

## Calendar No. 108

112TH CONGRESS  
1ST SESSION**S. 1231**

To reauthorize the Second Chance Act of 2007.

## IN THE SENATE OF THE UNITED STATES

JUNE 20 (legislative day, JUNE 16), 2011

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

JULY 21, 2011

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

**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 2011”.

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

7 (a) REAUTHORIZATION OF ADULT AND JUVENILE  
8 OFFENDER STATE AND LOCAL DEMONSTRATION

1 PROJECTS.—Section 2976 of title I of the Omnibus Crime  
 2 Control and Safe Streets Act of 1968 (42 U.S.C. 3797w)  
 3 is amended—

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

6           “(a) GRANT AUTHORIZATION.—The Attorney Gen-  
 7 eral shall make grants to States, local governments, terri-  
 8 tories, or Indian tribes, or any combination thereof (in this  
 9 section referred to as an ‘eligible entity’), in partnership  
 10 with stakeholders, services providers, and nonprofit orga-  
 11 nizations for the purpose of strategic planning and imple-  
 12 mentation of adult and juvenile offender reentry  
 13 projects.”;

14           (2) by striking subsections (d), (e), and (f) and  
 15 inserting the following:

16           “(d) COMBINED GRANT APPLICATION.—The Attor-  
 17 ney General shall develop a procedure to allow applicants  
 18 to submit a single application for a planning grant under  
 19 subsection (e) and an implementation grant under sub-  
 20 section (f).

21           “(e) PLANNING GRANTS.—

22           “(1) IN GENERAL.—Except as provided in para-  
 23 graph (3), the Attorney General may make a grant  
 24 to an eligible entity of not more than \$75,000 to de-  
 25 velop a strategic, collaborative plan for an adult or

1 juvenile offender reentry demonstration project as  
 2 described in subsection (h) that includes—

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

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

8 “(C) the activities proposed;

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

11 “(E) a description of the personnel nec-  
 12 essary to complete the activities described in  
 13 subparagraph (C).

14 “(2) APPLICATION.—

15 “(A) IN GENERAL.—An eligible entity de-  
 16 siring a planning grant under this subsection  
 17 shall submit to the Attorney General an appli-  
 18 cation that shall include a commitment by the  
 19 applicant to partner with a local evaluator to  
 20 identify and analyze data that will—

21 “(i) enable the grantee to target the  
 22 intended offender population; and

23 “(ii) serve as a baseline for purposes  
 24 of the evaluation.

1           “(B) PROCEDURE.—The Attorney General  
2 shall develop a procedure to evaluate the quali-  
3 fications of a local evaluator described in sub-  
4 paragraph (A).

5           “(3) MAXIMUM TOTAL GRANTS AND MINIMUM  
6 ALLOCATION.—

7           “(A) MAXIMUM AMOUNT.—The Attorney  
8 General may not make planning grants and im-  
9 plementation grants to 1 eligible entity in a  
10 total amount that is more than a \$1,000,000.

11           “(B) MINIMUM ALLOCATION.—Unless all  
12 eligible applications submitted by a State, or  
13 unit of local government within such State, for  
14 a planning grant have been awarded funds  
15 under this section, the State, in combination  
16 with the all of the grantees within the State  
17 (other than Indian tribes), shall be allocated for  
18 each fiscal year not less than 0.75 percent of  
19 the total amount appropriated in the fiscal year  
20 under this section for planning and implementa-  
21 tion grants.

22           “(4) PERIOD OF GRANT.—A planning grant  
23 made under this subsection shall be for a period of  
24 1 year, beginning on the first day of the month in  
25 which the planning grant is made.

1       “(f) IMPLEMENTATION GRANTS.—

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

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

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

18              “(C) describes the evidence-based method-  
19      ology and outcome measures that will be used  
20      to evaluate the program funded with a grant  
21      under this subsection, and specifically explains  
22      how such measurements will provide valid meas-  
23      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 of the State, unit of local gov-  
9 ernment, territory, or Indian tribe applying for  
10 a grant under this subsection;

11           “(B) provides extensive discussion of the  
12 role of State corrections departments, commu-  
13 nity corrections agencies, juvenile justice sys-  
14 tems, or local jail systems in ensuring success-  
15 ful reentry of offenders into their communities;

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

22           “(D) provides a plan for analysis of the  
23 statutory, regulatory, rules-based, and practice-  
24 based hurdles to reintegration of offenders into  
25 the community;

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

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

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

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

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

20               “(B) include—

21                       “(i) input from nonprofit organiza-  
 22                       tions, in any case where relevant input is  
 23                       available and appropriate to the grant ap-  
 24                       plication;

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

4           “(iii) coordination with families of of-  
5           fenders; and

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

9           “(C) demonstrate effective case assessment  
10          and management abilities in order to provide  
11          comprehensive and continuous reentry, includ-  
12          ing—

13           “(i) planning while offenders are in  
14           prison, jail, or a juvenile facility, prerelease  
15           transition housing, and community release;

16           “(ii) establishing prerelease planning  
17           procedures to ensure that the eligibility of  
18           an offender for Federal or State benefits  
19           upon release is established prior to release,  
20           subject to any limitations in law, and to  
21           ensure that offenders obtain all necessary  
22           referrals for reentry services, including as-  
23           sistance identifying and securing suitable  
24           housing; and

1           “(iii) delivery of continuous and ap-  
2           propriate drug treatment, medical care, job  
3           training and placement, educational serv-  
4           ices, or any other service or support need-  
5           ed for reentry;

6           “(D) review the process by which the ap-  
7           plicant adjudicates violations of parole, proba-  
8           tion, or supervision following release from pris-  
9           on, jail, or a juvenile facility, taking into ac-  
10          count public safety and the use of graduated,  
11          community-based sanctions for minor and tech-  
12          nical violations of parole, probation, or super-  
13          vision (specifically those violations that are not  
14          otherwise, and independently, a violation of  
15          law);

16          “(E) provide for an independent evaluation  
17          of reentry programs that include, to the max-  
18          imum extent possible, random assignment and  
19          controlled studies to determine the effectiveness  
20          of such programs;

21          “(F) target high-risk offenders for reentry  
22          programs through validated assessment tools;  
23          and

24          “(G) target offenders with histories of  
25          homelessness, substance abuse, or mental ill-

1           ness, including a prerelease assessment of the  
 2           housing status of the offender and behavioral  
 3           health needs of the offender with clear coordi-  
 4           nation with mental health, substance abuse, or  
 5           homelessness services systems to achieve stable  
 6           and permanent housing outcomes with appro-  
 7           priate support service.

8           “(4) AMOUNT.—The amount of a grant made  
 9           under this subsection may not be more than  
 10          \$925,000.

11          “(5) PERIOD OF GRANT.—A grant made under  
 12          this subsection shall be effective for a 2-year pe-  
 13          riod—

14                 “(A) beginning on the date on which the  
 15                 planning grant awarded under subsection (e)  
 16                 concludes; or

17                 “(B) in the case of an implementation  
 18                 grant awarded to an eligible entity that did not  
 19                 receive a planning grant, beginning on the date  
 20                 on which the implementation grant is award-  
 21                 ed.”;

22                 (3) in subsection (g)(1)(B)(ii), by striking “50  
 23                 percent” and inserting “75 percent”;

24                 (4) in subsection (h)—

1           (A) by redesignating paragraphs (2) and  
2           (3) as paragraphs (3) and (4), respectively; and  
3           (B) by striking paragraph (1) and insert-  
4           ing the following:

5           “(1) IN GENERAL.—As a condition of receiving  
6           financial assistance under subsection (f), each appli-  
7           cation shall develop a comprehensive reentry stra-  
8           tegie plan that—

9           “(A) contains a plan to assess inmate re-  
10          entry needs and measurable annual and 3-year  
11          performance outcomes;

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

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

22          “(2) LOCAL EVALUATOR.—A partnership with a  
23          local evaluator described in subsection (e)(2) shall  
24          require the local evaluator to use the baseline data  
25          and target population characteristics developed

1 under a subsection (e) planning grant to derive a  
2 feasible and meaningful target goal for recidivism re-  
3 duction during the 3-year period beginning on the  
4 date of implementation of the program.”;

5 (5) in subsection (i)(1), by striking “under this  
6 section” and inserting “under subsection (f)”;

7 (6) in subsection (j)—

8 (A) in paragraph (1), by inserting “for an  
9 implementation grant under subsection (f)”  
10 after “applicant”;

11 (B) in paragraph (2)—

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

14 (ii) by striking subparagraphs (F),  
15 (G), and (H), and inserting the following:

16 “(F) a cost-benefit analysis to determine  
17 the cost effectiveness of the reentry program;

18 “(G) increased number of staff trained to  
19 administer reentry services;

20 “(H) increased proportion of individuals  
21 served by the program among those eligible to  
22 receive services;

23 “(I) increased number of individuals re-  
24 ceiving risk screening needs assessment, and  
25 case planning services;

1           “(J) increased enrollment in, and comple-  
2           tion of treatment services, including substance  
3           abuse and mental health services among those  
4           assessed as needing such services;

5           “(K) increased enrollment in and degrees  
6           earned from educational programs, including  
7           GED, vocational training, and college edu-  
8           cation;

9           “(L) increased number of individuals ob-  
10          taining and retaining employment;

11          “(M) increased number of individuals ob-  
12          taining housing;

13          “(N) reduction in drug and alcohol use;  
14          and

15          “(O) reduction in recidivism rates for indi-  
16          viduals receiving reentry services after release,  
17          as compared to either baseline recidivism rates  
18          in the jurisdiction of the grantee or recidivism  
19          rates of the control or comparison group.”;

20          (C) in paragraph (4), by striking “this sec-  
21          tion” and inserting “subsection (f)”; and

22          (D) in paragraph (5), by striking “this sec-  
23          tion” and inserting “subsection (f)”;

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

4           (8) in subsection (l)—

5                 (A) in paragraph (2), by inserting “begin-  
 6                 ning on the date on which the most recent im-  
 7                 plementation grant is made to the grantee  
 8                 under subsection (f)” after “2-year period”;  
 9                 and

10                (B) in paragraph (4), by striking “over a  
 11                2-year period” and inserting “during the 2-year  
 12                period described in paragraph (2)”;

13           (9) in subsection (o)(1), by striking “appro-  
 14           priated” and all that follows and inserting the fol-  
 15           lowing: “appropriated—”

16                         “(A) \$40,000,000 for fiscal year 2012;

17                         “(B) \$45,000,000 for fiscal year 2013;

18                         “(C) \$50,000,000 for fiscal year 2014;

19                         “(D) \$55,000,000 for fiscal year 2015;

20           and

21                         “(E) \$60,000,000 for fiscal year 2016.”;

22           and

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

24           “(p) DEFINITIONS.—In this section—

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

3                   “(A) has been convicted of a Federal or  
4                   State offense that is punishable by a term of  
5                   imprisonment of more than 1 year;

6                   “(B) has served a term of imprisonment  
7                   for not less than 6 months in a Federal or  
8                   State prison or correctional facility as a result  
9                   of the conviction described in subparagraph (A);  
10                  and

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

14                  “(2) the term ‘offender’ includes an exoneree.”.

15           (b) ~~COST-EFFECTIVE ALTERNATIVES TO INCARCER-~~  
16 ~~ATION PROGRAM.—~~

17                   (1) ~~AUTHORIZATION.—~~Title I of the Omnibus  
18                   Crime Control and Safe Streets Act of 1968 (42  
19                   U.S.C. 3711 et seq.) is amended by striking part CC  
20                   (42 U.S.C. 3797q et seq.) and inserting the fol-  
21                   lowing:

22           **~~PART CC—COST EFFECTIVE ALTERNATIVES TO~~**  
23                           **~~INCARCERATION PROGRAM~~**

24           **~~SEC. 2901. DEFINITIONS.~~**

25                   “~~In this part:~~

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

3           “(A) has been charged, sentenced, or con-  
4 victed of a crime for which a sentence of impris-  
5 onment of more than 1 year is authorized; and

6           “(B) does not have 1 or more prior convic-  
7 tions for a felony crime of violence involving the  
8 use or attempted use of force against a person  
9 with the intent to cause death or serious bodily  
10 harm.

11           “(2) PROBATION WITH ENFORCEMENT PRO-  
12 GRAM.—The term ‘probation with enforcement pro-  
13 gram’ means a program that—

14           “(A) reduces drug use, crime, and recidi-  
15 vism by requiring swift, predictable, and grad-  
16 uated sanctions for noncompliance with the con-  
17 ditions of probation; as determined by the At-  
18 torney General;

19           “(B) identifies for enrollment in the pro-  
20 gram eligible offenders who are serving a term  
21 of probation and who are at high risk of failing  
22 to observe the conditions of supervision and of  
23 being returned to incarceration as a result of  
24 the failure;

1           “(C) notifies eligible offenders of the rules  
2 of the probation demonstration program, and  
3 consequences for violating such rules;

4           “(D) monitors eligible offenders for illicit  
5 drug use with regular and rapid-result drug  
6 screening;

7           “(E) monitors eligible offenders for viola-  
8 tions of other rules and probation terms, includ-  
9 ing failure to pay court-ordered financial obliga-  
10 tions, such as child support or victim restituti-  
11 on;

12           “(F) responds to violations of the other  
13 rules and probation terms with immediate ar-  
14 rest of the violating eligible offender, and swift  
15 and certain modification of the conditions of  
16 probation, including imposition of short jail  
17 stays (which may gradually become longer with  
18 each additional violation and modification);

19           “(G) immediately responds to eligible of-  
20 fenders who have absconded from supervision  
21 with service of bench warrants and immediate  
22 sanctions;

23           “(H) provides rewards to eligible offenders  
24 who comply with such rules;

1           “(I) ensures funding for, and referral to,  
2           substance abuse treatment for eligible offenders  
3           who repeatedly fail to refrain from illicit drug  
4           use; and

5           “(J) establishes procedures to terminate  
6           program participation by, and initiate revoca-  
7           tion to a term of incarceration for, eligible of-  
8           fenders who habitually fail to abide by program  
9           rules and pose a threat to public safety.

10          “(3) LAW ENFORCEMENT OR PROSECUTION  
11          DRUG TREATMENT ALTERNATIVE TO PRISON PRO-  
12          GRAM.—The term ‘law enforcement or prosecution  
13          drug treatment alternative to prison program’ means  
14          a program that—

15                 “(A) is administered by a prosecutor or  
16                 law enforcement officer of a State, Indian tribe,  
17                 or local government;

18                 “(B) requires an eligible offender who is  
19                 sentenced to participate in the program (instead  
20                 of incarceration) to participate in a comprehen-  
21                 sive substance abuse treatment program that is  
22                 approved by the State or Indian tribe and li-  
23                 censed, if necessary, to provide medical and  
24                 other health services;

1           “(C) requires an eligible offender to receive  
2 the consent of the prosecutor or law enforce-  
3 ment officer involved to participate in the pro-  
4 gram;

5           “(D) in the case of an eligible offender  
6 who is sentenced to participate in the program,  
7 requires the offender to serve a sentence of im-  
8 prisonment with respect to the crime involved if  
9 the prosecutor or law enforcement officer, in  
10 conjunction with the treatment provider, deter-  
11 mines that the eligible offender has not success-  
12 fully completed the relevant substance abuse  
13 treatment program described in subparagraph  
14 (B);

15           “(E) provides for the dismissal of the  
16 criminal charges that lead to the participation  
17 of an eligible offender in the program if the eli-  
18 gible offender is determined to have successfully  
19 completed the program;

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

23                   “(i) make periodic reports of the  
24 progress of the treatment of the eligible of-  
25 fender to the law enforcement officer in-

1           volved and to the appropriate court in  
2           which the eligible offender was convicted;  
3           and

4           “(ii) notify the prosecutor or law en-  
5           forcement officer involved and the appro-  
6           priate court if the eligible offender ab-  
7           sconds from the facility of the treatment  
8           provider or otherwise violates the terms  
9           and conditions of the program, consistent  
10          with Federal and State confidentiality re-  
11          quirements; and

12          “(G) has an enforcement unit comprised of  
13          law enforcement officers involved, the duties of  
14          which shall include—

15                 “(i) verifying the address of an eligi-  
16                 ble offender and other contacts; and

17                 “(ii) if necessary, locating, appre-  
18                 hending, and arresting an eligible offender  
19                 who has absconded from the facility of a  
20                 substance abuse treatment provider or oth-  
21                 erwise violated the terms and conditions of  
22                 the program and returning the eligible of-  
23                 fender to the appropriate court for sen-  
24                 tencing for the crime involved.

1           “(4) REENTRY COURT.—The term ‘reentry  
2 court’ means a program that—

3           “(A) monitors juvenile and adult eligible  
4 offenders reentering the community;

5           “(B) provides juvenile and adult eligible of-  
6 fenders reentering the community with coordi-  
7 nated and comprehensive reentry services and  
8 programs, such as—

9           “(i) drug and alcohol testing and as-  
10 sessment for treatment;

11           “(ii) assessment for substance abuse  
12 from a substance abuse professional who is  
13 approved by the State or Indian tribe and  
14 licensed by the appropriate entity to pro-  
15 vide alcohol and drug addiction treatment,  
16 as appropriate;

17           “(iii) substance abuse treatment from  
18 a provider that is approved by the State or  
19 Indian tribe, and licensed, if necessary, to  
20 provide medical and other health services;

21           “(iv) health (including mental health)  
22 services and assessment;

23           “(v) aftercare and case management  
24 services that—

1                   ~~“(I) facilitate access to clinical~~  
2                   ~~care and related health services; and~~  
3                   ~~“(II) coordinate with such clinical~~  
4                   ~~care and related health services;~~  
5                   ~~and~~  
6                   ~~“(vi) any other services needed for re-~~  
7                   ~~entry;~~  
8                   ~~“(C) convenes community impact panels,~~  
9                   ~~victim impact panels, or victim impact edu-~~  
10                  ~~cational classes;~~  
11                  ~~“(D) provides and coordinates the delivery~~  
12                  ~~of community services to juvenile and adult eli-~~  
13                  ~~gible offenders, including—~~  
14                   ~~“(i) housing assistance;~~  
15                   ~~“(ii) education;~~  
16                   ~~“(iii) job training;~~  
17                   ~~“(iv) conflict resolution skills training;~~  
18                   ~~“(v) batterer intervention programs;~~  
19                  ~~and~~  
20                  ~~“(vi) other appropriate social services;~~  
21                  ~~and~~  
22                  ~~“(E) establishes and implements graduated~~  
23                  ~~sanctions and incentives.~~

1 **“SEC. 2902. GRANT AUTHORITY.**

2       “(a) IN GENERAL.—The Attorney General may make  
3 grants to States, local governments, territories, Indian  
4 tribes, nonprofit agencies, or any combination thereof, to  
5 develop, implement, or expand programs that provide al-  
6 ternatives to incarceration, in accordance with this part.

7       “(b) ALLOWABLE USES.—

8           “(1) IN GENERAL.—A grant under this part  
9 may be used for the expenses of a law enforcement  
10 or prosecution drug treatment alternatives to prison  
11 program, a problem-solving court, including a re-  
12 entry court, or a probation with enforcement pro-  
13 gram including for—

14           “(A) salaries, personnel costs, equipment  
15 costs, and other costs directly related to the op-  
16 eration or evaluation of the program;

17           “(B) payments for providers that are ap-  
18 proved by the State or Indian tribe and li-  
19 censed, if necessary, to provide needed treat-  
20 ment or education to eligible offenders partici-  
21 pating in the program, including aftercare su-  
22 pervision, mental health services, substance  
23 abuse services, vocational training, education,  
24 and job placement; and

25           “(C) payments to public and nonprofit pri-  
26 vate entities that are approved by the State or

1 Indian tribe and licensed; if necessary, to pro-  
2 vide mental health, alcohol and drug addiction  
3 treatment to offenders participating in the pro-  
4 gram.

5 “(2) SUPPLEMENT AND NOT SUPPLANT.—  
6 Grants made under this part shall be used to supple-  
7 ment, and not supplant, non-Federal funds that  
8 would otherwise be available for programs described  
9 in this part.

10 “(c) APPLICATIONS.—

11 “(1) IN GENERAL.—A State, local government,  
12 territory, Indian tribe, or nonprofit agency desiring  
13 a grant under this part shall submit an application  
14 to the Attorney General in such form and containing  
15 such information as the Attorney General may rea-  
16 sonably require.

17 “(2) APPLICATION CONTENTS.—An application  
18 submitted under paragraph (1) shall—

19 “(A) describe the program to be assisted  
20 under this part and the need for the program  
21 to serve eligible offenders;

22 “(B) describe a long-term strategy and de-  
23 tailed implementation plan for the program, in-  
24 cluding how the applicant plans to pay for the

1 program after the Federal funding is discon-  
2 tinued;

3 “(C) identify the governmental and com-  
4 munity agencies the activities of which shall be  
5 coordinated under the project;

6 “(D) certify that—

7 “(i) all agencies affected by the pro-  
8 gram, including community corrections and  
9 parole entities, have been appropriately  
10 consulted in the development of the pro-  
11 gram; and

12 “(ii) there will be appropriate coordi-  
13 nation with all such agencies in the imple-  
14 mentation of the program; and

15 “(E) describe the methodology and out-  
16 come measures that will be used to evaluate the  
17 program.

18 **“SEC. 2903. FEDERAL SHARE.**

19 “(a) **MATCHING REQUIREMENT.**—The Federal share  
20 of the cost of an activity carried out using a grant under  
21 this part shall be not more than 50 percent.

22 “(b) **IN-KIND CONTRIBUTIONS.**—

23 “(1) **IN GENERAL.**—Subject to paragraph (2),  
24 the recipient of a grant under this part may meet  
25 the matching requirement under subsection (a) by

1 making in-kind contributions of goods or services  
2 that are directly related to the purpose for which the  
3 grant was awarded.

4 “(2) **MAXIMUM PERCENTAGE.**—Not more than  
5 75 percent of the amount provided by a recipient of  
6 a grant under this part to meet the matching re-  
7 quirement under subsection (a) may be provided  
8 through in-kind contributions under paragraph (1).

9 **“SEC. 2904. 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 States, local governments, terri-  
13 tories, Indian tribes, or nonprofit agencies—

14 “(1) in each State; and

15 “(2) in rural, suburban, tribal, and urban juris-  
16 dictions.

17 **“SEC. 2905. REPORTS AND EVALUATIONS.**

18 “Each entity receiving a grant under this section  
19 shall submit to the Attorney General, for each fiscal year  
20 in which funds received under the grant are expended, a  
21 report, at such time and in such manner as the Attorney  
22 General may reasonably require, that contains—

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

1           ~~“(2)~~ an assessment of whether the activities are  
2 meeting the need for the program identified in the  
3 application submitted under section 2902(c); and

4           ~~“(3)~~ such other information as the Attorney  
5 General may require.

6 **~~“SEC. 2906. TRAINING AND TECHNICAL ASSISTANCE.~~**

7           ~~“The Attorney General may, using amounts made~~  
8 available to carry out this part, establish training and  
9 technical assistance for grantees, including—

10           ~~“(1)~~ providing education, training, and tech-  
11 nical assistance for States, Indian tribes, territories,  
12 local governments, service providers, and nonprofit  
13 organizations relating to problem-solving courts, law  
14 enforcement drug treatment alternative to prison  
15 programs, and probation with enforcement pro-  
16 grams;

17           ~~“(2)~~ collecting data and best practices from  
18 grantees and other agencies and organizations;

19           ~~“(3)~~ developing and disseminating evaluation  
20 tools, mechanisms, and measures to better assess  
21 and document performance measures and outcomes;

22           ~~“(4)~~ disseminating information to States and  
23 other relevant entities about best practices, policy  
24 standards, and research findings; and

1           “(5) interdisciplinary and profession-specific  
 2           training for relevant professionals on information  
 3           and skills necessary to plan, implement, or expand  
 4           problem-solving courts, law enforcement drug treat-  
 5           ment alternative to prisons programs, and probation  
 6           with enforcement programs.

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

8           “(a) IN GENERAL.—There are authorized to be ap-  
 9           propriated to carry out this part—

10           “(1) \$10,000,000 for fiscal year 2012;

11           “(2) \$12,000,000 for fiscal year 2013;

12           “(3) \$14,000,000 for fiscal year 2014;

13           “(4) \$16,000,000 for fiscal year 2015; and

14           “(5) \$20,000,000 for fiscal year 2016.

15           “(b) LIMITATIONS.—Of the amounts made available  
 16           pursuant to subsection (a) for a fiscal year—

17           “(1) not more than 2 percent may be used by  
 18           the Attorney General for salaries and administrative  
 19           expenses; and

20           “(2) not more than 5 percent nor less than 2  
 21           percent may be used for technical assistance and  
 22           training.

23           **“SEC. 2908. RULE OF CONSTRUCTION.**

24           “Nothing in this part shall be construed to prevent  
 25           a grantee that operates a drug court under part EE when

1 the grant under this part is awarded from using funds  
 2 from the grant under this part to supplement the drug  
 3 court in accordance with section 2902(b)(1).”.

4           (2) TECHNICAL AND CONFORMING AMEND-  
 5           MENTS.—Title I of the Omnibus Crime Control and  
 6           Safe Streets Act of 1968 is amended—

7                   (A) in section 1001(a) (42 U.S.C.  
 8                   3793(a)), by striking paragraph (26); and

9                   (B) by striking section 2978 (42 U.S.C.  
 10                   3797w-2).

11           (3) SAVINGS CLAUSE.—A grant made under  
 12           section 2978 or part CC of title I of the Omnibus  
 13           Crime Control and Safe Streets Act of 1968 (42  
 14           U.S.C. 3797w-2 and 3797q et seq.) before the date  
 15           of enactment of this Act shall remain in full force  
 16           and effect under the terms, and for the duration, of  
 17           the grant.

18           (c) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE  
 19           TREATMENT.—Part DD of title I of the Omnibus Crime  
 20           Control and Safe Streets Act of 1968 (42 U.S.C. 3797s  
 21           et seq.) is amended—

22                   (1) in section 2921 (42 U.S.C. 3797s), in the  
 23                   matter preceding paragraph (1), by inserting “non-  
 24                   profit organizations,” before “and Indian”; and

1           (2) by striking section 2926(a) (42 U.S.C.  
2           3797s-5(a)), and inserting the following:

3           “(a) IN GENERAL.—There are authorized to be ap-  
4           propriated to carry out this part—

5                     “(1) \$8,000,000 for fiscal year 2012; and

6                     “(2) \$10,000,000 for each of fiscal years 2013,  
7           2014, 2015, and 2016.”.

8           (d) GRANT PROGRAM TO EVALUATE AND IMPROVE  
9           EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE  
10          FACILITIES.—Title I of the Omnibus Crime Control  
11          and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.)  
12          is amended—

13                   (1) by redesignating part KK (42 U.S.C.  
14           3793ee et seq.) as part LL;

15                   (2) by redesignating the second part designated  
16           as part JJ, as added by the Second Chance Act of  
17           2007 (Public Law 110-199; 122 Stat. 677), relating  
18           to grants to evaluate and improve educational meth-  
19           ods; as part KK;

20                   (3) by redesignating the second section des-  
21           ignated as section 3001 and section 3002 (42 U.S.C.  
22           3797dd and 3797dd-1), as added by the Second  
23           Chance Act of 2007 (Public Law 110-199; 122  
24           Stat. 677), relating to grants to evaluate and im-

1 prove educational methods, as sections 3005 and  
2 3006, respectively;

3 (4) in section 3005, as so redesignated—

4 (A) in subsection (a)—

5 (i) in paragraph (2), by striking  
6 “and” at the end;

7 (ii) in paragraph (3), by striking the  
8 period at the end and inserting “; and”;  
9 and

10 (iii) by adding at the end the fol-  
11 lowing:

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

16 (B) by redesignating subsection (c) as sub-  
17 section (d); and

18 (C) by inserting after subsection (b), the  
19 following:

20 “(e) BEST PRACTICES.—Not later than 180 days  
21 after the date of enactment of the Second Chance Reau-  
22 thorization Act of 2011, the Attorney General shall iden-  
23 tify and publish best practices relating to academic and  
24 vocational education for offenders in prisons, jails, and ju-  
25 venile facilities. The best practices shall consider the eval-

1 uations performed and recommendations made under  
 2 grants made under subsection (a) before the date of enact-  
 3 ment of the Second Chance Reauthorization Act of 2011”;  
 4 and

5 (5) in section 3006, as so redesignated, by  
 6 striking “to carry” and all that follows through  
 7 “2010” and inserting “for each of fiscal years 2012,  
 8 2013, 2014, 2015, and 2016 for grants for purposes  
 9 described in section 3005(a)(4)”.

10 (e) TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115 of the Second Chance Act of  
 11 2007 (42 U.S.C. 17511) is amended—  
 12

13 (1) in subsection (a), by striking “and Indian”  
 14 and inserting “nonprofit organizations, and Indian”;  
 15 and

16 (2) by striking subsection (e) and inserting the  
 17 following:

18 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
 19 are authorized to be appropriated to carry out this sec-  
 20 tion—

21 “(1) \$7,000,000 for each of fiscal years 2012  
 22 and 2013; and

23 “(2) \$10,000,000 for each of fiscal years 2014,  
 24 2015, and 2016.”.

1       (f) OFFENDER REENTRY SUBSTANCE ABUSE AND  
 2 CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section  
 3 201(f)(1) of the Second Chance Act of 2007 (42 U.S.C.  
 4 17521(f)(1)) is amended to read as follows:

5           “(1) IN GENERAL.—There are authorized to be  
 6 appropriated to carry out this section \$15,000,000  
 7 for each of fiscal years 2012 through 2016.”.

8       (g) MENTORING GRANTS TO NONPROFIT ORGANIZA-  
 9 TIONS.—Section 211 of the Second Chance Act of 2007  
 10 (42 U.S.C. 17531) is amended—

11           (1) by redesignating subsection (f) as sub-  
 12 section (g);

13           (2) by inserting after subsection (e) the fol-  
 14 lowing:

15           “(f) DEFINITION.—In this section, the term ‘of-  
 16 fender’ includes an individual who—

17           “(1) has been convicted of a Federal or State  
 18 offense that is punishable by a term of imprisonment  
 19 of more than 1 year;

20           “(2) has served a term of imprisonment for not  
 21 less than 6 months in a Federal or State prison or  
 22 correctional facility as a result of the conviction de-  
 23 scribed in paragraph (1); and

24           “(3) has been determined to be factually inno-  
 25 cent of the offense described in paragraph (1).”;

1           ~~(3)~~ in subsection (g), as redesignated, by strik-  
 2           ing “this section” and all that follows and inserting  
 3           the following: “this section—”

4           “~~(1)~~ \$15,000,000 for fiscal year 2012;

5           “~~(2)~~ \$16,000,000 for fiscal year 2013;

6           “~~(3)~~ \$16,000,000 for fiscal year 2014;

7           “~~(4)~~ \$19,000,000 for fiscal year 2015; and

8           “~~(5)~~ \$20,000,000 for fiscal year 2016.”.

9   **SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEES.**

10          (a) **DEFINITION.**—In this section, the term “unre-  
 11          solved audit finding” means an audit report finding or rec-  
 12          ommendation that a grantee has used grant funds for an  
 13          unauthorized expenditure or otherwise unallowable cost  
 14          that is not closed or resolved during a 1-year period begin-  
 15          ning on the date of an initial notification of the finding  
 16          or recommendation.

17          (b) **AUDIT REQUIREMENT.**—Beginning in fiscal year  
 18          2012, and every 3 years thereafter, the Inspector General  
 19          of the Department of Justice shall conduct an audit of  
 20          not less than 5 percent of all grantees that are awarded  
 21          funding under—

22                 (1) section 2976(b) of title I of the Omnibus  
 23          Crime Control and Safe Streets Act of 1968 (42  
 24          U.S.C. 3797w(b));

1           (2) part CC of title I of the Omnibus Crime  
2           Control and Safe Streets Act of 1968 (42 U.S.C.  
3           3797q et seq.); as amended by this Act;

4           (3) part DD of title I of the Omnibus Crime  
5           Control and Safe Streets Act of 1968 (42 U.S.C.  
6           3797s et seq.);

7           (4) part JJ of title I of the Omnibus Crime  
8           Control and Safe Streets Act of 1968 (42 U.S.C.  
9           3797dd et seq.); or

10          (5) section 115, 201, or 211 of the Second  
11          Chance Act of 2007 (42 U.S.C. 17511, 17521, and  
12          17531).

13          (e) MANDATORY EXCLUSION.—A grantee that is  
14          found to have an unresolved audit finding under an audit  
15          conducted under subsection (b) may not receive grant  
16          funds under the grant programs described in paragraphs  
17          (1) through (5) of subsection (b) in the fiscal year fol-  
18          lowing the fiscal year to which the finding relates.

19          (d) PRIORITY OF GRANT AWARDS.—The Attorney  
20          General, in awarding grants under the programs described  
21          in paragraphs (1) through (5) of subsection (b) shall give  
22          priority to eligible entities that during the 2-year period  
23          preceding the application for a grant have not been found  
24          to have an unresolved audit finding.

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

2 (a) **RESPONSIBLE REINTEGRATION OF OFFEND-**  
3 **ERS.**—Section 212 of the Second Chance Act of 2007 (42  
4 U.S.C. 17532) is repealed.

5 (b) **FEDERAL PRISONER REENTRY INITIATIVE.**—  
6 Section 231 of the Second Chance Act of 2007 (42 U.S.C.  
7 17541) 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 sserting “carried out during fiscal years 2012  
12 through 2016”; and

13 (B) in paragraph (5)(A)(i), by striking “65  
14 years” and inserting “60 years”;

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 “2012  
20 through 2016”.

21 (c) **ENHANCING REPORTING REQUIREMENTS PER-**  
22 **TAINING TO COMMUNITY CORRECTIONS.**—Section 3624(e)  
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 place

1 in community corrections facilities for each reason  
2 set forth” before “, and any other information”; and

3 (2) in paragraph (6), by striking “the Second  
4 Chance Act of 2007” and inserting “the Second  
5 Chance Reauthorization Act of 2011”.

6 (d) TERMINATION OF STUDY ON EFFECTIVENESS OF  
7 DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section  
8 244 of the Second Chance Act of 2007 (42 U.S.C. 17554)  
9 is repealed.

10 (e) AUTHORIZATION OF APPROPRIATIONS FOR RE-  
11 SEARCH.—Section 245 of the Second Chance Act of 2007  
12 (42 U.S.C. 17555) is amended—

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

15 (2) by striking “2009 and 2010” and inserting  
16 “2012, 2013, 2014, 2015, and 2016”.

17 (f) FEDERAL PRISONER RECIDIVISM REDUCTION  
18 PROGRAMMING ENHANCEMENT.—

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

21 (A) by redesignating subsection (g) as sub-  
22 section (h); and

23 (B) by inserting after subsection (f) the  
24 following:

1       “(g) INCENTIVE FOR PRISONERS’ PARTICIPATION IN  
 2 REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—  
 3 VISM.—

4           “(1) DEFINITIONS.—In this subsection—

5               “(A) the term ‘demonstrated to reduce re-  
 6 cidivism’ means that the Director of Bureau of  
 7 Prisons has determined that appropriate re-  
 8 search has been conducted and has validated  
 9 the effectiveness of the program on recidivism;  
 10 and

11              “(B) the term ‘successfully participates’  
 12 means that a prisoner has been enrolled for a  
 13 period of not less than 180 days during the 12  
 14 months preceding the award of credit in 1 or  
 15 more programs—

16                   “(i) for which the prisoner is eligible;  
 17 and

18                   “(ii) that meet the treatment and pro-  
 19 gram needs of the prisoner.

20           “(2) ELIGIBILITY TO EARN ADDITIONAL CRED-  
 21 IT.—Any prisoner who, in the judgment of the Di-  
 22 rector of the Bureau of Prisons, successfully partici-  
 23 pates in a program that has been demonstrated to  
 24 reduce recidivism, is eligible to earn additional credit

1 toward satisfaction of the sentence being served by  
2 the prisoner.

3 “(3) CREDIT TOWARD SERVICE OF SEN-  
4 TENCE.—Except as provided in paragraph (4), a  
5 prisoner may receive credit toward service of the  
6 sentence of the prisoner of up to 60 days per year  
7 for each year in which the prisoner is in custody of  
8 the Bureau of Prisons and successfully participates  
9 in a program described in paragraph (2). Any cred-  
10 its awarded under this subsection shall vest on the  
11 date the prisoner is released from custody.

12 “(4) LIMITATION ON AWARDS OF CREDIT.—

13 “(A) IN GENERAL.—A prisoner may ac-  
14 cieve credit toward service of the sentence of the  
15 prisoner under this subsection if—

16 “(i) the credit accrued under this sub-  
17 section is combined with reductions in the  
18 period of time the prisoner remains in cus-  
19 tody resulting from participation in a resi-  
20 dential substance abuse program; and

21 “(ii) credit received under section  
22 3624(b) does not exceed 33 percent of the  
23 sentence imposed on the prisoner.

24 “(B) PRIOR TIME CREDIT.—No credits  
25 shall be awarded for any time spent in—

1           “(i) programs during the 180-day pe-  
 2           riod preceding the enactment of the Sec-  
 3           ond Chance Reauthorization Act of 2011;  
 4           or

5           “(ii) official detention prior to the  
 6           date the sentence commences under section  
 7           3585(a).

8           ~~“(5) RECEIPT OF CREDIT AT END OF YEAR.—~~

9           A prisoner may receive credit at the end of each  
 10          year of the sentence being served by the prisoner,  
 11          beginning at the end of the first year of the sen-  
 12          tence, subject to a determination by the Director by  
 13          the Bureau of Prisons that during the year the pris-  
 14          oner display exemplary compliance with institutional  
 15          disciplinary regulations. For purposes of this section,  
 16          the first year shall commence on the date the sen-  
 17          tence commences under section 3585(a).”.

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

21       **SECTION 1. SHORT TITLE.**

22           *This Act may be cited as the “Second Chance Reau-*  
 23       *thorization Act of 2011”.*

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

2       (a) *REAUTHORIZATION OF ADULT AND JUVENILE OFF-*  
3 *FENDER STATE AND LOCAL DEMONSTRATION PROJECTS.—*

4 *Section 2976 of title I of the Omnibus Crime Control and*  
5 *Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—*

6           (1) *by striking subsection (a) and inserting the*  
7 *following:*

8       “(a) *GRANT AUTHORIZATION.—The Attorney General*  
9 *shall make grants to States, local governments, territories,*  
10 *or Indian tribes, or any combination thereof (in this section*  
11 *referred to as an ‘eligible entity’), in partnership with*  
12 *stakeholders, services providers, and nonprofit organiza-*  
13 *tions for the purpose of strategic planning and implementa-*  
14 *tion of adult and juvenile offender reentry projects.”;*

15           (2) *by striking subsections (d), (e), and (f) and*  
16 *inserting the following:*

17       “(d) *COMBINED GRANT APPLICATION.—The Attorney*  
18 *General shall develop a procedure to allow applicants to*  
19 *submit a single application for a planning grant under sub-*  
20 *section (e) and an implementation grant under subsection*  
21 *(f).*

22       “(e) *PLANNING GRANTS.—*

23           “(1) *IN GENERAL.—Except as provided in para-*  
24 *graph (3), the Attorney General may make a grant to*  
25 *an eligible entity of not more than \$75,000 to develop*  
26 *a strategic, collaborative plan for an adult or juvenile*

1 *offender reentry demonstration project as described in*  
2 *subsection (h) that includes—*

3 *“(A) a budget and a budget justification;*

4 *“(B) a description of the outcome measures*  
5 *that will be used to measure the effectiveness of*  
6 *the program in promoting public safety and*  
7 *public health;*

8 *“(C) the activities proposed;*

9 *“(D) a schedule for completion of the activi-*  
10 *ties described in subparagraph (C); and*

11 *“(E) a description of the personnel nec-*  
12 *essary to complete the activities described in sub-*  
13 *paragraph (C).*

14 *“(2) APPLICATION.—*

15 *“(A) IN GENERAL.—An eligible entity desir-*  
16 *ing a planning grant under this subsection shall*  
17 *submit to the Attorney General an application*  
18 *that shall include a commitment by the appli-*  
19 *cant to partner with a local evaluator to identify*  
20 *and analyze data that will—*

21 *“(i) enable the grantee to target the in-*  
22 *tended offender population; and*

23 *“(ii) serve as a baseline for purposes of*  
24 *the evaluation.*

1           “(B) *PROCEDURE.*—*The Attorney General*  
2           *shall develop a procedure to evaluate the quali-*  
3           *fications of a local evaluator described in sub-*  
4           *paragraph (A).*

5           “(3) *MAXIMUM TOTAL GRANTS AND MINIMUM AL-*  
6           *LOCATION.*—

7           “(A) *MAXIMUM AMOUNT.*—*The Attorney*  
8           *General may not make planning grants and im-*  
9           *plementation grants to 1 eligible entity in a*  
10          *total amount that is more than a \$1,000,000.*

11          “(B) *MINIMUM ALLOCATION.*—*Unless all el-*  
12          *igible applications submitted by a State, or unit*  
13          *of local government within such State, for a*  
14          *planning grant have been awarded funds under*  
15          *this section, the State, in combination with the*  
16          *all of the grantees within the State (other than*  
17          *Indian tribes), shall be allocated for each fiscal*  
18          *year not less than 0.75 percent of the total*  
19          *amount appropriated in the fiscal year under*  
20          *this section for planning and implementation*  
21          *grants.*

22          “(4) *PERIOD OF GRANT.*—*A planning grant*  
23          *made under this subsection shall be for a period of 1*  
24          *year, beginning on the first day of the month in*  
25          *which the planning grant is made.*

1       “(f) *IMPLEMENTATION GRANTS.*—

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

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

11                      “(B) *identifies the local government role*  
12 *and the role of governmental agencies and non-*  
13 *profit organizations that will be coordinated by,*  
14 *and that will collaborate on, the offender reentry*  
15 *strategy of the applicant, and certifies the in-*  
16 *volvement of such agencies and organizations;*

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

23                      “(D) *describes how the project could be*  
24 *broadly replicated if demonstrated to be effective.*

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

4                   “(A) *reflects explicit support of the chief ex-*  
5                   *ecutive officer of the State, unit of local govern-*  
6                   *ment, territory, or Indian tribe applying for a*  
7                   *grant under this subsection;*

8                   “(B) *provides extensive discussion of the*  
9                   *role of State corrections departments, community*  
10                   *corrections agencies, juvenile justice systems, or*  
11                   *local jail systems in ensuring successful reentry*  
12                   *of offenders into their communities;*

13                   “(C) *provides extensive evidence of collabo-*  
14                   *ration with State and local government agencies*  
15                   *overseeing health, housing, child welfare, edu-*  
16                   *cation, substance abuse, victims services, and em-*  
17                   *ployment services, and with local law enforce-*  
18                   *ment agencies;*

19                   “(D) *provides a plan for analysis of the*  
20                   *statutory, regulatory, rules-based, and practice-*  
21                   *based hurdles to reintegration of offenders into*  
22                   *the community;*

23                   “(E) *includes the use of a State, local, terri-*  
24                   *torial, or tribal task force, described in sub-*

1           *section (i), to carry out the activities funded*  
2           *under the grant;*

3           *“(F) provides a plan for continued collabo-*  
4           *ration with a local evaluator as necessary to*  
5           *meeting the requirements under subsection (h);*  
6           *and*

7           *“(G) demonstrates that the applicant par-*  
8           *ticipated in the planning grant process or en-*  
9           *gaged in comparable planning for the reentry*  
10          *project.*

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

14                *“(A) focus initiative on geographic areas*  
15                *with a disproportionate population of offenders*  
16                *released from prisons, jails, and juvenile facili-*  
17                *ties;*

18                *“(B) include—*

19                    *“(i) input from nonprofit organiza-*  
20                    *tions, in any case where relevant input is*  
21                    *available and appropriate to the grant ap-*  
22                    *plication;*

23                    *“(ii) consultation with crime victims*  
24                    *and offenders who are released from prisons,*  
25                    *jails, and juvenile facilities;*

1           “(iii) coordination with families of of-  
2           fenders; and

3           “(iv) input, where appropriate, from  
4           the juvenile justice coordinating council of  
5           the region;

6           “(C) demonstrate effective case assessment  
7           and management abilities in order to provide  
8           comprehensive and continuous reentry, includ-  
9           ing—

10           “(i) planning while offenders are in  
11           prison, jail, or a juvenile facility, prerelease  
12           transitional housing, and community re-  
13           lease;

14           “(ii) establishing prerelease planning  
15           procedures to ensure that the eligibility of  
16           an offender for Federal or State benefits  
17           upon release is established prior to release,  
18           subject to any limitations in law, and to  
19           ensure that offenders obtain all necessary  
20           referrals for reentry services, including as-  
21           sistance identifying and securing suitable  
22           housing; and

23           “(iii) delivery of continuous and ap-  
24           propriate drug treatment, medical care, job  
25           training and placement, educational serv-

1           ices, or any other service or support needed  
2           for reentry;

3           “(D) review the process by which the appli-  
4           cant adjudicates violations of parole, probation,  
5           or supervision following release from prison, jail,  
6           or a juvenile facility, taking into account public  
7           safety and the use of graduated, community-  
8           based sanctions for minor and technical viola-  
9           tions of parole, probation, or supervision (spe-  
10          cifically those violations that are not otherwise,  
11          and independently, a violation of law);

12          “(E) provide for an independent evaluation  
13          of reentry programs that include, to the max-  
14          imum extent possible, random assignment and  
15          controlled studies to determine the effectiveness of  
16          such programs;

17          “(F) target high-risk offenders for reentry  
18          programs through validated assessment tools;  
19          and

20          “(G) target offenders with histories of home-  
21          lessness, substance abuse, or mental illness, in-  
22          cluding a prerelease assessment of the housing  
23          status of the offender and behavioral health needs  
24          of the offender with clear coordination with men-  
25          tal health, substance abuse, or homelessness serv-

1            *ices systems to achieve stable and permanent*  
 2            *housing outcomes with appropriate support serv-*  
 3            *ice.*

4            “(4) *AMOUNT.*—*The amount of a grant made*  
 5            *under this subsection may not be more than \$925,000.*

6            “(5) *PERIOD OF GRANT.*—*A grant made under*  
 7            *this subsection shall be effective for a 2-year period—*

8                    *“(A) beginning on the date on which the*  
 9                    *planning grant awarded under subsection (e)*  
 10                   *concludes; or*

11                   *“(B) in the case of an implementation*  
 12                   *grant awarded to an eligible entity that did not*  
 13                   *receive a planning grant, beginning on the date*  
 14                   *on which the implementation grant is award-*  
 15                   *ed.”;*

16            *(3) in subsection (g)(1)(B)(ii), by striking “50*  
 17            *percent” and inserting “75 percent”;*

18            *(4) in subsection (h)—*

19                    *(A) by redesignating paragraphs (2) and*  
 20                    *(3) as paragraphs (3) and (4), respectively; and*

21                    *(B) by striking paragraph (1) and inserting*  
 22                    *the following:*

23                    *“(1) IN GENERAL.—As a condition of receiving*  
 24                    *financial assistance under subsection (f), each appli-*

1        *cation shall develop a comprehensive reentry strategic*  
2        *plan that—*

3                *“(A) contains a plan to assess inmate re-*  
4                *entry needs and measurable annual and 3-year*  
5                *performance outcomes;*

6                *“(B) uses, to the maximum extent possible,*  
7                *randomly assigned and controlled studies, or rig-*  
8                *orous quasi-experimental studies with matched*  
9                *comparison groups, to determine the effectiveness*  
10               *of the program funded with a grant under sub-*  
11               *section (f); and*

12               *“(C) includes as a goal of the plan to reduce*  
13               *the rate of recidivism for offenders released from*  
14               *prison, jail or a juvenile facility with funds*  
15               *made available under subsection (f).*

16               *“(2) LOCAL EVALUATOR.—A partnership with a*  
17               *local evaluator described in subsection (e)(2) shall re-*  
18               *quire the local evaluator to use the baseline data and*  
19               *target population characteristics developed under a*  
20               *subsection (e) planning grant to derive a feasible and*  
21               *meaningful target goal for recidivism reduction dur-*  
22               *ing the 3-year period beginning on the date of imple-*  
23               *mentation of the program.”;*

24               *(5) in subsection (i)(1), by striking “under this*  
25               *section” and inserting “under subsection (f)”;*

1           (6) *in subsection (j)*—

2                   (A) *in paragraph (1), by inserting “for an*  
3 *implementation grant under subsection (f)” after*  
4 *“applicant”;*

5                   (B) *in paragraph (2)*—

6                           (i) *in subparagraph (E), by inserting*  
7 *“, where appropriate” after “support”; and*

8                           (ii) *by striking subparagraphs (F),*  
9 *(G), and (H), and inserting the following:*

10                           “*(F) a cost-benefit analysis to determine the*  
11 *cost effectiveness of the reentry program;*

12                           “*(G) increased number of staff trained to*  
13 *administer reentry services;*

14                           “*(H) increased proportion of individuals*  
15 *served by the program among those eligible to re-*  
16 *ceive services;*

17                           “*(I) increased number of individuals receiv-*  
18 *ing risk screening needs assessment, and case*  
19 *planning services;*

20                           “*(J) increased enrollment in, and comple-*  
21 *tion of treatment services, including substance*  
22 *abuse and mental health services among those as-*  
23 *sessed as needing such services;*

1           “(K) increased enrollment in and degrees  
2 earned from educational programs, including  
3 GED, vocational training, and college education;

4           “(L) increased number of individuals ob-  
5 taining and retaining employment;

6           “(M) increased number of individuals ob-  
7 taining housing;

8           “(N) reduction in drug and alcohol use; and

9           “(O) reduction in recidivism rates for indi-  
10 viduals receiving reentry services after release, as  
11 compared to either baseline recidivism rates in  
12 the jurisdiction of the grantee or recidivism rates  
13 of the control or comparison group.”;

14           (C) in paragraph (4), by striking “this sec-  
15 tion” and inserting “subsection (f)”; and

16           (D) in paragraph (5), by striking “this sec-  
17 tion” and inserting “subsection (f)”; and

18           (7) in subsection (k)(1), by striking “this sec-  
19 tion” each place the term appears and inserting “sub-  
20 section (f)”; and

21           (8) in subsection (l)—

22           (A) in paragraph (2), by inserting “begin-  
23 ning on the date on which the most recent imple-  
24 mentation grant is made to the grantee under  
25 subsection (f)” after “2-year period”; and

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

4           (9) in subsection (o)(1), by striking “appropriated” and all that follows and inserting the following: “appropriated—”

7                   “(A) \$40,000,000 for fiscal year 2012;

8                   “(B) \$45,000,000 for fiscal year 2013;

9                   “(C) \$50,000,000 for fiscal year 2014;

10                  “(D) \$55,000,000 for fiscal year 2015; and

11                  “(E) \$60,000,000 for fiscal year 2016.”;

12           and

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

14           “(p) *DEFINITIONS.—In this section—*

15                   “(1) the term ‘*exoneree*’ means an individual  
16           *who—*

17                           “(A) *has been convicted of a Federal or*  
18                           *State offense that is punishable by a term of im-*  
19                           *prisonment of more than 1 year;*

20                           “(B) *has served a term of imprisonment for*  
21                           *not less than 6 months in a Federal or State*  
22                           *prison or correctional facility as a result of the*  
23                           *conviction described in subparagraph (A); and*

1           “(C) has been determined to be factually in-  
 2           nocent of the offense described in subparagraph  
 3           (A); and

4           “(2) the term ‘offender’ includes an exoneree.”.

5           (b) *COST-EFFECTIVE ALTERNATIVES TO INCARCER-*  
 6 *ATION PROGRAM.*—

7           (1) *AUTHORIZATION.*—Title I of the Omnibus  
 8           Crime Control and Safe Streets Act of 1968 (42  
 9           U.S.C. 3711 et seq.) is amended by striking part CC  
 10          (42 U.S.C. 3797q et seq.) and inserting the following:

11          **“PART CC—COST EFFECTIVE ALTERNATIVES TO**  
 12                                    **INCARCERATION PROGRAM**

13          **“SEC. 2901. DEFINITIONS.**

14          *“In this part:*

15               “(1) *ELIGIBLE OFFENDER.*—The term ‘eligible  
 16               offender’ means an individual who—

17                       “(A) has been charged, sentenced, or con-  
 18                       victed of a crime for which a sentence of impris-  
 19                       onment of more than 1 year is authorized; and

20                       “(B) does not have 1 or more prior convic-  
 21                       tions for—

22                               “(i) a felony crime of violence with the  
 23                               intent to cause death or serious bodily  
 24                               harm;

25                               “(ii) an offense involving rape;

1                   “(iii) a sex offense against a minor; or

2                   “(iv) a drug offense involving a deadly

3                   weapon.

4                   “(2) *PROBATION WITH ENFORCEMENT PRO-*  
5                   *GRAM.*—The term ‘probation with enforcement pro-

6                   gram’ means a program that—  
7                   “(A) reduces drug use, crime, and recidi-  
8                   vism by requiring swift, predictable, and grad-  
9                   uated sanctions for noncompliance with the con-  
10                  ditions of probation, as determined by the Attor-  
11                  ney General;

12                  “(B) identifies for enrollment in the pro-  
13                  gram eligible offenders who are serving a term of  
14                  probation and who are at high risk of failing to  
15                  observe the conditions of supervision and of being  
16                  returned to incarceration as a result of the fail-  
17                  ure;

18                  “(C) notifies eligible offenders of the rules of  
19                  the probation demonstration program, and con-  
20                  sequences for violating such rules;

21                  “(D) monitors eligible offenders for illicit  
22                  drug use with regular and rapid-result drug  
23                  screening;

24                  “(E) monitors eligible offenders for viola-  
25                  tions of other rules and probation terms, includ-

1            *ing failure to pay court-ordered financial obliga-*  
2            *tions, such as child support or victim restitution;*

3            *“(F) responds to violations of the other rules*  
4            *and probation terms with immediate arrest of*  
5            *the violating eligible offender, and swift and cer-*  
6            *tain modification of the conditions of probation,*  
7            *including imposition of short jail stays (which*  
8            *may gradually become longer with each addi-*  
9            *tional violation and modification);*

10           *“(G) immediately responds to eligible of-*  
11           *fenders who have absconded from supervision*  
12           *with service of bench warrants and immediate*  
13           *sanctions;*

14           *“(H) provides rewards to eligible offenders*  
15           *who comply with such rules;*

16           *“(I) ensures funding for, and referral to,*  
17           *substance abuse treatment for eligible offenders*  
18           *who repeatedly fail to refrain from illicit drug*  
19           *use; and*

20           *“(J) establishes procedures to terminate pro-*  
21           *gram participation by, and initiate revocation*  
22           *to a term of incarceration for, eligible offenders*  
23           *who habitually fail to abide by program rules*  
24           *and pose a threat to public safety.*

1           “(3) *LAW ENFORCEMENT OR PROSECUTION DRUG*  
2           *TREATMENT ALTERNATIVE TO PRISON OR JAIL PRO-*  
3           *GRAM.—The term ‘law enforcement or prosecution*  
4           *drug treatment alternative to prison or jail program’*  
5           *means a program that—*

6                     “(A) *is administered by a prosecutor or law*  
7                     *enforcement officer of a State, Indian tribe, or*  
8                     *local government;*

9                     “(B) *requires an eligible offender who is*  
10                    *sentenced to participate in the program (instead*  
11                    *of incarceration) to participate in a comprehen-*  
12                    *sive substance abuse treatment program that is*  
13                    *approved by the State or Indian tribe and li-*  
14                    *censed, if necessary, to provide medical and other*  
15                    *health services;*

16                    “(C) *requires an eligible offender to receive*  
17                    *the consent of the prosecutor or law enforcement*  
18                    *officer involved to participate in the program;*

19                    “(D) *in the case of an eligible offender who*  
20                    *is sentenced to participate in the program, re-*  
21                    *quires the offender to serve a sentence of impris-*  
22                    *onment with respect to the crime involved if the*  
23                    *prosecutor or law enforcement officer, in conjunc-*  
24                    *tion with the treatment provider, determines that*  
25                    *the eligible offender has not successfully com-*

1            *pleted the relevant substance abuse treatment*  
2            *program described in subparagraph (B);*

3            *“(E) provides for the dismissal of the crimi-*  
4            *nal charges that lead to the participation of an*  
5            *eligible offender in the program if the eligible of-*  
6            *fender is determined to have successfully com-*  
7            *pleted the program;*

8            *“(F) requires each substance abuse provider*  
9            *treating an eligible offender under the program*  
10           *to—*

11           *“(i) make periodic reports of the*  
12           *progress of the treatment of the eligible of-*  
13           *fender to the law enforcement officer in-*  
14           *volved and to the appropriate court in*  
15           *which the eligible offender was convicted;*  
16           *and*

17           *“(ii) notify the prosecutor or law en-*  
18           *forcement officer involved and the appro-*  
19           *priate court if the eligible offender absconds*  
20           *from the facility of the treatment provider*  
21           *or otherwise violates the terms and condi-*  
22           *tions of the program, consistent with Fed-*  
23           *eral and State confidentiality requirements;*  
24           *and*

1           “(G) has an enforcement unit comprised of  
2 law enforcement officers involved, the duties of  
3 which shall include—

4                   “(i) verifying the address of an eligible  
5 offender and other contacts; and

6                   “(ii) if necessary, locating, appre-  
7 hending, and arresting an eligible offender  
8 who has absconded from the facility of a  
9 substance abuse treatment provider or other-  
10 wise violated the terms and conditions of  
11 the program and returning the eligible of-  
12 fender to the appropriate court for sen-  
13 tencing for the crime involved.

14           “(4) REENTRY COURT.—The term ‘reentry court’  
15 means a program that—

16                   “(A) monitors juvenile and adult eligible of-  
17 fenders reentering the community;

18                   “(B) provides juvenile and adult eligible of-  
19 fenders reentering the community with coordi-  
20 nated and comprehensive reentry services and  
21 programs, such as—

22                   “(i) drug and alcohol testing and as-  
23 sessment for treatment;

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

1           *approved by the State or Indian tribe and*  
2           *licensed by the appropriate entity to pro-*  
3           *vide alcohol and drug addiction treatment,*  
4           *as appropriate;*

5           *“(iii) substance abuse treatment from a*  
6           *provider that is approved by the State or*  
7           *Indian tribe, and licensed, if necessary, to*  
8           *provide medical and other health services;*

9           *“(iv) health (including mental health)*  
10          *services and assessment;*

11          *“(v) aftercare and case management*  
12          *services that—*

13                *“(I) facilitate access to clinical*  
14                *care and related health services; and*

15                *“(II) coordinate with such clinical*  
16                *care and related health services; and*

17                *“(vi) any other services needed for re-*  
18                *entry;*

19                *“(C) convenes community impact panels,*  
20                *victim impact panels, or victim impact edu-*  
21                *cational classes;*

22                *“(D) provides and coordinates the delivery*  
23                *of community services to juvenile and adult eli-*  
24                *gible offenders, including—*

25                    *“(i) housing assistance;*

1                   “(ii) education;  
2                   “(iii) job training;  
3                   “(iv) conflict resolution skills training;  
4                   “(v) batterer intervention programs;  
5                   and  
6                   “(vi) other appropriate social services;  
7                   and  
8                   “(E) establishes and implements graduated  
9                   sanctions and incentives.

10 **“SEC. 2902. GRANT AUTHORITY.**

11           “(a) *IN GENERAL.*—*The Attorney General may make*  
12 *grants to States, local governments, territories, Indian*  
13 *tribes, nonprofit agencies, or any combination thereof, to*  
14 *develop, implement, or expand programs that provide alter-*  
15 *natives to incarceration, in accordance with this part.*

16           “(b) *ALLOWABLE USES.*—

17                   “(1) *IN GENERAL.*—*A grant under this part may*  
18 *be used for the expenses of a law enforcement or pros-*  
19 *ecution drug treatment alternatives to prison or jail*  
20 *program, a problem-solving court, including a reentry*  
21 *court, or a probation with enforcement program in-*  
22 *cluding for—*

23                           “(A) *salaries, personnel costs, equipment*  
24 *costs, and other costs directly related to the oper-*  
25 *ation or evaluation of the program;*

1           “(B) payments for providers that are ap-  
2           proved by the State or Indian tribe and licensed,  
3           if necessary, to provide needed treatment or edu-  
4           cation to eligible offenders participating in the  
5           program, including aftercare supervision, mental  
6           health services, substance abuse services, voca-  
7           tional training, education, and job placement;  
8           and

9           “(C) payments to public and nonprofit pri-  
10          vate entities that are approved by the State or  
11          Indian tribe and licensed, if necessary, to pro-  
12          vide mental health, alcohol and drug addiction  
13          treatment to offenders participating in the pro-  
14          gram.

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

20          “(c) APPLICATIONS.—

21                 “(1) IN GENERAL.—A State, local government,  
22                 territory, Indian tribe, or nonprofit agency desiring  
23                 a grant under this part shall submit an application  
24                 to the Attorney General in such form and containing

1       *such information as the Attorney General may rea-*  
2       *sonably require.*

3               “(2) *APPLICATION CONTENTS.—An application*  
4       *submitted under paragraph (1) shall—*

5                       “(A) *describe the program to be assisted*  
6                       *under this part and the need for the program to*  
7                       *serve eligible offenders;*

8                       “(B) *describe a long-term strategy and de-*  
9                       *tailed implementation plan for the program, in-*  
10                      *cluding how the applicant plans to pay for the*  
11                      *program after the Federal funding is discon-*  
12                      *tinued;*

13                      “(C) *identify the governmental and commu-*  
14                      *nity agencies the activities of which shall be co-*  
15                      *ordinated under the project;*

16                      “(D) *certify that—*

17                               “(i) *all agencies affected by the pro-*  
18                               *gram, including community corrections and*  
19                               *parole entities, have been appropriately con-*  
20                               *sulted in the development of the program;*  
21                               *and*

22                               “(ii) *there will be appropriate coordi-*  
23                               *nation with all such agencies in the imple-*  
24                               *mentation of the program; and*

1                   “(E) describe the methodology and outcome  
2                   measures that will be used to evaluate the pro-  
3                   gram.

4   **“SEC. 2903. FEDERAL SHARE.**

5                   “(a) *MATCHING REQUIREMENT.*—The Federal share of  
6                   the cost of an activity carried out using a grant under this  
7                   part shall be not more than 50 percent.

8                   “(b) *IN-KIND CONTRIBUTIONS.*—

9                   “(1) *IN GENERAL.*—Subject to paragraph (2), the  
10                  recipient of a grant under this part may meet the  
11                  matching requirement under subsection (a) by mak-  
12                  ing in-kind contributions of goods or services that are  
13                  directly related to the purpose for which the grant  
14                  was awarded.

15                  “(2) *MAXIMUM PERCENTAGE.*—Not more than 75  
16                  percent of the amount provided by a recipient of a  
17                  grant under this part to meet the matching require-  
18                  ment under subsection (a) may be provided through  
19                  in-kind contributions under paragraph (1).

20   **“SEC. 2904. GEOGRAPHIC DISTRIBUTION.**

21                  “The Attorney General shall ensure that, to the extent  
22                  practicable, the distribution of grants under this part is eq-  
23                  uitable and includes States, local governments, territories,  
24                  Indian tribes, or nonprofit agencies—

25                  “(1) in each State; and

1           “(2) in rural, suburban, tribal, and urban juris-  
2           dictions.

3   **“SEC. 2905. REPORTS AND EVALUATIONS.**

4           “Each entity receiving a grant under this section shall  
5 submit to the Attorney General, for each fiscal year in  
6 which funds received under the grant are expended, a re-  
7 port, at such time and in such manner as the Attorney Gen-  
8 eral may reasonably require, that contains—

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

11           “(2) an assessment of whether the activities are  
12 meeting the need for the program identified in the ap-  
13 plication submitted under section 2902(c); and

14           “(3) such other information as the Attorney Gen-  
15 eral may require.

16   **“SEC. 2906. TRAINING AND TECHNICAL ASSISTANCE.**

17           “*The Attorney General may, using amounts made*  
18 *available to carry out this part, establish training and tech-*  
19 *nical assistance for grantees, including—*

20           “(1) providing education, training, and tech-  
21 nical assistance for States, Indian tribes, territories,  
22 local governments, service providers, and nonprofit  
23 organizations relating to problem-solving courts, law  
24 enforcement or prosecution drug treatment alternative

1       to prison or jail programs, and probation with en-  
2       forcement programs;

3               “(2) collecting data and best practices from  
4       grantees and other agencies and organizations;

5               “(3) developing and disseminating evaluation  
6       tools, mechanisms, and measures to better assess and  
7       document performance measures and outcomes;

8               “(4) disseminating information to States and  
9       other relevant entities about best practices, policy  
10      standards, and research findings; and

11              “(5) interdisciplinary and profession-specific  
12      training for relevant professionals on information  
13      and skills necessary to plan, implement, or expand  
14      problem-solving courts, law enforcement drug treat-  
15      ment alternative to prisons programs, and probation  
16      with enforcement programs.

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

18              “(a) *IN GENERAL.*—There are authorized to be appro-  
19      priated to carry out this part—

20                   “(1) \$10,000,000 for fiscal year 2012;

21                   “(2) \$12,000,000 for fiscal year 2013;

22                   “(3) \$14,000,000 for fiscal year 2014;

23                   “(4) \$16,000,000 for fiscal year 2015; and

24                   “(5) \$20,000,000 for fiscal year 2016.

1       “(b) *LIMITATIONS.*—Of the amounts made available  
2 pursuant to subsection (a) for a fiscal year—

3               “(1) not more than 2 percent may be used by the  
4 Attorney General for salaries and administrative ex-  
5 penses; and

6               “(2) not more than 5 percent nor less than 2  
7 percent may be used for technical assistance and  
8 training.

9       **“SEC. 2908. RULE OF CONSTRUCTION.**

10       “Nothing in this part shall be construed to prevent a  
11 grantee that operates a drug court under part EE when  
12 the grant under this part is awarded from using funds from  
13 the grant under this part to supplement the drug court in  
14 accordance with section 2902(b)(1).”.

15               (2) *TECHNICAL AND CONFORMING AMEND-*  
16 *MENTS.*—Title I of the Omnibus Crime Control and  
17 *Safe Streets Act of 1968* is amended—

18                       (A) in section 1001(a) (42 U.S.C. 3793(a)),  
19 by striking paragraph (26); and

20                       (B) by striking section 2978 (42 U.S.C.  
21 3797w-2).

22               (3) *SAVINGS CLAUSE.*—A grant made under sec-  
23 tion 2978 or part CC of title I of the Omnibus Crime  
24 Control and Safe Streets Act of 1968 (42 U.S.C.  
25 3797w-2 and 3797q et seq.) before the date of enact-

1        *ment of this Act shall remain in full force and effect*  
2        *under the terms, and for the duration, of the grant.*

3        (c) *GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE*  
4        *TREATMENT.—Part DD of title I of the Omnibus Crime*  
5        *Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et*  
6        *seq.) is amended—*

7                (1) *in section 2921 (42 U.S.C. 3797s), in the*  
8        *matter preceding paragraph (1), by inserting “non-*  
9        *profit organizations,” before “and Indian”; and*

10                (2) *by striking section 2926(a) (42 U.S.C.*  
11        *3797s–5(a)), and inserting the following:*

12        *“(a) IN GENERAL.—There are authorized to be appro-*  
13        *priated to carry out this part—*

14                *“(1) \$8,000,000 for fiscal year 2012; and*

15                *“(2) \$10,000,000 for each of fiscal years 2013,*  
16        *2014, 2015, and 2016.”.*

17        (d) *GRANT PROGRAM TO EVALUATE AND IMPROVE*  
18        *EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVE-*  
19        *NILE FACILITIES.—Title I of the Omnibus Crime Control*  
20        *and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is*  
21        *amended—*

22                (1) *by redesignating part KK (42 U.S.C. 3793ee*  
23        *et seq.) as part LL;*

24                (2) *by redesignating the second part designated*  
25        *as part JJ, as added by the Second Chance Act of*

1       2007 (Public Law 110–199; 122 Stat. 677), relating  
2       to grants to evaluate and improve educational meth-  
3       ods, as part *KK*;

4               (3) by redesignating the second section des-  
5       ignated as section 3001 and section 3002 (42 U.S.C.  
6       3797dd and 3797dd–1), as added by the Second  
7       Chance Act of 2007 (Public Law 110–199; 122 Stat.  
8       677), relating to grants to evaluate and improve edu-  
9       cational methods, as sections 3005 and 3006, respec-  
10      tively;

11              (4) in section 3005, as so redesignated—

12                      (A) in subsection (a)—

13                              (i) in paragraph (2), by striking  
14                              “and” at the end;

15                              (ii) in paragraph (3), by striking the  
16                              period at the end and inserting “; and”;  
17                              and

18                              (iii) by adding at the end the fol-  
19                              lowing:

20                      “(4) implement methods to improve academic  
21                      and vocational education for offenders in prisons,  
22                      jails, and juvenile facilities consistent with the best  
23                      practices identified in subsection (c).”;

24                      (B) by redesignating subsection (c) as sub-  
25                      section (d); and

1                   (C) by inserting after subsection (b), the fol-  
2                   lowing:

3           “(c) *BEST PRACTICES*.—Not later than 180 days after  
4 the date of enactment of the *Second Chance Reauthorization*  
5 *Act of 2011*, the Attorney General shall identify and publish  
6 best practices relating to academic and vocational edu-  
7 cation for offenders in prisons, jails, and juvenile facilities.  
8 The best practices shall consider the evaluations performed  
9 and recommendations made under grants made under sub-  
10 section (a) before the date of enactment of the *Second*  
11 *Chance Reauthorization Act of 2011*”; and

12           (5) in section 3006, as so redesignated, by strik-  
13 ing “to carry” and all that follows through “2010”  
14 and inserting “for each of fiscal years 2012, 2013,  
15 2014, 2015, and 2016 for grants for purposes de-  
16 scribed in section 3005(a)(4)”.

17           (e) *TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS*.—Section 115 of the *Second Chance Act of*  
18 *2007 (42 U.S.C. 17511)* is amended—

20           (1) in subsection (a), by striking “and Indian”  
21 and inserting “nonprofit organizations, and Indian”;  
22 and

23           (2) by striking subsection (e) and inserting the  
24 following:

1       “(e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
2 *authorized to be appropriated to carry out this section—*

3               “(1) \$7,000,000 for each of fiscal years 2012 and  
4       2013; and

5               “(2) \$10,000,000 for each of fiscal years 2014,  
6       2015, and 2016.”.

7       (f) *OFFENDER REENTRY SUBSTANCE ABUSE AND*  
8 *CRIMINAL JUSTICE COLLABORATION PROGRAM.*—*Section*  
9 *201(f)(1) of the Second Chance Act of 2007 (42 U.S.C.*  
10 *17521(f)(1)) is amended to read as follows:*

11               “(1) *IN GENERAL.*—*There are authorized to be*  
12 *appropriated to carry out this section \$15,000,000 for*  
13 *each of fiscal years 2012 through 2016.”.*

14       (g) *MENTORING GRANTS TO NONPROFIT ORGANIZA-*  
15 *TIONS.*—*Section 211 of the Second Chance Act of 2007 (42*  
16 *U.S.C. 17531) is amended—*

17               (1) *by redesignating subsection (f) as subsection*  
18 *(g);*

19               (2) *by inserting after subsection (e) the following:*  
20 *“(f) DEFINITIONS.—In this section—*

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

23               “(A) *has been convicted of a Federal or*  
24 *State offense that is punishable by a term of im-*  
25 *prisonment of more than 1 year;*

1           “(B) has served a term of imprisonment for  
2           not less than 6 months in a Federal or State  
3           prison or correctional facility as a result of the  
4           conviction described in subparagraph (A); and

5           “(C) has been determined to be factually in-  
6           nocent of the offense described in subparagraph  
7           (A); and

8           “(2) the term ‘offender’ includes an exoneree.”;  
9           and

10           (3) in subsection (g), as redesignated, by striking  
11           “this section” and all that follows and inserting the  
12           following: “this section—”

13           “(1) \$15,000,000 for fiscal year 2012;

14           “(2) \$16,000,000 for fiscal year 2013;

15           “(3) \$16,000,000 for fiscal year 2014;

16           “(4) \$19,000,000 for fiscal year 2015; and

17           “(5) \$20,000,000 for fiscal year 2016.”.

18   **SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEES.**

19           (a) *DEFINITION.*—In this section, the term “unresolved  
20           audit finding” means an audit report finding or rec-  
21           ommendation that a grantee has used grant funds for an  
22           unauthorized expenditure or otherwise unallowable cost that  
23           is not closed or resolved during a 1-year period beginning  
24           on the date of an initial notification of the finding or rec-  
25           ommendation.

1       **(b) AUDIT REQUIREMENT.**—*Beginning in fiscal year*  
2 *2012, and every 3 years thereafter, the Inspector General*  
3 *of the Department of Justice shall conduct an audit of not*  
4 *less than 10 percent of all grantees that are awarded fund-*  
5 *ing under—*

6           (1) *section 2976(b) of title I of the Omnibus*  
7 *Crime Control and Safe Streets Act of 1968 (42*  
8 *U.S.C. 3797w(b));*

9           (2) *part CC of title I of the Omnibus Crime Con-*  
10 *trol and Safe Streets Act of 1968 (42 U.S.C. 3797q*  
11 *et seq.), as amended by this Act;*

12           (3) *part DD of title I of the Omnibus Crime*  
13 *Control and Safe Streets Act of 1968 (42 U.S.C.*  
14 *3797s et seq.);*

15           (4) *part JJ of title I of the Omnibus Crime Con-*  
16 *trol and Safe Streets Act of 1968 (42 U.S.C. 3797dd*  
17 *et seq.); or*

18           (5) *section 115, 201, or 211 of the Second*  
19 *Chance Act of 2007 (42 U.S.C. 17511, 17521, and*  
20 *17531).*

21       **(c) MANDATORY EXCLUSION.**—*A grantee that is found*  
22 *to have an unresolved audit finding under an audit con-*  
23 *ducted under subsection (b) may not receive grant funds*  
24 *under the grant programs described in paragraphs (1)*

1 through (5) of subsection (b) in the 2 fiscal years following  
2 the fiscal year to which the finding relates.

3 (d) *REIMBURSEMENT.*—If a grantee described in sub-  
4 section (c) is awarded funds under a grant program de-  
5 scribed subsection (b) during the 2-fiscal-year period in  
6 which the grantee is barred from receiving grants under  
7 subsection (c), the Attorney General shall pay to the General  
8 Fund of the Treasury an amount that is equal to the  
9 amount that was improperly awarded to the grantee.

10 (e) *PRIORITY OF GRANT AWARDS.*—The Attorney Gen-  
11 eral, in awarding grants under the programs described in  
12 paragraphs (1) through (5) of subsection (b) shall give pri-  
13 ority to eligible entities that during the 2-year period pre-  
14 ceding the application for a grant have not been found to  
15 have an unresolved audit finding.

16 (f) *NONPROFIT ORGANIZATION REQUIREMENTS.*—

17 (1) *DEFINITION.*—For purposes of this section  
18 and the grant programs described in subsection (b),  
19 the term “nonprofit organization” means an organi-  
20 zation that is described in section 501(c)(3) of the In-  
21 ternal Revenue Code of 1986 and exempt from tax-  
22 ation under section 501(a) of such Code.

23 (2) *PROHIBITION ON AWARDING OF GRANTS.*—  
24 The Attorney General may not award a grant under  
25 a grant program described in subsection (b) to a non-

1     *profit organization that holds money in offshore ac-*  
2     *counts for the purpose of avoiding paying the tax de-*  
3     *scribed in section 511(a) of the Internal Revenue Code*  
4     *of 1986.*

5             (3) *DISCLOSURE.—Each nonprofit organization*  
6     *that is awarded a grant under a grant program de-*  
7     *scribed in subsection (b) and uses the procedures pre-*  
8     *scribed in regulations to create a rebuttable presump-*  
9     *tion of reasonableness for the compensation of its offi-*  
10    *cers, directors, trustees and key employees, shall dis-*  
11    *close to the Attorney General, in the application for*  
12    *the grant, the process for determining such compensa-*  
13    *tion, including the independent persons involved in*  
14    *reviewing and approving such compensation, the com-*  
15    *parability data used, and contemporaneous substan-*  
16    *tiation of the deliberation and decision. Upon request,*  
17    *the Attorney General shall make the information dis-*  
18    *closed under this subsection available for public in-*  
19    *spection.*

20    **SEC. 4. FEDERAL REENTRY IMPROVEMENTS.**

21             (a) *RESPONSIBLE REINTEGRATION OF OFFENDERS.—*  
22    *Section 212 of the Second Chance Act of 2007 (42 U.S.C.*  
23    *17532) is repealed.*

1       (b) *FEDERAL PRISONER REENTRY INITIATIVE.*—*Sec-*  
2 *tion 231 of the Second Chance Act of 2007 (42 U.S.C.*  
3 *17541) is amended—*

4           (1) *in subsection (g)—*

5               (A) *in paragraph (3), by striking “carried*  
6 *out during fiscal years 2009 and 2010” and in-*  
7 *serting “carried out during fiscal years 2012*  
8 *through 2016”; and*

9               (B) *in paragraph (5)(A)(i), by striking “65*  
10 *years” and inserting “60 years”;*

11           (2) *by striking subsection (h);*

12           (3) *by redesignating subsection (i) as subsection*  
13 *(h); and*

14           (4) *in subsection (h), as so redesignated, by*  
15 *striking “2009 and 2010” and inserting “2012*  
16 *through 2016”.*

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

20           (1) *in paragraph (5), in the second sentence, by*  
21 *inserting “, and number of prisoners not being placed*  
22 *in community corrections facilities for each reason set*  
23 *forth” before “, and any other information”; and*

1           (2) *in paragraph (6), by striking “the Second*  
2           *Chance Act of 2007” and inserting “the Second*  
3           *Chance Reauthorization Act of 2011”.*

4           (d) *TERMINATION OF STUDY ON EFFECTIVENESS OF*  
5           *DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section*  
6           *244 of the Second Chance Act of 2007 (42 U.S.C. 17554)*  
7           *is repealed.*

8           (e) *AUTHORIZATION OF APPROPRIATIONS FOR RE-*  
9           *SEARCH.—Section 245 of the Second Chance Act of 2007*  
10          *(42 U.S.C. 17555) is amended—*

11           (1) *by striking “243, and 244” and inserting*  
12           *“and 243”; and*

13           (2) *by striking “2009 and 2010” and inserting*  
14           *“2012, 2013, 2014, 2015, and 2016”.*

15          (f) *GOOD TIME CONDUCT CALCULATION.—*

16           (1) *IN GENERAL.—Section 3624(b) of title 18,*  
17           *United States Code, is amended—*

18           (A) *by striking paragraph (1) and inserting*  
19           *the following:*

20           “(1) *Subject to paragraphs (2) and (3)(C), a*  
21           *prisoner who is serving a term of imprisonment of*  
22           *more than 1 year, other than a term of imprisonment*  
23           *for the duration of the prisoner’s life, shall receive*  
24           *credit toward the service of the prisoner’s sentence, in*  
25           *addition to the time actually served by the prisoner,*

1 *beginning on the date on which the sentence of the*  
 2 *prisoner commences, at the rate of 54 days per year*  
 3 *of sentence imposed, if the Bureau of Prisons deter-*  
 4 *mines that the prisoner has displayed exemplary com-*  
 5 *pliance with institutional disciplinary regulations.”;*  
 6 *and*

7 *(B) by striking paragraphs (3) and (4) and*  
 8 *inserting the following:*

9 *“(3)(A) This subsection shall apply to all pris-*  
 10 *oners serving a term of imprisonment for offenses*  
 11 *committed on or after November 1, 1987.*

12 *“(B) With respect to a prisoner serving a term*  
 13 *of imprisonment on the date of enactment of the Sec-*  
 14 *ond Chance Reauthorization Act of 2011, this sub-*  
 15 *section shall apply to the entirety of the sentence im-*  
 16 *posed on the prisoner, including time already served.*

17 *“(C) A prisoner may not be awarded credit*  
 18 *under this subsection that would cause the prisoner to*  
 19 *be eligible for release earlier than the time already*  
 20 *served by the prisoner on the imposed sentence.”.*

21 *(2) EFFECTIVE DATE.—The amendments made*  
 22 *by paragraph (1) shall take effect 90 days after the*  
 23 *date of enactment of this Act.*

24 *(g) FEDERAL PRISONER RECIDIVISM REDUCTION*  
 25 *PROGRAMMING ENHANCEMENT.—*

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

3                   (A) *by redesignating subsection (g) as sub-*  
4                   *section (i); and*

5                   (B) *by inserting after subsection (f) the fol-*  
6                   *lowing:*

7           “(g) *INCENTIVE FOR PRISONERS’ PARTICIPATION IN*  
8           *REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.*—

9                   “(1) *DEFINITIONS.*—*In this subsection—*

10                   “(A) *the term ‘demonstrated to reduce re-*  
11                   *cidivism’ means that the Director of Bureau of*  
12                   *Prisons has determined that appropriate re-*  
13                   *search has been conducted and has validated the*  
14                   *effectiveness of the program on recidivism; and*

15                   “(B) *the term ‘successfully participates’*  
16                   *means that a prisoner has been enrolled for a pe-*  
17                   *riod of not less than 180 days during the 12*  
18                   *months preceding the award of credit in 1 or*  
19                   *more programs—*

20                           “(i) *for which the prisoner is eligible;*

21                           *and*

22                           “(ii) *that meet the treatment and pro-*  
23                           *gram needs of the prisoner.*

24                   “(2) *ELIGIBILITY TO EARN ADDITIONAL CRED-*  
25                   *IT.*—

1           “(A) *IN GENERAL.*—*Except as provided in*  
2           *subparagraph (B), any prisoner who, in the*  
3           *judgment of the Director of the Bureau of Pris-*  
4           *ons, successfully participates in a program that*  
5           *has been demonstrated to reduce recidivism, is el-*  
6           *igible to earn additional credit toward satisfac-*  
7           *tion of the sentence being served by the prisoner.*

8           “(B) *LIMITATION ON ELIGIBILITY.*—*Any*  
9           *prisoner who has more than 1 conviction for an*  
10           *offense involving rape or has been convicted of a*  
11           *sex offense against a minor is not eligible to earn*  
12           *additional credit toward satisfaction of the sen-*  
13           *tence being served by the prisoner under sub-*  
14           *paragraph (A).*

15           “(3) *CREDIT TOWARD SERVICE OF SENTENCE.*—  
16           *Except as provided in paragraph (4), a prisoner may*  
17           *receive credit toward service of the sentence of the*  
18           *prisoner of up to 60 days per year for each year in*  
19           *which the prisoner is in custody of the Bureau of*  
20           *Prisons and successfully participates in a program*  
21           *described in paragraph (2). Any credits awarded*  
22           *under this subsection shall vest on the date the pris-*  
23           *oner is released from custody.*

24           “(4) *LIMITATION ON AWARDS OF CREDIT.*—

1           “(A) *IN GENERAL.*—A prisoner may accrue  
2           credit toward service of the sentence of the pris-  
3           oner under this subsection if the credit accrued  
4           under this subsection, when combined with any  
5           reductions in the period of time the prisoner re-  
6           mains in custody resulting from participation in  
7           a residential substance abuse program and credit  
8           received under section 3624(b), does not exceed  
9           33 percent of the sentence imposed on the pris-  
10          oner.

11           “(B) *PRIOR TIME CREDIT.*—No credits shall  
12          be awarded for any time spent in—

13                   “(i) programs during the 180-day pe-  
14                   riod preceding the enactment of the Second  
15                   Chance Reauthorization Act of 2011; or

16                   “(ii) official detention prior to the date  
17                   the sentence commences under section  
18                   3585(a).

19           “(5) *RECEIPT OF CREDIT AT END OF YEAR.*—A  
20          prisoner may receive credit at the end of each year  
21          of the sentence being served by the prisoner, beginning  
22          at the end of the first year of the sentence, subject to  
23          a determination by the Director by the Bureau of  
24          Prisons that during the year the prisoner display ex-  
25          emplary compliance with institutional disciplinary

1       *regulations. For purposes of this section, the first year*  
2       *shall commence on the date the sentence commences*  
3       *under section 3585(a).*

4       “(h) *PARTNERSHIPS TO EXPAND ACCESS TO REENTRY*  
5       *PROGRAMS PROVEN TO REDUCE RECIDIVISM.—*

6               “(1) *DEFINITIONS.—The term ‘demonstrated to*  
7       *reduce recidivism’ means that the Director of Bureau*  
8       *of Prisons has determined that appropriate research*  
9       *has been conducted and has validated the effectiveness*  
10       *of the type of program on recidivism.*

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

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

1           “(4) *REPORTING REQUIREMENT.*—*The Director*  
2           *of the Bureau of Prisons shall submit to Congress an*  
3           *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 reduction*  
9                             *partnerships under this section that were in*  
10                            *effect;*

11                           “(ii) *the number of volunteers that pro-*  
12                            *vided recidivism reduction programming;*  
13                            *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 **SEC. 5. GAO STUDY AND REPORT.**

23           (a) *STUDY.*—*The Comptroller General of the United*  
24           *States shall conduct a study that—*

1           (1) identifies all programs and initiatives for  
2           prisoners within the custody of the Federal Govern-  
3           ment that focus on prisoner reentry, criminal recidi-  
4           vism, substance abuse treatment, mentoring, or career  
5           training; and

6           (2) evaluates whether there are any programs or  
7           initiatives identified under paragraph (1) that are  
8           duplicative or overlapping in nature.

9           (b) *REPORT.*—The Comptroller shall submit to Con-  
10          gress a report on the findings of the study conducted under  
11          subsection (a), which shall include—

12           (1) a description of the cost of any duplicative  
13           or overlapping programs or initiatives; and

14           (2) recommendations on—

15           (A) how to achieve cost savings within the  
16           programs and initiatives identified under sub-  
17           section (a)(1); and

18           (B) which Federal agency would be best  
19           equipped to administer the programs and initia-  
20           tives.



Calendar No. 108

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1231**

**A BILL**

To reauthorize the Second Chance Act of 2007.

JULY 21, 2011

Reported with an amendment