

cational evidence-based programs outside of the religious classes and services provided through the Chaplaincy; and

(C) the addition of any new effective evidence-based recidivism reduction programs that the Attorney General finds.

(b) REVIEW AND RECOMMENDATIONS REGARDING DYSLEXIA MITIGATION.—In carrying out subsection (a), the Attorney General shall consider the prevalence and mitigation of dyslexia in prisons, including by—

(1) reviewing statistics on the prevalence of dyslexia, and the effectiveness of any programs implemented to mitigate the effects of dyslexia, in prisons operated by the Bureau of Prisons and State-operated prisons throughout the United States; and

(2) incorporating the findings of the Attorney General under paragraph (1) of this subsection into any directives given to the Bureau of Prisons under paragraph (5) of subsection (a).

(Added Pub. L. 115-391, title I, §101(a), Dec. 21, 2018, 132 Stat. 5204.)

#### Editorial Notes

##### REFERENCES IN TEXT

The First Step Act of 2018, referred to in subsec. (a), is Pub. L. 115-391, Dec. 21, 2018, 132 Stat. 5194. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note under section 1 of this title and Tables.

The date of enactment of this subchapter, referred to in subsec. (a)(1), is the date of enactment of Pub. L. 115-391, which was approved Dec. 21, 2018.

#### § 3634. Report

Beginning on the date that is 2 years after the date of enactment of this subchapter, and annually thereafter for a period of 5 years, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives and the Subcommittees on Commerce, Justice, Science, and Related Agencies of the Committees on Appropriations of the Senate and the House of Representatives that contains the following:

(1) A summary of the activities and accomplishments of the Attorney General in carrying out this Act.

(2) A summary and assessment of the types and effectiveness of the evidence-based recidivism reduction programs and productive activities in prisons operated by the Bureau of Prisons, including—

(A) evidence about which programs have been shown to reduce recidivism;

(B) the capacity of each program and activity at each prison, including the number of prisoners along with the recidivism risk of each prisoner enrolled in each program; and

(C) identification of any gaps or shortages in capacity of such programs and activities.

(3) Rates of recidivism among individuals who have been released from Federal prison, based on the following criteria:

(A) The primary offense of conviction.

(B) The length of the sentence imposed and served.

(C) The Bureau of Prisons facility or facilities in which the prisoner's sentence was served.

(D) The evidence-based recidivism reduction programming that the prisoner successfully completed, if any.

(E) The prisoner's assessed and reassessed risk of recidivism.

(F) The productive activities that the prisoner successfully completed, if any.

(4) The status of prison work programs at facilities operated by the Bureau of Prisons, including—

(A) a strategy to expand the availability of such programs without reducing job opportunities for workers in the United States who are not in the custody of the Bureau of Prisons, including the feasibility of prisoners manufacturing products purchased by Federal agencies that are manufactured overseas;

(B) an assessment of the feasibility of expanding such programs, consistent with the strategy required under subparagraph (A), with the goal that 5 years after the date of enactment of this subchapter, not less than 75 percent of eligible minimum- and low-risk offenders have the opportunity to participate in a prison work program for not less than 20 hours per week; and

(C) a detailed discussion of legal authorities that would be useful or necessary to achieve the goals described in subparagraphs (A) and (B).

(5) An assessment of the Bureau of Prisons' compliance with section 3621(h).

(6) An assessment of progress made toward carrying out the purposes of this subchapter, including any savings associated with—

(A) the transfer of prisoners into prerelease custody or supervised release under section 3624(g), including savings resulting from the avoidance or deferral of future construction, acquisition, and operations costs; and

(B) any decrease in recidivism that may be attributed to the System or the increase in evidence-based recidivism reduction programs required under this subchapter.

(7) An assessment of budgetary savings resulting from this subchapter, including—

(A) a summary of the amount of savings resulting from the transfer of prisoners into prerelease custody under this chapter, including savings resulting from the avoidance or deferral of future construction, acquisition, or operations costs;

(B) a summary of the amount of savings resulting from any decrease in recidivism that may be attributed to the implementation of the risk and needs assessment system or the increase in recidivism reduction programs and productive activities required by this subchapter;

(C) a strategy to reinvest the savings described in subparagraphs (A) and (B) in other—

(i) Federal, State, and local law enforcement activities; and

(ii) expansions of recidivism reduction programs and productive activities in the Bureau of Prisons; and

(D) a description of how the reduced expenditures on Federal corrections and the budgetary savings resulting from this subchapter are currently being used and will be used to—

(i) increase investment in law enforcement and crime prevention to combat gangs of national significance and high-level drug traffickers through the High Intensity Drug Trafficking Areas Program and other task forces;

(ii) hire, train, and equip law enforcement officers and prosecutors; and

(iii) promote crime reduction programs using evidence-based practices and strategic planning to help reduce crime and criminal recidivism.

(8) Statistics on—

(A) the prevalence of dyslexia among prisoners in prisons operated by the Bureau of Prisons; and

(B) any change in the effectiveness of dyslexia mitigation programs among such prisoners that may be attributed to the incorporation of dyslexia screening into the System and of dyslexia treatment into the evidence-based recidivism reduction programs, as required under this chapter.

(Added Pub. L. 115–391, title I, §101(a), Dec. 21, 2018, 132 Stat. 5205.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of enactment of this subchapter, referred to in text, is the date of enactment of Pub. L. 115–391, which was approved Dec. 21, 2018.

This Act, referred to in par. (1), is Pub. L. 115–391, Dec. 21, 2018, 132 Stat. 5194, known as the First Step Act of 2018. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note under section 1 of this title and Tables.

#### § 3635. Definitions

In this subchapter the following definitions apply:

(1) **DYSLEXIA.**—The term “dyslexia” means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing (the appreciation of the individual sounds of spoken language), which affects the ability of an individual to speak, read, and spell.

(2) **DYSLEXIA SCREENING PROGRAM.**—The term “dyslexia screening program” means a screening program for dyslexia that is—

(A) evidence-based (as defined in section 8101(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21))) with proven psychometrics for validity;

(B) efficient and low-cost; and

(C) readily available.

(3) **EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM.**—The term “evidence-based recidivism reduction program” means either a group or individual activity that—

(A) has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism;

(B) is designed to help prisoners succeed in their communities upon release from prison; and

(C) may include—

(i) social learning and communication, interpersonal, anti-bullying, rejection response, and other life skills;

(ii) family relationship building, structured parent-child interaction, and parenting skills;

(iii) classes on morals or ethics;

(iv) academic classes;

(v) cognitive behavioral treatment;

(vi) mentoring;

(vii) substance abuse treatment;

(viii) vocational training;

(ix) faith-based classes or services;

(x) civic engagement and reintegrative community services;

(xi) a prison job, including through a prison work program;

(xii) victim impact classes or other restorative justice programs; and

(xiii) trauma counseling and trauma-informed support programs.

(4) **PRISONER.**—The term “prisoner” means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons.

(5) **PRODUCTIVE ACTIVITY.**—The term “productive activity” means either a group or individual activity that is designed to allow prisoners determined as having a minimum or low risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating, and may include the delivery of the programs described in paragraph (1)<sup>1</sup> to other prisoners.

(6) **RISK AND NEEDS ASSESSMENT TOOL.**—The term “risk and needs assessment tool” means an objective and statistically validated method through which information is collected and evaluated to determine—

(A) as part of the intake process, the risk that a prisoner will recidivate upon release from prison;

(B) the recidivism reduction programs that will best minimize the risk that the prisoner will recidivate upon release from prison; and

(C) the periodic reassessment of risk that a prisoner will recidivate upon release from prison, based on factors including indicators of progress and of regression, that are dynamic and that can reasonably be expected to change while in prison.

(Added Pub. L. 115–391, title I, §101(a), Dec. 21, 2018, 132 Stat. 5207.)

#### [CHAPTER 231—REPEALED]

**[§§ 3651 to 3656. Repealed or Renumbered. Pub. L. 98–473, title II, § 212(a)(1), (2), Oct. 12, 1984, 98 Stat. 1987]**

Section 3651, acts June 25, 1948, ch. 645, 62 Stat. 842; June 20, 1958, Pub. L. 85–463, §1, 72 Stat. 216; Aug. 23,

<sup>1</sup> So in original. Probably should be “paragraph (3)”.