

7 **“SEC. 2904. APPLICATION.**

8 “To be eligible for a grant under this part, a State
9 or other relevant entity shall submit to the Attorney Gen-
10 eral an application in such form and manner and at such
11 time as the Attorney General specifies. Such application
12 shall contain such information as the Attorney General
13 specifies.

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

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

18 **“SEC. 2906. REPORTS.**

19 “An entity that receives funds under this part for a
20 Comprehensive and Continuous Offender Reentry Task
21 Force during a fiscal year shall submit to the Attorney
22 General, not later than a date specified by the Attorney
23 General, a report that describes and evaluates the effec-
24 tiveness of such Task Force during such fiscal year.

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

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

5 **SEC. 113. PROSECUTION DRUG TREATMENT ALTERNATIVE**
6 **TO PRISON PROGRAMS.**

7 (a) AUTHORIZATION.—Title I of the Omnibus Crime
8 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
9 et seq.), as amended by this Act, is amended by adding
10 after part CC the following:

11 **“PART DD—PROSECUTION DRUG TREATMENT**
12 **ALTERNATIVE TO PRISON PROGRAMS**

13 **“SEC. 2911. GRANT AUTHORITY.**

14 “(a) IN GENERAL.—The Attorney General may make
15 grants to State and local prosecutors to develop, imple-
16 ment, or expand qualified drug treatment programs that
17 are alternatives to imprisonment, in accordance with this
18 part.

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

22 “(1) that is administered by a State or local
23 prosecutor;

24 “(2) that requires an eligible offender who is
25 sentenced to participate in the program (instead of
26 incarceration) to participate in a comprehensive sub-

1 stance abuse treatment program that is approved by
2 the State and licensed, if necessary, to provide med-
3 ical and other health services;

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

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

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

19 “(6) that requires each substance abuse pro-
20 vider treating an eligible offender under the program
21 to—

22 “(A) make periodic reports of the progress
23 of the treatment of that offender to the State
24 or local prosecutor involved and to the appro-

1 prie court in which the eligible offender was
2 convicted; and

3 “(B) notify such prosecutor and such court
4 if the eligible offender absconds from the facil-
5 ity of the treatment provider or otherwise vio-
6 lates the terms and conditions of the program,
7 consistent with Federal and State confiden-
8 tiality requirements; and

9 “(7) that has an enforcement unit comprised of
10 law enforcement officers under the supervision of the
11 State or local prosecutor involved, the duties of
12 which shall include verifying an eligible offender’s
13 addresses and other contacts, and, if necessary, lo-
14 cating, apprehending, and arresting an eligible of-
15 fender who has absconded from the facility of a sub-
16 stance abuse treatment provider or otherwise vio-
17 lated the terms and conditions of the program, con-
18 sistent with Federal and State confidentiality re-
19 quirements, and returning such eligible offender to
20 court for sentencing for the crime involved.

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

22 “(a) IN GENERAL.—A State or local prosecutor that
23 receives a grant under this part shall use such grant for
24 expenses of a qualified drug treatment program, including
25 for the following expenses:

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

4 “(2) Payments for substance abuse treatment
5 providers that are approved by the State and li-
6 censed, if necessary, to provide alcohol and drug ad-
7 diction treatment to eligible offenders participating
8 in the program, including aftercare supervision, vo-
9 cational training, education, and job placement.

10 “(3) Payments to public and nonprofit private
11 entities that are approved by the State and licensed,
12 if necessary, to provide alcohol and drug addiction
13 treatment to offenders participating in the program.

14 “(b) SUPPLEMENT AND NOT SUPPLANT.—Grants
15 made under this part shall be used to supplement, and
16 not supplant, non-Federal funds that would otherwise be
17 available for programs described in this part.

18 **“SEC. 2913. APPLICATIONS.**

19 “To request a grant under this part, a State or local
20 prosecutor shall submit an application to the Attorney
21 General in such form and containing such information as
22 the Attorney General may reasonably require. Each such
23 application shall contain the certification by the State or
24 local prosecutor that the program for which the grant is

1 requested is a qualified drug treatment program, in ac-
2 cordance with this part.

3 **“SEC. 2914. FEDERAL SHARE.**

4 “The Federal share of a grant made under this part
5 shall not exceed 75 percent of the total costs of the quali-
6 fied drug treatment program funded by such grant for the
7 fiscal year for which the program receives assistance under
8 this part.

9 **“SEC. 2915. GEOGRAPHIC DISTRIBUTION.**

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

13 “(1) in each State; and

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

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

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

1 **“SEC. 2917. DEFINITIONS.**

2 “In this part:

3 “(1) STATE OR LOCAL PROSECUTOR.—The
4 term ‘State or local prosecutor’ means any district
5 attorney, State attorney general, county attorney, or
6 corporation counsel who has authority to prosecute
7 criminal offenses under State or local law.

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

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

14 “(B) has never been charged with or con-
15 victed of an offense, during the course of
16 which—

17 “(i) the individual carried, possessed,
18 or used a firearm or dangerous weapon; or

19 “(ii) there occurred the use of force
20 against the person of another, without re-
21 gard to whether any of the behavior de-
22 scribed in clause (i) is an element of the
23 offense or for which the person is charged
24 or convicted;

25 “(C) does not have 1 or more prior convic-
26 tions for a felony crime of violence involving the

1 use or attempted use of force against a person
 2 with the intent to cause death or serious bodily
 3 harm; and

4 “(D)(i) has received an assessment for al-
 5 cohol or drug addiction from a substance abuse
 6 professional who is approved by the State and
 7 licensed by the appropriate entity to provide al-
 8 cohol and drug addiction treatment, as appro-
 9 priate; and

10 “(ii) has been found to be in need of sub-
 11 stance abuse treatment because that individual
 12 has a history of substance abuse that is a sig-
 13 nificant contributing factor to the criminal con-
 14 duct of that individual.”.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 16 1001(a) of title I of the Omnibus Crime Control and Safe
 17 Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by
 18 adding at the end the following new paragraph:

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

1 **SEC. 114. GRANTS FOR FAMILY SUBSTANCE ABUSE TREAT-**
 2 **MENT ALTERNATIVES TO INCARCERATION.**

3 Title I of the Omnibus Crime Control and Safe
 4 Streets Act (42 U.S.C. 3711 et seq.) is amended by insert-
 5 ing after part II the following:

6 **“PART JJ—GRANTS FOR FAMILY SUBSTANCE**
 7 **ABUSE TREATMENT ALTERNATIVES TO IN-**
 8 **CARCERATION**

9 **“SEC. 3001. GRANTS AUTHORIZED.**

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

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

17 “Grants made to an entity under section 3001 for
 18 a program described in such section may be used for the
 19 following:

20 “(1) Salaries, personnel costs, facility costs, and
 21 other costs directly related to the operation of that
 22 program.

23 “(2) Payments to providers of substance abuse
 24 treatment for providing treatment and case manage-
 25 ment to nonviolent parent drug offenders partici-
 26 pating in that program, including comprehensive

1 treatment for mental health disorders, parenting
2 classes, educational classes, vocational training, and
3 job placement.

4 “(3) Payments to public and nonprofit private
5 entities to provide substance abuse treatment to
6 nonviolent parent drug offenders participating in
7 that program.

8 **“SEC. 3003. PROGRAM REQUIREMENTS.**

9 “A program for which a grant is made under section
10 3001 shall comply with the following requirements:

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

15 “(2) The program shall ensure appropriate co-
16 ordination and consultation with the Single State
17 Authority for Substance Abuse of the State (as that
18 term is defined in section 201(e) of the Second
19 Chance Act of 2007).

20 “(3) The program shall consist of clinically-ap-
21 propriate, comprehensive, and long-term family
22 treatment, including the treatment of the nonviolent
23 parent drug offender, the child of such offender, and
24 any other appropriate member of the family of the
25 offender.

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

4 “(5) The program shall provide that if a non-
5 violent parent drug offender who participates in that
6 program does not successfully complete the program
7 the offender shall serve an appropriate sentence of
8 imprisonment with respect to the underlying crime
9 involved.

10 “(6) The program shall ensure that a deter-
11 mination is made as to whether a nonviolent drug
12 offender has completed the substance abuse treat-
13 ment program.

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

20 “(8) The program shall develop and implement
21 a reentry plan for each nonviolent parent drug of-
22 fender that shall include reinforcement strategies for
23 family involvement as appropriate, relapse strategies,
24 support groups, placement in transitional housing,

1 and continued substance abuse treatment, as need-
 2 ed.

3 **“SEC. 3004. DEFINITIONS.**

4 “In this part:

5 “(1) NONVIOLENT PARENT DRUG OFFEND-
 6 ERS.—The term ‘nonviolent parent drug offender’
 7 means an offender who is—

8 “(A) a parent of an individual under 18
 9 years of age; and

10 “(B) convicted of a drug (or drug-related)
 11 felony that is a nonviolent offense.

12 “(2) NONVIOLENT OFFENSE.—The term ‘non-
 13 violent offense’ has the meaning given that term in
 14 section 2991(a).

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

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

19 **SEC. 115. PRISON-BASED FAMILY TREATMENT PROGRAMS**
 20 **FOR INCARCERATED PARENTS OF MINOR**
 21 **CHILDREN.**

22 Title I of the Omnibus Crime Control and Safe
 23 Streets Act (42 U.S.C. 3711 et seq.), is amended—

24 (1) by redesignating part X as part KK; and

25 (2) by adding at the end the following:

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

4 **“SEC. 3021. GRANTS AUTHORIZED.**

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

9 **“SEC. 3022. USE OF GRANT FUNDS.**

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

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

18 “(2) coordinate the design and implementation
19 of such programs between appropriate correctional
20 facility representatives and the appropriate govern-
21 mental agencies; and

22 “(3) develop and implement a pre-release as-
23 sessment and a reentry plan for each incarcerated
24 parent scheduled to be released to the community,
25 which shall include—

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

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

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

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

12 **“SEC. 3023. PROGRAM REQUIREMENTS.**

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

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

20 “(2) The program shall ensure that each partic-
21 ipant in that program has access to consistent and
22 uninterrupted care if transferred to a different cor-
23 rectional facility within the State or other relevant
24 entity.

1 “(3) The program shall be located in an area
2 separate from the general population of the prison.

3 **“SEC. 3024. APPLICATIONS.**

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

14 **“SEC. 3025. REPORTS.**

15 “An entity that receives a grant under this part for
16 a prison-based family treatment program during a fiscal
17 year shall submit to the Attorney General, not later than
18 a date specified by the Attorney General, a report that
19 describes and evaluates the effectiveness of that program
20 during such fiscal year that—

21 “(1) is based on evidence-based data; and

22 “(2) uses the methods and measurements de-
23 scribed in the application of that entity for purposes
24 of evaluating that program.

1 **“SEC. 3026. PRISON-BASED FAMILY TREATMENT PROGRAM**

2 **DEFINED.**

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

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

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

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

20 Title I of the Omnibus Crime Control and Safe
21 Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended
22 by this Act, is amended by adding at the end the following:

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

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

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

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

15 “(2) identify, and make recommendations to the
16 Attorney General regarding, best practices relating
17 to academic and vocational education for offenders
18 in prisons, jails, and juvenile facilities, based on the
19 evaluation under paragraph (1).

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

25 “(c) REPORT.—Not later than 90 days after the last
26 day of the final fiscal year of a grant under this section,

1 the entity described in subsection (a) receiving that grant
2 shall submit to the Attorney General a detailed report of
3 the aggregate findings and conclusions of the evaluation
4 described in subsection (a)(1), conducted by that entity
5 and the recommendations of that entity to the Attorney
6 General described in subsection (a)(2).

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

10 **“SEC. 3032. GRANTS TO IMPROVE EDUCATIONAL SERVICES**
11 **IN PRISONS, JAILS, AND JUVENILE FACILI-**
12 **TIES.**

13 “(a) GRANT PROGRAM AUTHORIZED.—The Attorney
14 General shall carry out a grant program under which the
15 Attorney General may make grants to States, units of
16 local government, territories, and Indian tribes for the
17 purpose of improving the academic and vocational edu-
18 cation programs available to offenders in prisons, jails,
19 and juvenile facilities.

20 “(b) APPLICATION.—To be eligible for a grant under
21 this section, an entity described in subsection (a) shall
22 submit to the Attorney General an application in such
23 form and manner, at such time, and accompanied by such
24 information as the Attorney General specifies.

1 “(c) REPORTS.—An entity that receives a grant
 2 under subsection (a) during a fiscal year shall, not later
 3 than the last day of the following fiscal year, submit to
 4 the Attorney General a report that describes and assesses
 5 the uses of that grant.

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

9 **Subtitle C—Conforming** 10 **Amendments**

11 **SEC. 121. USE OF VIOLENT OFFENDER TRUTH-IN-SEN-** 12 **TENCING GRANT FUNDING FOR DEMONSTRA-** 13 **TION PROJECT ACTIVITIES.**

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

17 (1) in paragraph (2) by striking “and” at the
 18 end;

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

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

22 “(4) to carry out any activity described in sec-
 23 tion 2976(b) of the Omnibus Crime Control and
 24 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 may
 9 make competitive grants to eligible partnerships, in ac-
 10 cordance with this section, for the purpose of establishing
 11 demonstration programs to reduce the use of alcohol and
 12 other drugs by supervised long-term substance abusers
 13 during the period in which each such long-term substance
 14 abuser is in prison, jail, or a juvenile facility, and until
 15 the completion of parole or court supervision of such
 16 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 for which
 23 a grant is awarded under this section;

24 (2) to develop and implement a program for su-
 25 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—

24 (1) identifies the role, and certifies the involve-
25 ment, of each agency, organization, or researcher in-

1 volved in such partnership, with respect to the pro-
2 gram;

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

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

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

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

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

23 (B) continued treatment during the period
24 in which each such long-term substance abuser
25 is in prison, jail, or a juvenile facility, and until

1 the completion of parole or court supervision of
 2 such abuser;

3 (C) addiction recovery support services;

4 (D) employment training and placement;

5 (E) family-based therapies;

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

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

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

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

21 (A) located in each community involved;

22 and

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

25 (d) REPORTS TO CONGRESS.—

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

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

13 (e) DEFINITIONS.—In this section:

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

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

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

21 (C) a researcher who has experience in evi-
22 dence-based studies that measure the effective-
23 ness of treating long-term substance abusers
24 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 the of-
11 fice of a United States attorney).

12 (2) LONG-TERM SUBSTANCE ABUSER.—The
13 term “long-term substance abuser” means an indi-
14 vidual 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 during the 24-
20 month period beginning on the date the rel-
21 evant application is submitted under subsection
22 (c).

23 (3) SINGLE STATE AUTHORITY FOR SUBSTANCE
24 ABUSE.—The term “Single State Authority for Sub-
25 stance Abuse” means an entity designated by the

1 Governor or chief executive officer of a State as the
 2 single State administrative authority responsible for
 3 the planning, development, implementation, moni-
 4 toring, regulation, and evaluation of substance abuse
 5 services in that State.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—There
 7 are authorized to be appropriated to carry out this section
 8 \$5,000,000 for each of fiscal years 2008 and 2009.

9 **SEC. 202. OFFENDER DRUG TREATMENT INCENTIVE**
 10 **GRANTS.**

11 (a) GRANT PROGRAM AUTHORIZED.—The Attorney
 12 General shall carry out a grant program under which the
 13 Attorney General may make grants to States, units of
 14 local government, territories, and Indian tribes in an
 15 amount described in subsection (c) to improve the provi-
 16 sion of drug treatment to offenders in prisons, jails, and
 17 juvenile facilities.

18 (b) REQUIREMENTS FOR APPLICATION.—

19 (1) IN GENERAL.—To be eligible to receive a
 20 grant under subsection (a) for a fiscal year, an enti-
 21 ty described in that subsection shall, in addition to
 22 any other requirements specified by the Attorney
 23 General, submit to the Attorney General an applica-
 24 tion that demonstrates that, with respect to offend-
 25 ers in prisons, jails, and juvenile facilities who re-

1 quire drug treatment and who are in the custody of
2 the jurisdiction involved, during the previous fiscal
3 year that entity provided drug treatment meeting
4 the standards established by the Single State Au-
5 thority for Substance Abuse (as that term is defined
6 in section 201) for the relevant State to a number
7 of such offenders that is 2 times the number of such
8 offenders to whom that entity provided drug treat-
9 ment during the fiscal year that is 2 years before
10 the fiscal year for which that entity seeks a grant.

11 (2) OTHER REQUIREMENTS.—An application
12 under this section shall be submitted in such form
13 and manner and at such time as specified by the At-
14 torney General.

15 (c) ALLOCATION OF GRANT AMOUNTS BASED ON
16 DRUG TREATMENT PERCENT DEMONSTRATED.—The At-
17 torney General shall allocate amounts under this section
18 for a fiscal year based on the percent of offenders de-
19 scribed in subsection (b)(1) to whom an entity provided
20 drug treatment in the previous fiscal year, as dem-
21 onstrated by that entity in its application under that sub-
22 section.

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

1 (1) for continuing and improving drug treat-
 2 ment programs provided at prisons, jails, and juve-
 3 nile facilities of that entity; and

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

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

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

16 **SEC. 203. ENSURING AVAILABILITY AND DELIVERY OF NEW**
 17 **PHARMACOLOGICAL DRUG TREATMENT**
 18 **SERVICES.**

19 (a) GRANT PROGRAM AUTHORIZED.—The Attorney
 20 General, through the National Institute of Justice, and in
 21 consultation with the National Institute on Drug Abuse
 22 and the Substance Abuse and Mental Health Services Ad-
 23 ministration, shall carry out a grant program under which
 24 the Attorney General may make grants to States, units
 25 of local government, territories, Indian tribes, and public

1 and private organizations to establish pharmacological
2 drug treatment services as part of the available drug treat-
3 ment programs being offered by such grantees to offenders
4 who are in prison or jail.

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

8 (1) the number and availability of pharma-
9 cological treatments offered under the program in-
10 volved; and

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

15 (c) APPLICATIONS.—

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

21 (2) INFORMATION REQUIRED.—An application
22 submitted under paragraph (1) shall—

23 (A) provide assurances that grant funds
24 will be used only for a program that is created
25 in coordination with (or approved by) the Single

1 State Authority for Substance Abuse (as that
 2 term is defined in section 201) of the State in-
 3 volved to ensure pharmacological drug treat-
 4 ment services provided under that program are
 5 clinically appropriate;

6 (B) demonstrate how pharmacological drug
 7 treatment services offered under the program
 8 are part of a clinically-appropriate and com-
 9 prehensive treatment plan; and

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

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

17 **SEC. 204. STUDY OF EFFECTIVENESS OF DEPOT**
 18 **NALTREXONE FOR HEROIN ADDICTION.**

19 (a) GRANT PROGRAM AUTHORIZED.—The Attorney
 20 General, through the National Institute of Justice, and in
 21 consultation with the National Institute on Drug Abuse,
 22 shall carry out a grant program under which the Attorney
 23 General may make grants to public and private research
 24 entities (including consortia, single private research enti-
 25 ties, and individual institutions of higher education) to

1 evaluate the effectiveness of depot naltrexone for the treat-
2 ment of heroin addiction.

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

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

10 (A) the applicant conducts research at a
11 private or public institution of higher education,
12 as that term is defined in section 101 of the
13 Higher Education Act of 1965 (20 U.S.C.
14 1101);

15 (B) the applicant has a plan to work with
16 parole officers or probation officers for offend-
17 ers who are under court supervision; and

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

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

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

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

3 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated \$10,000,000
 5 to carry out sections 203 and 204 for each of fiscal years
 6 2008 and 2009.

7 **Subtitle B—Job Training**

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

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

15 (b) **USE OF FUNDS.**—A grant awarded under sub-
 16 section (a) may be used to establish a technology careers
 17 training program to train prisoners during the 3-year pe-
 18 riod before release from prison, jail, or a juvenile facility
 19 for technology-based jobs and careers.

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

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

4 **SEC. 212. GRANTS TO STATES FOR IMPROVED WORKPLACE**
 5 **AND COMMUNITY TRANSITION TRAINING FOR**
 6 **INCARCERATED YOUTH OFFENDERS.**

7 Section 821 of the Higher Education Amendments of
 8 1998 (20 U.S.C. 1151) is amended to read as follows:

9 **“SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE**
 10 **AND COMMUNITY TRANSITION TRAINING FOR**
 11 **INCARCERATED YOUTH OFFENDERS.**

12 “(a) DEFINITION.—For purposes of this section, the
 13 term ‘youth offender’ means a male or female offender
 14 under the age of 35, who is incarcerated in a State prison,
 15 including a prerelease facility.

16 “(b) GRANT PROGRAM.—The Secretary of Education
 17 (in this section referred to as the ‘Secretary’)—

18 “(1) shall establish a program in accordance
 19 with this section to provide grants to the State cor-
 20 rectional education agencies in the States, from allo-
 21 cations for the States under subsection (h), to assist
 22 and encourage youth offenders to acquire functional
 23 literacy, life, and job skills, through—

1 “(A) the pursuit of a postsecondary edu-
2 cation certificate, or an associate or bachelor’s
3 degree while in prison; and

4 “(B) employment counseling and other re-
5 lated services which start during incarceration
6 and end not later than 1 year after release from
7 confinement; and

8 “(2) may establish such performance objectives
9 and reporting requirements for State correctional
10 education agencies receiving grants under this sec-
11 tion as the Secretary determines are necessary to as-
12 sess the effectiveness of the program under this sec-
13 tion.

14 “(c) APPLICATION.—To be eligible for a grant under
15 this section, a State correctional education agency shall
16 submit to the Secretary a proposal for a youth offender
17 program that—

18 “(1) identifies the scope of the problem, includ-
19 ing the number of youth offenders in need of post-
20 secondary education and career and technical edu-
21 cation;

22 “(2) lists the accredited public or private edu-
23 cational institution or institutions that will provide
24 postsecondary educational services;

1 “(3) lists the cooperating agencies, public and
2 private, or businesses that will provide related serv-
3 ices, such as counseling in the areas of career devel-
4 opment, substance abuse, health, and parenting
5 skills;

6 “(4) describes specific performance objectives
7 and evaluation methods (in addition to, and con-
8 sistent with, any objectives established by the Sec-
9 retary under subsection (b)(2)) that the State cor-
10 rectional education agency will use in carrying out
11 its proposal, including—

12 “(A) specific and quantified student out-
13 come measures that are referenced to outcomes
14 for non-program participants with similar de-
15 mographic characteristics; and

16 “(B) measures, consistent with the data
17 elements and definitions described in subsection
18 (d)(1)(A), of—

19 “(i) program completion, including an
20 explicit definition of what constitutes a
21 program completion within the proposal;

22 “(ii) knowledge and skill attainment,
23 including specification of instruments that
24 will measure knowledge and skill attain-
25 ment;

1 “(iii) attainment of employment both
2 prior to and subsequent to release;

3 “(iv) success in employment indicated
4 by job retention and advancement; and

5 “(v) recidivism, including such sub-
6 indicators as time before subsequent of-
7 fense and severity of offense;

8 “(5) describes how the proposed programs are
9 to be integrated with existing State correctional edu-
10 cation programs (such as adult education, graduate
11 education degree programs, and career and technical
12 education) and State industry programs;

13 “(6) describes how the proposed programs will
14 have considered or will utilize technology to deliver
15 the services under this section; and

16 “(7) describes how students will be selected so
17 that only youth offenders eligible under subsection
18 (e) will be enrolled in postsecondary programs.

19 “(d) PROGRAM REQUIREMENTS.—Each State correc-
20 tional education agency receiving a grant under this sec-
21 tion shall—

22 “(1) annually report to the Secretary regard-
23 ing—

24 “(A) the results of the evaluations con-
25 ducted using data elements and definitions pro-

1 vided by the Secretary for the use of State cor-
2 rectional education programs;

3 “(B) any objectives or requirements estab-
4 lished by the Secretary pursuant to subsection
5 (b)(2); and

6 “(C) the additional performance objectives
7 and evaluation methods contained in the pro-
8 posal described in subsection (c)(4), as nec-
9 essary to document the attainment of project
10 performance objectives; and

11 “(2) expend on each participating eligible stu-
12 dent for an academic year, not more than the max-
13 imum Federal Pell Grant funded under section 401
14 of the Higher Education Act of 1965 for such aca-
15 demic year, which shall be used for—

16 “(A) tuition, books, and essential mate-
17 rials; and

18 “(B) related services such as career devel-
19 opment, substance abuse counseling, parenting
20 skills training, and health education.

21 “(e) STUDENT ELIGIBILITY.—A youth offender shall
22 be eligible for participation in a program receiving a grant
23 under this section if the youth offender—

1 “(1) is eligible to be released within 5 years (in-
2 cluding a youth offender who is eligible for parole
3 within such time); and

4 “(2) is 35 years of age or younger.

5 “(f) LENGTH OF PARTICIPATION.—A State correc-
6 tional education agency receiving a grant under this sec-
7 tion shall provide educational and related services to each
8 participating youth offender for a period not to exceed 5
9 years, 1 year of which may be devoted to study in a grad-
10 uate education degree program or to remedial education
11 services for students who have obtained a secondary school
12 diploma or its recognized equivalent. Educational and re-
13 lated services shall start during the period of incarceration
14 in prison or prerelease, and the related services may con-
15 tinue for not more than 1 year after release from confine-
16 ment.

17 “(g) EDUCATION DELIVERY SYSTEMS.—State cor-
18 rectional education agencies and cooperating institutions
19 shall, to the extent practicable, use high-tech applications
20 in developing programs to meet the requirements and
21 goals of this section.

22 “(h) ALLOCATION OF FUNDS.—From the funds ap-
23 propriated pursuant to subsection (i) for each fiscal year,
24 the Secretary shall allot to each State an amount that
25 bears the same relationship to such funds as the total

1 number of students eligible under subsection (e) in such
 2 State bears to the total number of such students in all
 3 States.

4 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
 5 are authorized to be appropriated to carry out this section
 6 \$30,000,000 for fiscal years 2008 and 2009.”.

7 **Subtitle C—Mentoring**

8 **SEC. 221. MENTORING GRANTS TO NONPROFIT ORGANIZA-** 9 **TIONS.**

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

16 (b) USE OF FUNDS.—A grant awarded under sub-
 17 section (a) may be used for—

18 (1) mentoring adult and juvenile offenders dur-
 19 ing incarceration, through transition back to the
 20 community, and post-release;

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

23 (3) training regarding offender and victims
 24 issues.

25 (c) APPLICATION; PRIORITY CONSIDERATION.—

1 (1) IN GENERAL.—To be eligible to receive a
2 grant under this section, a nonprofit organization
3 shall submit an application to the Attorney General
4 at such time, in such manner, and accompanied by
5 such information as the Attorney General may re-
6 quire.

7 (2) PRIORITY CONSIDERATION.—Priority con-
8 sideration shall be given to any application under
9 this section that—

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

13 (B) provides for an independent evaluation
14 that includes, to the maximum extent feasible,
15 random assignment of offenders to program de-
16 livery and control groups.

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

1 (e) REPORTS.—An entity that receives a grant under
2 subsection (a) during a fiscal year shall, not later than
3 the last day of the following fiscal year, submit to the At-
4 torney General a report that describes and assesses the
5 uses of that grant during that fiscal year and that identi-
6 fies the progress of the grantee toward achieving its stra-
7 tegic performance outcomes.

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

12 **SEC. 222. BUREAU OF PRISONS POLICY ON MENTORING**
13 **CONTACTS.**

14 (a) IN GENERAL.—Not later than 90 days after the
15 date of enactment of this Act, the Director of the Bureau
16 of Prisons shall, in order to promote stability and contin-
17 ued assistance to offenders after release from prison,
18 adopt and implement a policy to ensure that any person
19 who provides mentoring services to an incarcerated of-
20 fender is permitted to continue such services after that
21 offender is released from prison. That policy shall permit
22 the continuation of mentoring services unless the Director
23 demonstrates that such services would be a significant se-
24 curity risk to the offender, incarcerated offenders, persons
25 who provide such services, or any other person.

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

5 **Subtitle D—Administration of** 6 **Justice Reforms**

7 **CHAPTER 1—IMPROVING FEDERAL** 8 **OFFENDER REENTRY**

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

10 (a) ESTABLISHMENT.—The Director of the Bureau
 11 of Prisons (in this chapter referred to as the “Director”)
 12 shall establish a prisoner reentry strategy to help prepare
 13 prisoners for release and successful reintegration into the
 14 community, which shall require that the Bureau of Pris-
 15 ons—

16 (1) assess each prisoner’s skill level (including
 17 academic, vocational, health, cognitive, interpersonal,
 18 daily living, and related reentry skills) at the begin-
 19 ning of the term of imprisonment of that prisoner to
 20 identify any areas in need of improvement prior to
 21 reentry;

22 (2) generate a skills development plan for each
 23 prisoner to monitor skills enhancement and reentry
 24 readiness throughout incarceration;

1 (3) determine program assignments for pris-
 2 oners based on the areas of need identified through
 3 the assessment described in paragraph (1);

4 (4) ensure that priority is given to the reentry
 5 needs of high-risk populations, such as sex offend-
 6 ers, career criminals, and prisoners with mental
 7 health problems;

8 (5) coordinate and collaborate with other Fed-
 9 eral agencies and with State and local criminal jus-
 10 tice agencies, community-based organizations, and
 11 faith-based organizations to help effectuate a seam-
 12 less reintegration of prisoners into their commu-
 13 nities;

14 (6) collect information about a prisoner's family
 15 relationships, parental responsibilities, and contacts
 16 with children to help prisoners maintain important
 17 familial relationships and support systems during in-
 18 carceration and after release from custody; and

19 (7) provide incentives for prisoner participation
 20 in skills development programs.

21 (b) INCENTIVES FOR PARTICIPATION IN SKILLS DE-
 22 VELOPMENT PROGRAMS.—A prisoner who participates in
 23 reentry and skills development programs may, at the dis-
 24 cretion of the Director, receive any of the following incen-
 25 tives:

1 (1) The maximum allowable period in a commu-
2 nity confinement facility.

3 (2) A reduction in the term of imprisonment of
4 that prisoner, except that such reduction may not be
5 more than 1 year from the term the prisoner must
6 otherwise serve.

7 (3) Such other incentives as the Director con-
8 siders appropriate.

9 **SEC. 232. IDENTIFICATION AND RELEASE ASSISTANCE FOR**
10 **FEDERAL PRISONERS.**

11 (a) OBTAINING IDENTIFICATION.—The Director
12 shall assist prisoners in obtaining identification (including
13 a social security card, driver’s license or other official
14 photo identification, or birth certificate) prior to release.

15 (b) ASSISTANCE DEVELOPING RELEASE PLAN.—At
16 the request of a direct-release prisoner, a representative
17 of the United States Probation System shall, prior to the
18 release of that prisoner, help that prisoner develop a re-
19 lease plan.

20 (c) DIRECT-RELEASE PRISONER DEFINED.—In this
21 section, the term “direct-release prisoner” means a pris-
22 oner who is scheduled for release and will not be placed
23 in pre-release custody.

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

13 (3) to foster the development of collaborative
14 partnerships with stakeholders at the national and
15 local levels to facilitate the exchange of information
16 and the development of resources to enhance oppor-
17 tunities for successful offender reentry.

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

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

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

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

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

1 “(6) establish pre-release planning procedures
2 that help prisoners—

3 “(A) apply for Federal and State benefits
4 upon release (including Social Security Cards,
5 Social Security benefits, and veterans’ benefits);
6 and

7 “(B) secure such identification and bene-
8 fits prior to release, subject to any limitations
9 in law; and

10 “(7) establish reentry planning procedures that
11 include providing Federal prisoners with information
12 in the following areas:

13 “(A) Health and nutrition.

14 “(B) Employment.

15 “(C) Literacy and education.

16 “(D) Personal finance and consumer skills.

17 “(E) Community resources.

18 “(F) Personal growth and development.

19 “(G) Release requirements and proce-
20 dures.”.

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 prisoners, as identified by an
2 assessment tool that is used to produce an individ-
3 ualized 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 of Prisons, and of the Bu-
15 reau as a whole, in responding to the reentry needs
16 and deficits of inmates. The report shall be prepared
17 in a manner that groups institutions by security
18 level to allow comparisons of similar institutions.

19 (4) EVALUATION.—The Director shall—

20 (A) implement a formal standardized proc-
21 ess for evaluating the success of each institu-
22 tion within the Bureau of Prisons in enhancing
23 skills and resources to assist in reentry; 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 paragraph shall provide the recidivism statistics
5 for 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 paragraph (1), 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
15 under 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; 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 individuals. The Bureau of Prisons
21 shall provide inmates with a sufficient amount of all nec-
22 essary medications (which will normally consist of, at a
23 minimum, a 2-week supply of such medications) upon re-
24 lease from 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, in consultation with the Sec-
 10 retary of Labor, shall take such steps as are necessary
 11 to implement a program to educate employers and the one-
 12 stop partners and one-stop operators (as such terms are
 13 defined in section 101 of the Workforce Investment Act
 14 of 1998 (29 U.S.C. 2801)) that provide services at any
 15 center operated under a one-stop delivery system estab-
 16 lished under section 134(c) of the Workforce Investment
 17 Act of 1998 (29 U.S.C. 2864(c)) regarding incentives (in-
 18 cluding the Federal bonding program of the Department
 19 of Labor and tax credits) for hiring former Federal, State,
 20 or local prisoners.

21 **SEC. 237. ELDERLY NONVIOLENT OFFENDER PILOT PRO-**
 22 **GRAM.**

23 (a) PROGRAM ESTABLISHED.—

24 (1) IN GENERAL.—Notwithstanding section
 25 3624 of title 18, United States Code, or any other
 26 provision of law, the Director shall conduct a pilot

1 program to determine the effectiveness of removing
2 each eligible elderly offender from a Bureau of Pris-
3 on facility and placing that offender on home deten-
4 tion until the date on which the term of imprison-
5 ment to which that offender was sentenced expires.

6 (2) TIMING OF PLACEMENT IN HOME DETEN-
7 TION.—

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

11 (i) in the case of an offender who is
12 determined to be an eligible elderly of-
13 fender on or before the date specified in
14 subparagraph (B), place such offender on
15 home detention not later than 180 days
16 after the date of enactment of this Act;
17 and

18 (ii) in the case of an offender who is
19 determined to be an eligible elderly of-
20 fender after the date specified in subpara-
21 graph (B) and before the date that is 3
22 years and 91 days after the date of enact-
23 ment of this Act, place such offender on
24 home detention not later than 90 days
25 after the date of that determination.

1 (B) DATE SPECIFIED.—For purposes of
2 subparagraph (A), the date specified in this
3 subparagraph is the date that is 90 days after
4 the date of enactment of this Act.

5 (3) VIOLATION OF TERMS OF HOME DETEN-
6 TION.—A violation by an eligible elderly offender of
7 the terms of home detention (including the commis-
8 sion of another Federal, State, or local crime) shall
9 result in the removal of that offender from home de-
10 tention and the return of that offender to the des-
11 ignated Bureau of Prisons institution in which that
12 offender was imprisoned immediately before place-
13 ment on home detention under paragraph (1).

14 (b) SCOPE OF PILOT PROGRAM.—

15 (1) PARTICIPATING DESIGNATED FACILITIES.—
16 The pilot program under subsection (a) shall be con-
17 ducted through at least 1 Bureau of Prisons institu-
18 tion designated by the Director as appropriate for
19 the pilot program.

20 (2) DURATION.—The pilot program shall be
21 conducted during each of fiscal years 2008 and
22 2009.

23 (c) PROGRAM EVALUATION.—

24 (1) IN GENERAL.—The Director shall contract
25 with an independent organization to monitor and

1 evaluate the progress of each eligible elderly offender
2 placed on home detention under subsection (a)(1)
3 for the period that offender is on home detention
4 during the period described in subsection (b)(2).

5 (2) ANNUAL REPORT.—The organization de-
6 scribed in paragraph (1) shall annually submit to
7 the Director and to Congress a report on the pilot
8 program under subsection (a)(1), which shall in-
9 clude—

10 (A) an evaluation of the effectiveness of
11 the pilot program in providing a successful
12 transition for eligible elderly offenders from in-
13 carceration to the community, including data
14 relating to the recidivism rates for such offend-
15 ers; and

16 (B) the cost savings to the Federal Gov-
17 ernment resulting from the early removal of
18 such offenders from incarceration.

19 (3) PROGRAM ADJUSTMENTS.—Upon review of
20 the report submitted under paragraph (2), the Di-
21 rector shall submit recommendations to Congress for
22 adjustments to the pilot program, including its ex-
23 pansion to additional facilities.

24 (d) DEFINITIONS.—In this section:

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

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

5 (B) is serving a term of imprisonment
6 after conviction for an offense other than a
7 crime of violence (as that term is defined in sec-
8 tion 16 of title 18, United States Code) and has
9 served the greater of 10 years or $\frac{1}{2}$ of the term
10 of imprisonment of that offender;

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

13 (D) has not been determined by the Bu-
14 reau of Prisons, on the basis of information the
15 Bureau uses to make custody classifications,
16 and in the sole discretion of the Bureau, to
17 have a history of violence; and

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

20 (2) HOME DETENTION.—The term “home de-
21 tention” has the same meaning given the term in the
22 Federal Sentencing Guidelines, and includes deten-
23 tion in a nursing home or other residential long-term
24 care facility.

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

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 \$5,000,000 for each of fiscal years 2008 and 2009.

9 **CHAPTER 2—REENTRY RESEARCH**

10 **SEC. 241. OFFENDER REENTRY RESEARCH.**

11 (a) NATIONAL INSTITUTE OF JUSTICE.—The Na-
12 tional Institute of Justice may conduct research on juve-
13 nile and adult offender reentry, including—

14 (1) a study identifying the number and charac-
15 teristics of minor children who have had a parent in-
16 carcerated, and the likelihood of such minor children
17 becoming involved in the criminal justice system
18 some time in their lifetime;

19 (2) a study identifying a mechanism to compare
20 rates of recidivism (including rearrest, violations of
21 parole, probation, post-incarceration supervision, and
22 reincarceration) among States; and

23 (3) a study on the population of offenders re-
24 leased from custody who do not engage in recidivism

1 and the characteristics (housing, employment, treat-
2 ment, family connection) of that population.

3 (b) BUREAU OF JUSTICE STATISTICS.—The Bureau
4 of Justice Statistics may conduct research on offender re-
5 entry, including—

6 (1) an analysis of special populations (including
7 prisoners with mental illness or substance abuse dis-
8 orders, female offenders, juvenile offenders, offend-
9 ers with limited English proficiency, and the elderly)
10 that present unique reentry challenges;

11 (2) studies to determine which offenders are re-
12 turning to prison, jail, or a juvenile facility and
13 which of those returning offenders represent the
14 greatest risk to victims and community safety;

15 (3) annual reports on the demographic charac-
16 teristics of the population returning to society from
17 prisons, jails, and juvenile facilities;

18 (4) a national recidivism study every 3 years;

19 (5) a study of parole, probation, or post-incar-
20 ceration supervision violations and revocations; and

21 (6) a study concerning the most appropriate
22 measure to be used when reporting recidivism rates
23 (whether rearrest, reincarceration, or any other
24 valid, evidence-based measure).

1 (c) 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. 242. GRANTS TO STUDY PAROLE OR POST-INCARCER-**
 5 **ATION SUPERVISION VIOLATIONS AND REV-**
 6 **OCATIONS.**

7 (a) GRANTS AUTHORIZED.—From amounts made
 8 available to carry out this section, the Attorney General
 9 may make grants to States to study and to improve the
 10 collection of data with respect to individuals whose parole
 11 or post-incarceration supervision is revoked, and which
 12 such individuals represent the greatest risk to victims and
 13 community safety.

14 (b) APPLICATION.—As a condition of receiving a
 15 grant under this section, a State shall—

16 (1) certify that the State has, or intends to es-
 17 tablish, a program that collects comprehensive and
 18 reliable data with respect to individuals described in
 19 subsection (a), including data on—

20 (A) the number and type of parole or post-
 21 incarceration supervision violations that occur
 22 with the State;

23 (B) the reasons for parole or post-incarcer-
 24 ation supervision revocation;

1 (C) the underlying behavior that led to the
 2 revocation; and

3 (D) the term of imprisonment or other
 4 penalty that is imposed for the violation; and

5 (2) provide the data described in paragraph (1)
 6 to the Bureau of Justice Statistics, in a form pre-
 7 scribed by the Bureau.

8 (c) ANALYSIS.—Any statistical analysis of population
 9 data under this section shall be conducted in accordance
 10 with the Federal Register Notice dated October 30, 1997,
 11 relating to classification standards.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—There
 13 are authorized to be appropriated to carry out this section
 14 \$1,000,000 for each of fiscal years 2008 and 2009.

15 **SEC. 243. ADDRESSING THE NEEDS OF CHILDREN OF IN-**
 16 **CARCERATED PARENTS.**

17 (a) BEST PRACTICES.—

18 (1) IN GENERAL.—The Attorney General shall
 19 collect data and develop best practices of State cor-
 20 rections departments and child protection agencies
 21 relating to the communication and coordination be-
 22 tween such State departments and agencies to en-
 23 sure the safety and support of children of incarcer-
 24 ated parents (including those in foster care and kin-
 25 ship care), and the support of parent-child relation-

1 ships between incarcerated (and formerly incarcerated)
2 ated) parents and their children, as appropriate to
3 the health and well-being of the children.

4 (2) CONTENTS.—The best practices developed
5 under paragraph (1) shall include information re-
6 lated to policies, procedures, and programs that may
7 be used by States to address—

8 (A) maintenance of the parent-child bond
9 during incarceration;

10 (B) parental self-improvement; and

11 (C) parental involvement in planning for
12 the future and well-being of their children.

13 (b) DISSEMINATION TO STATES.—Not later than 1
14 year after the date of enactment of this Act, the Attorney
15 General shall disseminate to States and other relevant en-
16 tities the best practices described in subsection (a).

17 (c) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that States and other relevant entities should use
19 the best practices developed and disseminated in accord-
20 ance with this section to evaluate and improve the commu-
21 nication and coordination between State corrections de-
22 partments and child protection agencies to ensure the
23 safety and support of children of incarcerated parents (in-
24 cluding those in foster care and kinship care), and the sup-
25 port of parent-child relationships between incarcerated

1 (and formerly incarcerated) parents and their children, as
 2 appropriate to the health and well-being of the children.

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

5 **SEC. 251. CLARIFICATION OF AUTHORITY TO PLACE PRIS-**
 6 **ONER IN COMMUNITY CORRECTIONS.**

7 (a) PRE-RELEASE CUSTODY.—Section 3624(c) of
 8 title 18, United States Code, is amended to read as fol-
 9 lows:

10 “(c) PRE-RELEASE CUSTODY.—

11 “(1) IN GENERAL.—The Director of the Bureau
 12 of Prisons shall, to the extent practicable, ensure
 13 that a prisoner serving a term of imprisonment
 14 spends a portion of the final months of that term
 15 (not to exceed 12 months), under conditions that
 16 will afford that prisoner a reasonable opportunity to
 17 adjust to and prepare for the reentry of that pris-
 18 oner into the community. Such conditions may in-
 19 clude a community correctional facility.

20 “(2) HOME CONFINEMENT AUTHORITY.—The
 21 authority under this subsection may be used to place
 22 a prisoner in home confinement for the shorter of 10
 23 percent of the term of imprisonment of that prisoner
 24 or 6 months.

1 “(3) ASSISTANCE.—The United States Probation System shall, to the extent practicable, offer assistance to a prisoner during pre-release custody under this subsection.

5 “(4) NO LIMITATIONS.—Nothing in this subsection shall be construed to limit or restrict the authority of the Director of the Bureau of Prisons under section 3621.

9 “(5) REPORTING.—Not later than 1 year after the date of enactment of the Recidivism Reduction and Second Chance Act of 2007 (and every year thereafter), the Director of the Bureau of Prisons shall transmit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report describing the Bureau’s utilization of community corrections facilities. Each report under this paragraph shall set forth the number and percentage of Federal prisoners placed in community corrections facilities during the preceding year, the average length of such placements, trends in such utilization, the reasons some prisoners are not placed in community corrections facilities, and any other information that may be useful to the committees in determining if the

1 Bureau is utilizing community corrections facilities
2 in an effective manner.

3 “(6) ISSUANCE OF REGULATIONS.—The Direc-
4 tor of Bureau of Prisons shall issue regulations pur-
5 suant to this subsection not later than 90 days after
6 the date of enactment of the Recidivism Reduction
7 and Second Chance Act of 2007.”.

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

18 **SEC. 252. RESIDENTIAL DRUG ABUSE PROGRAM IN FED-**
19 **ERAL PRISONS.**

20 Section 3621(e)(5)(A) of title 18, United States
21 Code, is amended by striking “means a course of” and
22 all that follows and inserting the following: “means a
23 course of individual and group activities and treatment,
24 lasting at least 6 months, in residential treatment facilities
25 set apart from the general prison population (which may

1 include the use of pharmacotherapies, where appropriate,
 2 that may extend beyond the 6-month period);”.

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

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

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

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

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

20 **SEC. 254. CONTRACTING FOR SERVICES FOR POST-CONVIC-**
 21 **TION SUPERVISION OFFENDERS.**

22 Section 3672 of title 18, United States Code, is
 23 amended by inserting after the third sentence in the sev-
 24 enth undesignated paragraph the following: “He also shall
 25 have the authority to contract with any appropriate public

1 or private agency or person to monitor and provide serv-
2 ices to any offender in the community, including treat-
3 ment, equipment and emergency housing, corrective and
4 preventative guidance and training, and other rehabilita-
5 tive services designed to protect the public and promote
6 the successful reentry of the offender into the commu-
7 nity.”.

