

115TH CONGRESS
2D SESSION

S. 3635

To reauthorize the Second Chance Act of 2007.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2018

Mr. PORTMAN (for himself and Mr. LEAHY) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To reauthorize the Second Chance Act of 2007.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Second Chance Reau-
5 thorization Act of 2018”.

6 **SEC. 2. IMPROVEMENTS TO EXISTING PROGRAMS.**

7 (a) REAUTHORIZATION OF ADULT AND JUVENILE
8 OFFENDER STATE AND LOCAL DEMONSTRATION
9 PROJECTS.—Section 2976 of title I of the Omnibus Crime
10 Control and Safe Streets Act of 1968 (34 U.S.C. 10631)
11 is amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
4 eral shall make grants to States, local governments, terri-
5 tories, or Indian tribes, or any combination thereof (in this
6 section referred to as an ‘eligible entity’), in partnership
7 with interested persons (including Federal corrections and
8 supervision agencies), service providers, and nonprofit or-
9 ganizations for the purpose of strategic planning and im-
10 plementation of adult and juvenile offender reentry
11 projects.”;

12 (2) in subsection (b)—

13 (A) in paragraph (3), by inserting “or re-
14 entry courts,” after “community,”;

15 (B) in paragraph (6), by striking “and” at
16 the end;

17 (C) in paragraph (7), by striking the pe-
18 riod at the end and inserting “; and”; and

19 (D) by adding at the end the following:

20 “(8) promoting employment opportunities con-
21 sistent with the Transitional Jobs strategy (as de-
22 fined in section 4 of the Second Chance Act of 2007
23 (34 U.S.C. 60502)).”; and

24 (3) by striking subsections (d), (e), and (f) and
25 inserting the following:

1 “(d) COMBINED GRANT APPLICATION; PRIORITY
2 CONSIDERATION.—

3 “(1) IN GENERAL.—The Attorney General shall
4 develop a procedure to allow applicants to submit a
5 single application for a planning grant under sub-
6 section (e) and an implementation grant under sub-
7 section (f).

8 “(2) PRIORITY CONSIDERATION.—The Attorney
9 General shall give priority consideration to grant ap-
10 plications under subsections (e) and (f) that include
11 a commitment by the applicant to partner with a
12 local evaluator to identify and analyze data that
13 will—

14 “(A) enable the grantee to target the in-
15 tended offender population; and

16 “(B) serve as a baseline for purposes of
17 the evaluation.

18 “(e) PLANNING GRANTS.—

19 “(1) IN GENERAL.—Except as provided in para-
20 graph (3), the Attorney General may make a grant
21 to an eligible entity of not more than \$75,000 to de-
22 velop a strategic, collaborative plan for an adult or
23 juvenile offender reentry demonstration project as
24 described in subsection (h) that includes—

25 “(A) a budget and a budget justification;

1 “(B) a description of the outcome meas-
 2 ures that will be used to measure the effective-
 3 ness of the program in promoting public safety
 4 and public health;

5 “(C) the activities proposed;

6 “(D) a schedule for completion of the ac-
 7 tivities described in subparagraph (C); and

8 “(E) a description of the personnel nec-
 9 essary to complete the activities described in
 10 subparagraph (C).

11 “(2) MAXIMUM TOTAL GRANTS AND GEO-
 12 GRAPHIC DIVERSITY.—

13 “(A) MAXIMUM AMOUNT.—The Attorney
 14 General may not make initial planning grants
 15 and implementation grants to 1 eligible entity
 16 in a total amount that is more than a
 17 \$1,000,000.

18 “(B) GEOGRAPHIC DIVERSITY.—The At-
 19 torney General shall make every effort to en-
 20 sure equitable geographic distribution of grants
 21 under this section and take into consideration
 22 the needs of underserved populations, including
 23 rural and tribal communities.

24 “(3) PERIOD OF GRANT.—A planning grant
 25 made under this subsection shall be for a period of

1 not longer than 1 year, beginning on the first day
2 of the month in which the planning grant is made.

3 “(f) IMPLEMENTATION GRANTS.—

4 “(1) APPLICATIONS.—An eligible entity desiring
5 an implementation grant under this subsection shall
6 submit to the Attorney General an application
7 that—

8 “(A) contains a reentry strategic plan as
9 described in subsection (h), which describes the
10 long-term strategy and incorporates a detailed
11 implementation schedule, including the plans of
12 the applicant to fund the program after Federal
13 funding is discontinued;

14 “(B) identifies the local government role
15 and the role of governmental agencies and non-
16 profit organizations that will be coordinated by,
17 and that will collaborate on, the offender re-
18 entry strategy of the applicant, and certifies the
19 involvement of such agencies and organizations;

20 “(C) describes the evidence-based method-
21 ology and outcome measures that will be used
22 to evaluate the program funded with a grant
23 under this subsection, and specifically explains
24 how such measurements will provide valid meas-
25 ures of the impact of that program; and

1 “(D) describes how the project could be
2 broadly replicated if demonstrated to be effec-
3 tive.

4 “(2) REQUIREMENTS.—The Attorney General
5 may make a grant to an applicant under this sub-
6 section only if the application—

7 “(A) reflects explicit support of the chief
8 executive officer, or their designee, of the State,
9 unit of local government, territory, or Indian
10 tribe applying for a grant under this subsection;

11 “(B) provides discussion of the role of
12 Federal corrections, State corrections depart-
13 ments, community corrections agencies, juvenile
14 justice systems, and tribal or local jail systems
15 in ensuring successful reentry of offenders into
16 their communities;

17 “(C) provides evidence of collaboration
18 with State, local, or tribal government agencies
19 overseeing health, housing, child welfare, edu-
20 cation, substance abuse, victims services, and
21 employment services, and with local law en-
22 forcement agencies;

23 “(D) provides a plan for analysis of the
24 statutory, regulatory, rules-based, and practice-

1 based hurdles to reintegration of offenders into
2 the community;

3 “(E) includes the use of a State, local, ter-
4 ritorial, or tribal task force, described in sub-
5 section (i), to carry out the activities funded
6 under the grant;

7 “(F) provides a plan for continued collabo-
8 ration with a local evaluator as necessary to
9 meeting the requirements under subsection (h);
10 and

11 “(G) demonstrates that the applicant par-
12 ticipated in the planning grant process or en-
13 gaged in comparable planning for the reentry
14 project.

15 “(3) PRIORITY CONSIDERATIONS.—The Attor-
16 ney General shall give priority to grant applications
17 under this subsection that best—

18 “(A) focus initiative on geographic areas
19 with a disproportionate population of offenders
20 released from prisons, jails, and juvenile facili-
21 ties;

22 “(B) include—

23 “(i) input from nonprofit organiza-
24 tions, in any case where relevant input is

1 available and appropriate to the grant ap-
2 plication;

3 “(ii) consultation with crime victims
4 and offenders who are released from pris-
5 ons, jails, and juvenile facilities;

6 “(iii) coordination with families of of-
7 fenders;

8 “(iv) input, where appropriate, from
9 the juvenile justice coordinating council of
10 the region;

11 “(v) input, where appropriate, from
12 the reentry coordinating council of the re-
13 gion; or

14 “(vi) input, where appropriate, from
15 other interested persons;

16 “(C) demonstrate effective case assessment
17 and management abilities in order to provide
18 comprehensive and continuous reentry, includ-
19 ing—

20 “(i) planning for prerelease transi-
21 tional housing and community release that
22 begins upon admission for juveniles and
23 jail inmates, and, as appropriate, for pris-
24 on inmates, depending on the length of the
25 sentence;

1 “(ii) establishing prerelease planning
2 procedures to ensure that the eligibility of
3 an offender for Federal, tribal, or State
4 benefits upon release is established prior to
5 release, subject to any limitations in law,
6 and to ensure that offenders obtain all nec-
7 essary referrals for reentry services, includ-
8 ing assistance identifying and securing
9 suitable housing; or

10 “(iii) delivery of continuous and ap-
11 propriate mental health services, drug
12 treatment, medical care, job training and
13 placement, educational services, vocational
14 services, and any other service or support
15 needed for reentry;

16 “(D) review the process by which the ap-
17 plicant adjudicates violations of parole, proba-
18 tion, or supervision following release from pris-
19 on, jail, or a juvenile facility, taking into ac-
20 count public safety and the use of graduated,
21 community-based sanctions for minor and tech-
22 nical violations of parole, probation, or super-
23 vision (specifically those violations that are not
24 otherwise, and independently, a violation of
25 law);

1 “(E) provide for an independent evaluation
2 of reentry programs that include, to the max-
3 imum extent possible, random assignment and
4 controlled studies to determine the effectiveness
5 of such programs;

6 “(F) target moderate and high-risk offend-
7 ers for reentry programs through validated as-
8 sessment tools; or

9 “(G) target offenders with histories of
10 homelessness, substance abuse, or mental ill-
11 ness, including a prerelease assessment of the
12 housing status of the offender and behavioral
13 health needs of the offender with clear coordi-
14 nation with mental health, substance abuse, and
15 homelessness services systems to achieve stable
16 and permanent housing outcomes with appro-
17 priate support service.

18 “(4) PERIOD OF GRANT.—A grant made under
19 this subsection shall be effective for a 2-year pe-
20 riod—

21 “(A) beginning on the date on which the
22 planning grant awarded under subsection (e)
23 concludes; or

24 “(B) in the case of an implementation
25 grant awarded to an eligible entity that did not

1 receive a planning grant, beginning on the date
2 on which the implementation grant is award-
3 ed.”;

4 (4) in subsection (h)—

5 (A) by redesignating paragraphs (2) and
6 (3) as paragraphs (3) and (4), respectively; and

7 (B) by striking paragraph (1) and insert-
8 ing the following:

9 “(1) IN GENERAL.—As a condition of receiving
10 financial assistance under subsection (f), each appli-
11 cation shall develop a comprehensive reentry stra-
12 tegic plan that—

13 “(A) contains a plan to assess inmate re-
14 entry needs and measurable annual and 3-year
15 performance outcomes;

16 “(B) uses, to the maximum extent possible,
17 randomly assigned and controlled studies, or
18 rigorous quasi-experimental studies with
19 matched comparison groups, to determine the
20 effectiveness of the program funded with a
21 grant under subsection (f); and

22 “(C) includes as a goal of the plan to re-
23 duce the rate of recidivism for offenders re-
24 leased from prison, jail or a juvenile facility
25 with funds made available under subsection (f).

1 “(2) LOCAL EVALUATOR.—A partnership with a
 2 local evaluator described in subsection (d)(2) shall
 3 require the local evaluator to use the baseline data
 4 and target population characteristics developed
 5 under a subsection (e) planning grant to derive a
 6 target goal for recidivism reduction during the 3-
 7 year period beginning on the date of implementation
 8 of the program.”;

9 (5) in subsection (i)(1)—

10 (A) in the matter preceding subparagraph
 11 (A), by striking “under this section” and insert-
 12 ing “under subsection (f)”;

13 (B) in subparagraph (B), by striking “sub-
 14 section (e)(4)” and inserting “subsection
 15 (f)(2)(D)”;

16 (6) in subsection (j)—

17 (A) in paragraph (1), by inserting “for an
 18 implementation grant under subsection (f)”
 19 after “applicant”;

20 (B) in paragraph (2)—

21 (i) in subparagraph (E), by inserting
 22 “, where appropriate” after “support”; and

23 (ii) by striking subparagraphs (F),
 24 (G), and (H), and inserting the following:

1 “(F) increased number of staff trained to
2 administer reentry services;

3 “(G) increased proportion of individuals
4 served by the program among those eligible to
5 receive services;

6 “(H) increased number of individuals re-
7 ceiving risk screening needs assessment, and
8 case planning services;

9 “(I) increased enrollment in, and comple-
10 tion of treatment services, including substance
11 abuse and mental health services among those
12 assessed as needing such services;

13 “(J) increased enrollment in and degrees
14 earned from educational programs, including
15 high school, GED, vocational training, and col-
16 lege education;

17 “(K) increased number of individuals ob-
18 taining and retaining employment;

19 “(L) increased number of individuals ob-
20 taining and maintaining housing;

21 “(M) increased self-reports of successful
22 community living, including stability of living
23 situation and positive family relationships;

24 “(N) reduction in drug and alcohol use;
25 and

1 “(O) reduction in recidivism rates for indi-
2 viduals receiving reentry services after release,
3 as compared to either baseline recidivism rates
4 in the jurisdiction of the grantee or recidivism
5 rates of the control or comparison group.”;

6 (C) in paragraph (3), by striking “facili-
7 ties.” and inserting “facilities, including a cost-
8 benefit analysis to determine the cost effective-
9 ness of the reentry program.”;

10 (D) in paragraph (4), by striking “this sec-
11 tion” and inserting “subsection (f)”; and

12 (E) in paragraph (5), by striking “this sec-
13 tion” and inserting “subsection (f)”;

14 (7) in subsection (k)(1), by striking “this sec-
15 tion” each place the term appears and inserting
16 “subsection (f)”;

17 (8) in subsection (l)—

18 (A) in paragraph (2), by inserting “begin-
19 ning on the date on which the most recent im-
20 plementation grant is made to the grantee
21 under subsection (f)” after “2-year period”;
22 and

23 (B) in paragraph (4), by striking “over a
24 2-year period” and inserting “during the 2-year
25 period described in paragraph (2)”;

1 (9) in subsection (o)(1), by striking “appropri-
2 priated” and all that follows and inserting the fol-
3 lowing: “appropriated \$35,000,000 for each of fiscal
4 years 2019 through 2023.”; and

5 (10) by adding at the end the following:

6 “(p) DEFINITION.—In this section, the term ‘reentry
7 court’ means a program that—

8 “(1) monitors juvenile and adult eligible offend-
9 ers reentering the community;

10 “(2) provides continual judicial supervision;

11 “(3) provides juvenile and adult eligible offend-
12 ers reentering the community with coordinated and
13 comprehensive reentry services and programs, such
14 as—

15 “(A) drug and alcohol testing and assess-
16 ment for treatment;

17 “(B) assessment for substance abuse from
18 a substance abuse professional who is approved
19 by the State or Indian tribe and licensed by the
20 appropriate entity to provide alcohol and drug
21 addiction treatment, as appropriate;

22 “(C) substance abuse treatment, including
23 medication-assisted treatment, from a provider
24 that is approved by the State or Indian tribe,

1 and licensed, if necessary, to provide medical
2 and other health services;

3 “(D) health (including mental health) serv-
4 ices and assessment;

5 “(E) aftercare and case management serv-
6 ices that—

7 “(i) facilitate access to clinical care
8 and related health services; and

9 “(ii) coordinate with such clinical care
10 and related health services; and

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

12 “(4) convenes community impact panels, victim
13 impact panels, or victim impact educational classes;

14 “(5) provides and coordinates the delivery of
15 community services to juvenile and adult eligible of-
16 fenders, including—

17 “(A) housing assistance;

18 “(B) education;

19 “(C) job training;

20 “(D) conflict resolution skills training;

21 “(E) batterer intervention programs; and

22 “(F) other appropriate social services; and

23 “(6) establishes and implements graduated
24 sanctions and incentives.”.

1 (b) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE
 2 TREATMENT.—Part DD of title I of the Omnibus Crime
 3 Control and Safe Streets Act of 1968 (34 U.S.C. 10591
 4 et seq.) is amended—

5 (1) in section 2921 (34 U.S.C. 10591), in the
 6 matter preceding paragraph (1), by inserting “non-
 7 profit organizations,” before “and Indian”;

8 (2) in section 2923 (34 U.S.C. 10593), by add-
 9 ing at the end the following:

10 “(c) PRIORITY CONSIDERATIONS.—The Attorney
 11 General shall give priority consideration to grant applica-
 12 tions for grants under section 2921 that are submitted
 13 by a nonprofit organization that demonstrates a relation-
 14 ship with State and local criminal justice agencies, includ-
 15 ing—

16 “(1) within the judiciary and prosecutorial
 17 agencies; or

18 “(2) with the local corrections agencies, which
 19 shall be documented by a written agreement that de-
 20 tails the terms of access to facilities and participants
 21 and provides information on the history of the orga-
 22 nization of working with correctional populations.”;
 23 and

24 (3) by striking section 2926(a) and inserting
 25 the following:

1 “(a) IN GENERAL.—There are authorized to be ap-
 2 propriated to carry out this part \$10,000,000 for each of
 3 fiscal years 2019 through 2023.”.

4 (c) GRANT PROGRAM TO EVALUATE AND IMPROVE
 5 EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVE-
 6 NILE FACILITIES.—Title I of the Omnibus Crime Control
 7 and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.)
 8 is amended—

9 (1) by striking the second part designated as
 10 part JJ, as added by the Second Chance Act of
 11 2007 (Public Law 110–199; 122 Stat. 677), relating
 12 to grants to evaluate and improve educational meth-
 13 ods at prisons, jails, and juvenile facilities;

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

15 **“PART NN—GRANT PROGRAM TO EVALUATE AND**
 16 **IMPROVE EDUCATIONAL METHODS AT PRIS-**
 17 **ONS, JAILS, AND JUVENILE FACILITIES**

18 **“SEC. 3041. GRANT PROGRAM TO EVALUATE AND IMPROVE**
 19 **EDUCATIONAL METHODS AT PRISONS, JAILS,**
 20 **AND JUVENILE FACILITIES.**

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

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

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

9 “(3) improve the academic and vocational edu-
10 cation programs (including technology career train-
11 ing) available to offenders in prisons, jails, and juve-
12 nile facilities; and

13 “(4) implement methods to improve academic
14 and vocational education for offenders in prisons,
15 jails, and juvenile facilities consistent with the best
16 practices identified in subsection (c).

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

22 “(c) BEST PRACTICES.—Not later than 180 days
23 after the date of enactment of the Second Chance Reau-
24 thorization Act of 2018, the Attorney General shall iden-
25 tify and publish best practices relating to academic and

1 vocational education for offenders in prisons, jails, and ju-
 2 venile facilities. The best practices shall consider the eval-
 3 uations performed and recommendations made under
 4 grants made under subsection (a) before the date of enact-
 5 ment of the Second Chance Reauthorization Act of 2018.

6 “(d) REPORT.—Not later than 90 days after the last
 7 day of the final fiscal year of a grant under this part,
 8 each entity described in subsection (a) receiving such a
 9 grant shall submit to the Attorney General a detailed re-
 10 port of the progress made by the entity using such grant,
 11 to permit the Attorney General to evaluate and improve
 12 academic and vocational education methods carried out
 13 with grants under this part.”; and

14 (3) in section 1001(a) of part J of title I of the
 15 Omnibus Crime Control and Safe Streets Act of
 16 1968 (34 U.S.C. 10261(a)), by adding at the end
 17 the following:

18 “(28) There are authorized to be appropriated
 19 to carry out section 3031(a)(4) of part NN
 20 \$5,000,000 for each of fiscal years 2019, 2020,
 21 2021, 2022, and 2023.”.

22 (d) CAREERS TRAINING DEMONSTRATION
 23 GRANTS.—Section 115 of the Second Chance Act of 2007
 24 (34 U.S.C. 60511) is amended—

1 (1) in the heading, by striking “**TECHNOLOGY**
 2 **CAREERS**” and inserting “**CAREERS**”;

3 (2) in subsection (a)—

4 (A) by striking “and Indian” and inserting
 5 “nonprofit organizations, and Indian”; and

6 (B) by striking “technology career training
 7 to prisoners” and inserting “career training, in-
 8 cluding subsidized employment, when part of a
 9 training program, to prisoners and reentering
 10 youth and adults”;

11 (3) in subsection (b)—

12 (A) by striking “technology careers train-
 13 ing”;

14 (B) by striking “technology-based”; and

15 (C) by inserting “, as well as upon transi-
 16 tion and reentry into the community” after “fa-
 17 cility”;

18 (4) by striking subsection (e);

19 (5) by redesignating subsections (c) and (d) as
 20 subsections (d) and (e), respectively;

21 (6) by inserting after subsection (b) the fol-
 22 lowing:

23 “(c) PRIORITY CONSIDERATION.—Priority consider-
 24 ation shall be given to any application under this section
 25 that—

1 “(1) provides assessment of local demand for
2 employees in the geographic areas to which offenders
3 are likely to return;

4 “(2) conducts individualized reentry career
5 planning upon the start of incarceration or post-re-
6 lease employment planning for each offender served
7 under the grant;

8 “(3) demonstrates connections to employers
9 within the local community; or

10 “(4) tracks and monitors employment out-
11 comes.”; and

12 (7) by adding at the end the following:

13 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$10,000,000 for each of fiscal years 2019, 2020, 2021,
16 2022, and 2023.”.

17 (e) OFFENDER REENTRY SUBSTANCE ABUSE AND
18 CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section
19 201(f)(1) of the Second Chance Act of 2007 (34 U.S.C.
20 60521(f)(1)) is amended to read as follows:

21 “(1) IN GENERAL.—There are authorized to be
22 appropriated to carry out this section \$15,000,000
23 for each of fiscal years 2019 through 2023.”.

1 (f) COMMUNITY-BASED MENTORING AND TRANSI-
 2 TIONAL SERVICE GRANTS TO NONPROFIT ORGANIZA-
 3 TIONS.—

4 (1) IN GENERAL.—Section 211 of the Second
 5 Chance Act of 2007 (34 U.S.C. 60531) is amend-
 6 ed—

7 (A) in the header, by striking “**MEN-**
 8 **TORING GRANTS TO NONPROFIT ORGANI-**
 9 **ZATIONS**” and inserting “**COMMUNITY-**
 10 **BASED MENTORING AND TRANSITIONAL**
 11 **SERVICE GRANTS TO NONPROFIT ORGANI-**
 12 **ZATIONS**”;

13 (B) in subsection (a), by striking “men-
 14 toring and other”;

15 (C) in subsection (b), by striking para-
 16 graph (2) and inserting the following:

17 “(2) transitional services to assist in the re-
 18 integration of offenders into the community, includ-
 19 ing—

20 “(A) educational, literacy, and vocational,
 21 services and the Transitional Jobs strategy;

22 “(B) substance abuse treatment and serv-
 23 ices;

1 “(C) coordinated supervision and com-
 2 prehensive services for offenders, including
 3 housing and mental and physical health care;

4 “(D) family services; and

5 “(E) validated assessment tools to assess
 6 the risk factors of returning inmates; and”; and

7 (D) in subsection (f), by striking “this sec-
 8 tion” and all that follows and inserting the fol-
 9 lowing: “this section \$15,000,000 for each of
 10 fiscal years 2019 through 2023.”.

11 (2) TABLE OF CONTENTS AMENDMENT.—The
 12 table of contents in section 2 of the Second Chance
 13 Act of 2007 (Public Law 110–199; 122 Stat. 657)
 14 is amended by striking the item relating to section
 15 211 and inserting the following:

“Sec. 211. Community-based mentoring and transitional service grants.”.

16 (g) DEFINITIONS.—

17 (1) IN GENERAL.—Section 4 of the Second
 18 Chance Act of 2007 (34 U.S.C. 60502) is amended
 19 to read as follows:

20 **“SEC. 4. DEFINITIONS.**

21 “In this Act—

22 “(1) the term ‘exoneree’ means an individual
 23 who—

1 “(A) has been convicted of a Federal, trib-
2 al, or State offense that is punishable by a term
3 of imprisonment of more than 1 year;

4 “(B) has served a term of imprisonment
5 for not less than 6 months in a Federal, tribal,
6 or State prison or correctional facility as a re-
7 sult of the conviction described in subparagraph
8 (A); and

9 “(C) has been determined to be factually
10 innocent of the offense described in subpara-
11 graph (A);

12 “(2) the term ‘Indian tribe’ has the meaning
13 given in section 901 of title I of the Omnibus Crime
14 Control and Safe Streets Act of 1968 (34 U.S.C.
15 10251);

16 “(3) the term ‘offender’ includes an exoneree;
17 and

18 “(4) the term ‘Transitional Jobs strategy’
19 means an employment strategy for youth and adults
20 who are chronically unemployed or those that have
21 barriers to employment that—

22 “(A) is conducted by State, tribal, and
23 local governments, State, tribal, and local work-
24 force boards, and nonprofit organizations;

1 “(B) provides time-limited employment
2 using individual placements, team placements,
3 and social enterprise placements, without dis-
4 placing existing employees;

5 “(C) pays wages in accordance with appli-
6 cable law, but in no event less than the higher
7 of the rate specified in section 6(a)(1) of the
8 Fair Labor Standards Act of 1938 (29 U.S.C.
9 206(a)(1)) or the applicable State or local min-
10 imum wage law, which are subsidized, in whole
11 or in part, by public funds;

12 “(D) combines time-limited employment
13 with activities that promote skill development,
14 remove barriers to employment, and lead to un-
15 subsidized employment such as a thorough ori-
16 entation and individual assessment, job readi-
17 ness and life skills training, case management
18 and supportive services, adult education and
19 training, child support-related services, job re-
20 tention support and incentives, and other simi-
21 lar activities;

22 “(E) places participants into unsubsidized
23 employment; and

24 “(F) provides job retention, re-employment
25 services, and continuing and vocational edu-

1 cation to ensure continuing participation in un-
 2 subsidized employment and identification of op-
 3 portunities for advancement.”.

4 (2) TABLE OF CONTENTS AMENDMENT.—The
 5 table of contents in section 2 of the Second Chance
 6 Act of 2007 (Public Law 110–199; 122 Stat. 657)
 7 is amended by striking the item relating to section
 8 4 and inserting the following:

“Sec. 4. Definitions.”.

9 (h) EXTENSION OF THE LENGTH OF SECTION 2976
 10 GRANTS.—Section 6(1) of the Second Chance Act of 2007
 11 (34 U.S.C. 60504(1)) is amended by inserting “or under
 12 section 2976 of the Omnibus Crime Control and Safe
 13 Streets Act of 1968 (34 U.S.C. 10631)” after “and 212”.

14 **SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEEES.**

15 (a) DEFINITIONS.—In this section—

16 (1) the term “covered grant program” means
 17 grants awarded under section 115, 201, or 211 of
 18 the Second Chance Act of 2007 (34 U.S.C. 60511,
 19 60521, and 60531), as amended by this Act;

20 (2) the term “covered grantee” means a recipi-
 21 ent of a grant from a covered grant program;

22 (3) the term “nonprofit”, when used with re-
 23 spect to an organization, means an organization that
 24 is described in section 501(c)(3) of the Internal Rev-

1 enue Code of 1986, and is exempt from taxation
2 under section 501(a) of such Code; and

3 (4) the term “unresolved audit finding” means
4 an audit report finding in a final audit report of the
5 Inspector General of the Department of Justice that
6 a covered grantee has used grant funds awarded to
7 that grantee under a covered grant program for an
8 unauthorized expenditure or otherwise unallowable
9 cost that is not closed or resolved during a 12-month
10 period prior to the date on which the final audit re-
11 port is issued.

12 (b) AUDIT REQUIREMENT.—Beginning in fiscal year
13 2019, and annually thereafter, the Inspector General of
14 the Department of Justice shall conduct audits of covered
15 grantees to prevent waste, fraud, and abuse of funds
16 awarded under covered grant programs. The Inspector
17 General shall determine the appropriate number of cov-
18 ered grantees to be audited each year.

19 (c) MANDATORY EXCLUSION.—A grantee that is
20 found to have an unresolved audit finding under an audit
21 conducted under subsection (b) may not receive grant
22 funds under a covered grant program in the fiscal year
23 following the fiscal year to which the finding relates.

24 (d) REIMBURSEMENT.—If a covered grantee is
25 awarded funds under the covered grant program from

1 which it received a grant award during the 1-fiscal-year
 2 period during which the covered grantee is ineligible for
 3 an allocation of grant funds under subsection (c), the At-
 4 torney General shall—

5 (1) deposit into the General Fund of the Treas-
 6 ury an amount that is equal to the amount of the
 7 grant funds that were improperly awarded to the
 8 covered grantee; and

9 (2) seek to recoup the costs of the repayment
 10 to the Fund from the covered grantee that was im-
 11 properly awarded the grant funds.

12 (e) PRIORITY OF GRANT AWARDS.—The Attorney
 13 General, in awarding grants under a covered grant pro-
 14 gram shall give priority to eligible entities that during the
 15 2-year period preceding the application for a grant have
 16 not been found to have an unresolved audit finding.

17 (f) NONPROFIT REQUIREMENTS.—

18 (1) PROHIBITION.—A nonprofit organization
 19 that holds money in offshore accounts for the pur-
 20 pose of avoiding the tax described in section 511(a)
 21 of the Internal Revenue Code of 1986, shall not be
 22 eligible to receive, directly or indirectly, any funds
 23 from a covered grant program.

24 (2) DISCLOSURE.—Each nonprofit organization
 25 that is a covered grantee shall disclose in its applica-

tion for such a grant, as a condition of receipt of such a grant, the compensation of its officers, directors, and trustees. Such disclosure shall include a description of the criteria relied on to determine such compensation.

(g) PROHIBITION ON LOBBYING ACTIVITY.—

(1) IN GENERAL.—Amounts made available under a covered grant program may not be used by any covered grantee to—

(A) lobby any representative of the Department of Justice regarding the award of grant funding; or

(B) lobby any representative of the Federal Government or a State, local, or tribal government regarding the award of grant funding.

(2) PENALTY.—If the Attorney General determines that a covered grantee has violated paragraph (1), the Attorney General shall—

(A) require the covered grantee to repay the grant in full; and

(B) prohibit the covered grantee from receiving a grant under the covered grant program from which it received a grant award during at least the 5-year period beginning on the date of such violation.

1 **SEC. 4. FEDERAL REENTRY IMPROVEMENTS.**

2 (a) RESPONSIBLE REINTEGRATION OF OFFEND-
3 ERS.—Section 212 of the Second Chance Act of 2007 (34
4 U.S.C. 60532) is repealed.

5 (b) FEDERAL PRISONER REENTRY INITIATIVE.—
6 Section 231 of the Second Chance Act of 2007 (434
7 U.S.C. 60541) is amended—

8 (1) in subsection (g)—

9 (A) in paragraph (3), by striking “carried
10 out during fiscal years 2009 and 2010” and in-
11 serting “carried out during fiscal years 2019
12 through 2023”; and

13 (B) in paragraph (5)(A)(ii), by striking
14 “the greater of 10 years or”;

15 (2) by striking subsection (h);

16 (3) by redesignating subsection (i) as subsection
17 (h); and

18 (4) in subsection (h), as so redesignated, by
19 striking “2009 and 2010” and inserting “2019
20 through 2023”.

21 (c) ENHANCING REPORTING REQUIREMENTS PER-
22 TAINING TO COMMUNITY CORRECTIONS.—Section 3624(c)
23 of title 18, United States Code, is amended—

24 (1) in paragraph (5), in the second sentence, by
25 inserting “, and number of prisoners not being
26 placed in community corrections facilities for each

1 reason set forth” before “, and any other informa-
 2 tion”; and

3 (2) in paragraph (6), by striking “the Second
 4 Chance Act of 2007” and inserting “the Second
 5 Chance Reauthorization Act of 2018”.

6 (d) TERMINATION OF STUDY ON EFFECTIVENESS OF
 7 DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section
 8 244 of the Second Chance Act of 2007 (34 U.S.C. 60554)
 9 is repealed.

10 (e) AUTHORIZATION OF APPROPRIATIONS FOR RE-
 11 SEARCH.—Section 245 of the Second Chance Act of 2007
 12 (34 U.S.C. 60555) is amended—

13 (1) by striking “243, and 244” and inserting
 14 “and 243”; and

15 (2) by striking “\$10,000,000 for each of the
 16 fiscal years 2009 and 2010” and inserting
 17 “\$5,000,000 for each of the fiscal years 2019, 2020,
 18 2021, 2022, and 2023”.

19 (f) FEDERAL PRISONER RECIDIVISM REDUCTION
 20 PROGRAMMING ENHANCEMENT.—

21 (1) IN GENERAL.—Section 3621 of title 18,
 22 United States Code, is amended—

23 (A) by redesignating subsection (g) as sub-
 24 section (h); and

1 (B) by inserting after subsection (f) the
2 following:

3 “(g) PARTNERSHIPS TO EXPAND ACCESS TO RE-
4 ENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—

5 “(1) DEFINITION.—The term ‘demonstrated to
6 reduce recidivism’ means that the Director of Bu-
7 reau of Prisons has determined that appropriate re-
8 search has been conducted and has validated the ef-
9 fectiveness of the type of program on recidivism.

10 “(2) ELIGIBILITY FOR RECIDIVISM REDUCTION
11 PARTNERSHIP.—A faith-based or community-based
12 nonprofit organization that provides mentoring or
13 other programs that have been demonstrated to re-
14 duce recidivism is eligible to enter into a recidivism
15 reduction partnership with a prison or community-
16 based facility operated by the Bureau of Prisons.

17 “(3) RECIDIVISM REDUCTION PARTNERSHIPS.—
18 The Director of the Bureau of Prisons shall develop
19 policies to require wardens of prisons and commu-
20 nity-based facilities to enter into recidivism reduc-
21 tion partnerships with faith-based and community-
22 based nonprofit organizations that are willing to pro-
23 vide, on a volunteer basis, programs described in
24 paragraph (2).

1 “(4) REPORTING REQUIREMENT.—The Director
2 of the Bureau of Prisons shall submit to Congress
3 an annual report on the last day of each fiscal year
4 that—

5 “(A) details, for each prison and commu-
6 nity-based facility for the fiscal year just
7 ended—

8 “(i) the number of recidivism reduc-
9 tion partnerships under this section that
10 were in effect;

11 “(ii) the number of volunteers that
12 provided recidivism reduction program-
13 ming; and

14 “(iii) the number of recidivism reduc-
15 tion programming hours provided; and

16 “(B) explains any disparities between fa-
17 cilities in the numbers reported under subpara-
18 graph (A).”.

19 (2) EFFECTIVE DATE.—The amendments made
20 by paragraph (1) shall take effect 180 days after the
21 date of enactment of this Act.

22 (g) REPEALS.—

23 (1) Section 2978 of title I of the Omnibus
24 Crime Control and Safe Streets Act of 1968 (34
25 U.S.C. 10633) is repealed.

1 (2) Part CC of title I of the Omnibus Crime
2 Control and Safe Streets Act of 1968 (34 U.S.C.
3 10581 et seq.) is repealed.

4 **SEC. 5. FEDERAL INTERAGENCY REENTRY COORDINATION.**

5 (a) REENTRY COORDINATION.—The Attorney Gen-
6 eral, in consultation with the Secretary of Housing and
7 Urban Development, the Secretary of Labor, the Secretary
8 of Education, the Secretary of Health and Human Serv-
9 ices, the Secretary of Veterans Affairs, the Secretary of
10 Agriculture, and the heads of such other agencies of the
11 Federal Government as the Attorney General considers
12 appropriate, and in collaboration with interested persons,
13 service providers, nonprofit organizations, and State, trib-
14 al, and local governments, shall coordinate on Federal pro-
15 grams, policies, and activities relating to the reentry of
16 individuals returning from incarceration to the commu-
17 nity, with an emphasis on evidence-based practices and
18 protection against duplication of services.

19 (b) REPORT.—Not later than 2 years after the date
20 of the enactment of this Act, the Attorney General, in con-
21 sultation with the Secretaries listed in subsection (a), shall
22 submit to Congress a report summarizing the achieve-
23 ments under subsection (a), and including recommenda-
24 tions for Congress that would further reduce barriers to
25 successful reentry.

1 **SEC. 6. CONFERENCE EXPENDITURES.**

2 (a) LIMITATION.—No amounts authorized to be ap-
3 propriated to the Department of Justice under this Act,
4 or any amendments made by this Act, may be used by
5 the Attorney General, or by any individual or organization
6 awarded discretionary funds under this Act, or any
7 amendments made by this Act, to host or support any ex-
8 penditure for conferences that uses more than \$20,000 in
9 Department funds, unless the Deputy Attorney General
10 or such Assistant Attorney Generals, Directors, or prin-
11 cipal deputies as the Deputy Attorney General may des-
12 ignate, provides prior written authorization that the funds
13 may be expended to host a conference. A conference that
14 uses more than \$20,000 in such funds, but less than an
15 average of \$500 in such funds for each attendee of the
16 conference, shall not be subject to the limitations of this
17 section.

18 (b) WRITTEN APPROVAL.—Written approval under
19 subsection (a) shall include a written estimate of all costs
20 associated with the conference, including the cost of all
21 food and beverages, audiovisual equipment, honoraria for
22 speakers, and any entertainment.

23 (c) REPORT.—The Deputy Attorney General shall
24 submit an annual report to the Committee on the Judici-
25 ary of the Senate and the Committee on the Judiciary of

1 the House of Representatives on all approved conference
2 expenditures referenced in this section.

3 **SEC. 7. EVALUATION OF THE SECOND CHANCE ACT PRO-**
4 **GRAM.**

5 (a) EVALUATION OF THE SECOND CHANCE ACT
6 GRANT PROGRAM.—Not later than 5 years after the date
7 of enactment of this Act, the National Institute of Justice
8 shall evaluate the effectiveness of grants used by the De-
9 partment of Justice to support offender reentry and recidi-
10 vism reduction programs at the State, local, Tribal, and
11 Federal levels. The National Institute of Justice shall
12 evaluate the following:

13 (1) The effectiveness of such programs in rela-
14 tion to their cost, including the extent to which the
15 programs improve reentry outcomes, including em-
16 ployment, education, housing, reductions in recidi-
17 vism, of participants in comparison to comparably
18 situated individuals who did not participate in such
19 programs and activities.

20 (2) The effectiveness of program structures and
21 mechanisms for delivery of services.

22 (3) The impact of such programs on the com-
23 munities and participants involved.

24 (4) The impact of such programs on related
25 programs and activities.

1 (5) The extent to which such programs meet
2 the needs of various demographic groups.

3 (6) The quality and effectiveness of technical
4 assistance provided by the Department of Justice to
5 grantees for implementing such programs.

6 (7) Such other factors as may be appropriate.

7 (b) AUTHORIZATION OF FUNDS FOR EVALUATION.—
8 Not more than 1 percent of any amounts authorized to
9 be appropriated to carry out the Second Chance Act grant
10 program shall be made available to the National Institute
11 of Justice each year to evaluate the processes, implemen-
12 tation, outcomes, costs, and effectiveness of the Second
13 Chance Act grant program in improving reentry and re-
14 ducing recidivism. Such funding may be used to provide
15 support to grantees for supplemental data collection, anal-
16 ysis, and coordination associated with evaluation activities.

17 (c) TECHNIQUES.—Evaluations conducted under this
18 section shall use appropriate methodology and research
19 designs. Impact evaluations conducted under this section
20 shall include the use of intervention and control groups
21 chosen by random assignment methods, to the extent pos-
22 sible.

23 (d) METRICS AND OUTCOMES FOR EVALUATION.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of enactment of this Act, the National

1 Institute of Justice shall consult with relevant stake-
2 holders and identify outcome measures, including
3 employment, housing, education, and public safety,
4 that are to be achieved by programs authorized
5 under the Second Chance Act grant program and
6 the metrics by which the achievement of such out-
7 comes shall be determined.

8 (2) PUBLICATION.—Not later than 30 days
9 after the date on which the National Institute of
10 Justice identifies metrics and outcomes under para-
11 graph (1), the Attorney General shall publish such
12 metrics and outcomes identified.

13 (e) DATA COLLECTION.—As a condition of award
14 under the Second Chance Act grant program (including
15 a subaward under section 3021(b) of title I of the Omni-
16 bus Crime Control and Safe Streets Act of 1968 (34
17 U.S.C. 10701(b))), grantees shall be required to collect
18 and report to the Department of Justice data based upon
19 the metrics identified under subsection (d). In accordance
20 with applicable law, collection of individual-level data
21 under a pledge of confidentiality shall be protected by the
22 National Institute of Justice in accordance with such
23 pledge.

1 (f) DATA ACCESSIBILITY.—Not later than 5 years
 2 after the date of enactment of this Act, the National Insti-
 3 tute of Justice shall—

4 (1) make data collected during the course of
 5 evaluation under this section available in de-identi-
 6 fied form in such a manner that reasonably protects
 7 a pledge of confidentiality to participants under sub-
 8 section (e); and

9 (2) make identifiable data collected during the
 10 course of evaluation under this section available to
 11 qualified researchers for future research and evalua-
 12 tion, in accordance with applicable law.

13 (g) PUBLICATION AND REPORTING OF EVALUATION
 14 FINDINGS.—The National Institute of Justice shall—

15 (1) not later than 365 days after the date on
 16 which the enrollment of participants in an impact
 17 evaluation is completed, publish an interim report on
 18 such evaluation;

19 (2) not later than 90 days after the date on
 20 which any evaluation is completed, publish and make
 21 publicly available such evaluation; and

22 (3) not later than 60 days after the completion
 23 date described in paragraph (2), submit a report to
 24 the Committee on the Judiciary of the House of

1 Representatives and the Committee on the Judiciary
2 of the Senate on such evaluation.

3 (h) SECOND CHANCE ACT GRANT PROGRAM DE-
4 FINED.—In this section, the term “Second Chance Act
5 grant program” means any grant program reauthorized
6 under this Act and the amendments made by this Act.

○