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SECOND CHANCE ACT OF 2007

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

H.R. 1593

MARCH 20, 2007

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SECOND CHANCE ACT OF 2007

TUESDAY, MARCH 20, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME, TERRORISM,
AND HOMELAND SECURITY
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:52 p.m., in Room 2141, Rayburn House Office Building, the Honorable Robert C. Scott (Chairman of the Subcommittee) presiding.

Present: Representatives Scott, Nadler, Johnson, Jackson Lee, Conyers, Forbes, Gohmert, Coble, Chabot, and Lungren.

Staff present: Keenan Kelly, Majority Counsel; Michael Volkov, Minority Counsel; and Veronica Eligan, Professional Staff Member.

Mr. SCOTT. The Subcommittee will come to order.

And I want to apologize for the delay. We have votes on the floor. And hopefully we will have a little time without interruption.

I am pleased to welcome you to the hearing on the Second Chance Act of 2007.

[The text of the bill, H.R. 1593, follows:]

I

110TH CONGRESS
1ST SESSION

H. R. 1593

To reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2007

Mr. DAVIS of Illinois (for himself, Mr. CANNON, Mr. CONYERS, Mr. COBLE, Mr. SCOTT of Virginia, Mr. SMITH of Texas, Mrs. JONES of Ohio, Mr. FORBES, Mr. SCHIFF, Mr. SENSENBRENNER, Mr. CHABOT, Ms. JACKSON-LEE of Texas, Mr. CUMMINGS, Mr. JOHNSON of Georgia, and Ms. CLARKE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Second Chance Act of 2007: Community Safety Through Recidivism Prevention" or the "Second Chance Act of 2007".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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

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

Subtitle A—Improvements to Existing Programs

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

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

Sec. 111. State and local reentry courts.
Sec. 112. Grants for comprehensive and continuous offender reentry task forces.
Sec. 113. Prosecution drug treatment alternative to prison programs.
Sec. 114. Grants for family substance abuse treatment alternatives to incarceration.
Sec. 115. Prison-based family treatment programs for incarcerated parents of minor children.
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Sec. 201. Grants for demonstration programs to reduce drug use and recidivism in long-term substance abusers.
Sec. 202. Grants for demonstration programs by local partnerships to reduce illegal drug demand by providing drug treatment.
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Sec. 204. Ensuring availability and delivery of new pharmacological drug treatment services.
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Sec. 211. Technology careers training demonstration grants.

Subtitle C—Mentoring

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Subtitle D—Administration of Justice Reforms

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Sec. 233. Improved reentry procedures for Federal prisoners.
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Sec. 241. Offender reentry research.
Sec. 242. Grants to study parole or post-incarceration supervision violations and revocations.
Sec. 243. Addressing the needs of children of incarcerated parents.

CHAPTER 3—CORRECTIONAL REFORMS TO EXISTING LAW

Sec. 251. Clarification of authority to place prisoner in community corrections.
Sec. 252. Residential drug abuse program in Federal prisons.
Sec. 253. Medical care for prisoners.
Sec. 254. Contracting for services for post-conviction supervision offenders.

SEC. 3. FINDINGS.

Congress finds the following:

(1) In 2002, over 7,000,000 people were incarcerated in Federal, State, or local prisons or jails, or were under parole or court supervision. Nearly 650,000 people are released from Federal and State incarceration into communities nationwide each year.

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

(3) Nearly ⅔ of released State prisoners are expected to be rearrested for a felony or serious misdemeanor within 3 years after release.

(4) According to the Bureau of Justice Statistics, expenditures on corrections alone increased from $9,000,000,000 in 1982 to $59,600,000,000 in 2002. These figures do not include the cost of arrest and prosecution, nor do they take into account the cost to victims.

(5) The Serious and Violent Offender Reentry Initiative provided $139,000,000 in funding for State governments to develop and implement education, job training, mental health treatment, and substance abuse treatment for serious and violent offenders. This Act seeks to build upon the innovative and successful State reentry programs developed under the Serious and Violent Offender Reentry Initiative, which terminated after fiscal year 2005.

(6) Between 1991 and 1999, the number of children with a parent in a Federal or State correctional facility increased by more than 100 percent, from approximately 900,000 to approximately 2,000,000. According to the Bureau of Prisons, there is evidence to suggest that inmates who are connected to their children and families are more likely to avoid negative incidents and have reduced sentences.

(7) Released prisoners cite family support as the most important factor in helping them stay out of prison. Research suggests that families are an often underutilized resource in the reentry process.

(8) Approximately 100,000 juveniles (ages 17 years and under) leave juvenile correctional facilities, State prison, or Federal prison each year. Juveniles released from secure confinement still have their likely prime crime years ahead of them. Juveniles released from secure confinement have a recidivism rate ranging from 55 to 75 percent. The chances that young people will successfully transition into society improve with effective reentry and aftercare programs.

(9) Studies have shown that between 15 percent and 27 percent of prisoners expect to go to homeless shelters upon release from prison.

(10) Fifty-seven percent of Federal and 70 percent of State inmates used drugs regularly before going to prison, and the Bureau of Justice Statistics report titled "Trends in State Parole, 1990–2000" estimates the use of drugs or alcohol around the time of the offense that resulted in the incarceration of the inmate at as high as 84 percent.

(11) Family-based treatment programs have proven results for serving the special populations of female offenders and substance abusers with children. An evaluation by the Substance Abuse and Mental Health Services Administration of family-based treatment for substance-abusing mothers and children found that 6 months after such treatment, 60 percent of the mothers remained alcohol and drug free, and drug-related offenses declined from 28 percent to 7 percent.

Additionally, a 2003 evaluation of residential family-based treatment programs revealed that 60 percent of mothers remained clean and sober 6 months after treatment, criminal arrests declined by 43 percent, and 88 percent of the children treated in the program with their mothers remained stabilized.

(12) A Bureau of Justice Statistics analysis indicated that only 33 percent of Federal inmates and 36 percent of State inmates had participated in residential in-patient treatment programs for alcohol and drug abuse 12 months before their release. Further, over ⅓ of all jail inmates have some physical or mental disability and 25 percent of jail inmates have been treated at some time for a mental or emotional problem.

(13) State Substance Abuse Agency Directors, also known as Single State Authorities (SSAs), manage the Nation's publicly funded substance abuse prevention and treatment systems. SSAs are responsible for planning and implementing State-wide systems of care that provide clinically appropriate substance abuse services. Given the high rate of substance use disorders among offenders reentering our communities, successful reentry programs require close interaction and collaboration with SSAs when planning, implementing, and evaluating reentry programs.

(14) According to the National Institute of Literacy, 70 percent of all prisoners function at the lowest literacy levels.

(15) Less than 32 percent of State prison inmates have a high school diploma or a higher level of education, compared to 82 percent of the general population.

(16) Approximately 38 percent of inmates who completed 11 years or less of school were not working before entry into prison.

(17) The percentage of State prisoners participating in educational programs decreased by more than 8 percent between 1991 and 1997, despite growing evidence of how educational programming while incarcerated reduces recidivism.

(18) The National Institute of Justice has found that 1 year after release, up to 60 percent of former inmates are not employed.

(19) Transitional jobs programs have proven to help people with criminal records to successfully return to the workplace and to the community, and therefore can reduce recidivism.

SEC. 4. SUBMISSION OF REPORTS TO CONGRESS.

Not later than January 31 of each year, the Attorney General shall submit all reports received under this Act and the amendments made by this Act during the preceding year to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

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

Subtitle A—Improvements to Existing Programs

SEC. 101. REAUTHORIZATION OF ADULT AND JUVENILE OFFENDER STATE AND LOCAL REENTRY DEMONSTRATION PROJECTS.

(a) ADULT AND JUVENILE OFFENDER DEMONSTRATION PROJECTS AUTHORIZED.—Section 2976(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(b)) is amended by striking paragraphs (1) through (4) and inserting the following:

"(1) establishing or improving the system or systems under which—

"(A) correctional agencies and other criminal and juvenile justice agencies of the grant recipient develop and carry out plans to facilitate the reentry into the community of each offender in the custody of the jurisdiction involved;

"(B) the supervision and services provided to offenders in the custody of the jurisdiction involved are coordinated with the supervision and services provided to offenders after reentry into the community, including coordination with Comprehensive and Continuous Offender Reentry Task Forces under section 2902 or with similar planning groups;

"(C) the efforts of various public and private entities to provide supervision and services to offenders after reentry into the community, and to family members of such offenders, are coordinated; and

"(D) offenders awaiting reentry into the community are provided with documents (such as identification papers, referrals to services, medical prescriptions, job training certificates, apprenticeship papers, and information on obtaining public assistance) useful in achieving a successful transition from prison, jail, or a juvenile facility;

"(2) carrying out programs and initiatives by units of local government to strengthen reentry services for individuals released from local jails, including coordination with Comprehensive and Continuous Offender Reentry Task Forces under section 2902 or with similar planning groups;

"(3) assessing the literacy, educational, and vocational needs of offenders in custody and identifying and providing services appropriate to meet those needs, including follow-up assessments and long-term services;

"(4) facilitating collaboration among corrections (including community corrections), technical schools, community colleges, businesses, nonprofit, and the workforce development and employment service sectors—

"(A) to promote, where appropriate, the employment of people released from prison, jail, or a juvenile facility through efforts such as educating employers about existing financial incentives;

"(B) to facilitate the creation of job opportunities, including transitional jobs and time-limited subsidized work experience (where appropriate);

"(C) to connect offenders to employment (including supportive employment and employment services before their release to the community), provide work supports (including transportation and retention services), as appropriate, and identify labor market needs to ensure that education and training are appropriate; and

"(D) to address obstacles to employment that are not directly connected to the offense committed and the risk that the offender presents to the community and provide case management services as necessary to prepare offenders for jobs that offer the potential for advancement and growth;

"(5) providing offenders with education, job training, responsible parenting and healthy relationship skills training (designed specifically to address the needs of fathers and mothers in or transitioning from prison, jail, or a juvenile facility), English literacy education, work experience programs, self-respect and life skills training, and other skills useful in achieving a successful transition from prison, jail, or a juvenile facility;

"(6) providing structured post-release housing and transitional housing (including group homes for recovering substance abusers (with appropriate safeguards that may include single-gender housing)) through which offenders are provided supervision and services immediately following reentry into the community;

"(7) assisting offenders in securing permanent housing upon release or following a stay in transitional housing;

"(8) providing substance abuse treatment and services, including providing a full continuum of substance abuse treatment services that encompasses outpatient services, comprehensive residential services and recovery, and recovery home services to offenders reentering the community from prison, jail, or a juvenile facility;

"(9) expanding family-based drug treatment centers that offer family-based comprehensive treatment services for parents and their children as a complete family unit, as appropriate to the safety, security, and well-being of the family;

"(10) encouraging collaboration among juvenile and adult corrections, community corrections, and community health centers to allow access to affordable and quality primary health care for offenders during the period of transition from prison, jail, or a juvenile facility;

"(11) providing or facilitating health care services to offenders (including substance abuse screening, treatment, and aftercare, infectious disease screening and treatment, and screening, assessment, and aftercare for mental health services) to protect the communities in which offenders will live;

"(12) enabling prison, jail, or juvenile facility mentors of offenders to remain in contact with those offenders (including through the use of all available technology) while in prison, jail, or a juvenile facility and after reentry into the community, and encouraging the involvement of prison, jail, or a juvenile facility mentors in the reentry process;

"(13) systems under which family members of offenders are involved in facilitating the successful reentry of those offenders into the community (as ap-

propriate to the safety, security, and well-being of the family), including removing obstacles to the maintenance of family relationships while the offender is in custody, strengthening the family's capacity to function as a stable living situation during reentry, and involving family members in the planning and implementation of the reentry process;

"(14) creating, developing, or enhancing offender and family assessments, curricula, policies, procedures, or programs (including mentoring programs)—

"(A) to help offenders with a history or identified risk of domestic violence, dating violence, sexual assault, or stalking reconnect with their families and communities (as appropriate to the safety, security, and well-being of the family), and become non-abusive parents or partners; and

"(B) under which particular attention is paid to the safety of children affected and the confidentiality concerns of victims, and efforts are coordinated with victim service providers;

"(15) maintaining the parent-child relationship, as appropriate to the safety, security, and well-being of the child as determined by the relevant corrections and child protective services agencies, including—

"(A) implementing programs in correctional agencies to include the collection of information regarding any dependent children of an offender as part of intake procedures, including the number, age, and location or jurisdiction of such children;

"(B) connecting those identified children with services as appropriate and needed;

"(C) carrying out programs (including mentoring) that support children of incarcerated parents, including those in foster care and those cared for by grandparents or other relatives (which is commonly referred to as kinship care);

"(D) developing programs and activities (including mentoring) that support parent-child relationships, as appropriate to the safety, security, and well-being of the family, including technology to promote the parent-child relationship and to facilitate participation in parent-teacher conferences, books on tape programs, family days, and visitation areas for children while visiting an incarcerated parent;

"(E) helping incarcerated parents to learn responsible parenting and healthy relationship skills;

"(F) addressing visitation obstacles to children of an incarcerated parent, such as the location of facilities in remote areas, telephone costs, mail restrictions, and visitation policies; and

"(G) identifying and addressing obstacles to collaborating with child welfare agencies in the provision of services jointly to offenders in custody and to the children of such offenders;

"(16) carrying out programs for the entire family unit, including the coordination of service delivery across agencies;

"(17) facilitating and encouraging timely and complete payment of restitution and fines by offenders to victims and the community;

"(18) providing services as necessary to victims upon release of offenders, including security services and counseling, and facilitating the inclusion of victims, on a voluntary basis, in the reentry process;

"(19) establishing or expanding the use of reentry courts and other programs to—

"(A) monitor offenders returning to the community;

"(B) provide returning offenders with—

"(i) drug and alcohol testing and treatment; and

"(ii) mental and medical health assessment and services;

"(C) facilitate restorative justice practices and convene family or community impact panels, family impact educational classes, victim impact panels, or victim impact educational classes;

"(D) provide and coordinate the delivery of other community services to offenders, including—

"(i) employment training;

"(ii) education;

"(iii) housing assistance;

"(iv) children and family support, to include responsible parenting and healthy relationship skill training designed specifically to address the needs of incarcerated and transitioning fathers and mothers;

"(v) conflict resolution skills training;

"(vi) family violence intervention programs; and

"(vii) other appropriate services; and

"(E) establish and implement graduated sanctions and incentives;

"(20) developing a case management reentry program that—

"(A) provides services to eligible veterans, as defined by the Attorney General; and

"(B) provides for a reentry service network solely for such eligible veterans that coordinates community services and veterans services for offenders who qualify for such veterans services; and

"(21) protecting communities against dangerous offenders, including—

"(A) conducting studies in collaboration with Federal research initiatives in effect on the date of enactment of the Second Chance Act of 2007, to determine which offenders are returning to prisons, jails, and juvenile facilities and which of those returning offenders represent the greatest risk to community safety;

"(B) developing and implementing procedures to assist relevant authorities in determining when release is appropriate and in the use of data to inform the release decision;

"(C) using validated assessment tools to assess the risk factors of returning inmates, and developing or adopting procedures to ensure that dangerous felons are not released from prison prematurely; and

"(D) developing and implementing procedures to identify efficiently and effectively those violators of probation, parole, or post-incarceration supervision who represent the greatest risk to community safety.".

(b) JUVENILE OFFENDER DEMONSTRATION PROJECTS REAUTHORIZED.—Section 2976(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(c)) is amended by striking "may be expended for" and all that follows through the period at the end and inserting "may be expended for any activity referred to in subsection (b).".

(c) APPLICATIONS; REQUIREMENTS; PRIORITIES; PERFORMANCE MEASUREMENTS.—Section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is further amended—

(1) by redesignating subsection (h) as subsection (o); and

(2) by striking subsections (d) through (g) and inserting the following:

"(d) APPLICATIONS.—A State, unit of local government, territory, or Indian tribe, or combination thereof, desiring a grant under this section shall submit an application to the Attorney General that—

"(1) contains a reentry strategic plan, as described in subsection (h), which describes the long-term strategy and incorporates a detailed implementation schedule, including the plans of the applicant to pay for the program after the Federal funding is discontinued;

"(2) identifies the local government role and the role of governmental agencies and nonprofit organizations that will be coordinated by, and that will collaborate on, the offender reentry strategy of the applicant and certifies their involvement; and

"(3) describes the evidence-based methodology and outcome measures that will be used to evaluate the program, and specifically explains how such measurements will provide valid measures of the program's impact.

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

"(1) reflects explicit support of the chief executive officer of the State, unit of local government, territory, or Indian tribe applying for a grant under this section;

"(2) provides extensive discussion of the role of State corrections departments, community corrections agencies, juvenile justice systems, or local jail systems in ensuring successful reentry of offenders into their communities;

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

"(4) provides a plan for analysis of the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of offenders into the community; and

"(5) includes the use of a State, local, territorial, or tribal task force, described in subsection (i), to carry out the activities funded under the grant.

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

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

"(2) include—

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

"(B) consultations with crime victims and offenders who are released from prisons, jails, and juvenile facilities; and

"(C) coordination with families of offenders;

"(3) demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including—

"(A) planning while offenders are in prison, jail, or a juvenile facility, pre-release transition housing, and community release;

"(B) establishing pre-release planning procedures to ensure that the eligibility of an offender for Federal or State benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals for reentry services; and

"(C) delivery of continuous and appropriate drug treatment, medical care, job training and placement, educational services, or any other service or support needed for reentry;

"(4) review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

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

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

"(g) USES OF GRANT FUNDS.—

"(1) FEDERAL SHARE.—

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

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

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

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

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

"(h) REENTRY STRATEGIC PLAN.—

"(1) IN GENERAL.—As a condition of receiving financial assistance under this section, each applicant shall develop a comprehensive strategic reentry plan that contains measurable annual and 5-year performance outcomes, and that uses, to the maximum extent possible, random assigned and controlled studies to determine the effectiveness of the program. One goal of the plan shall be to reduce the rate of recidivism (as defined by the Attorney General, consistent with the research on offender reentry undertaken by the Bureau of Justice Statistics) for offenders released from prison, jail, or a juvenile facility who are served with funds made available under this section.

"(2) COORDINATION.—In developing a reentry plan under this subsection, an applicant shall coordinate with communities and stakeholders, including persons in the fields of public safety, juvenile and adult corrections, housing, health, education, substance abuse, children and families, victims services, employment, and business and members of nonprofit organizations that can provide reentry services.

"(3) MEASUREMENTS OF PROGRESS.—Each reentry plan developed under this subsection shall measure the progress of the applicant toward increasing public safety by reducing rates of recidivism and enabling released offenders to transition successfully back into their communities.

"(i) REENTRY TASK FORCE.—

"(1) IN GENERAL.—As a condition of receiving financial assistance under this section, each applicant shall establish or empower a Reentry Task Force, or other relevant convening authority, to—

"(A) examine ways to pool resources and funding streams to promote lower recidivism rates for returning offenders and minimize the harmful effects of offenders' time in prison, jail, or a juvenile facility on families and communities of offenders by collecting data and best practices in offender

reentry from demonstration grantees and other agencies and organizations; and

"(B) provide the analysis described in subsection (e)(4).

"(2) MEMBERSHIP.—The task force or other authority under this subsection shall be comprised of—

"(A) relevant State, tribal, territorial, or local leaders; and

"(B) representatives of relevant—

"(i) agencies;

"(ii) service providers;

"(iii) nonprofit organizations; and

"(iv) stakeholders.

"(j) STRATEGIC PERFORMANCE OUTCOMES.—

"(1) IN GENERAL.—Each applicant shall identify in the reentry strategic plan developed under subsection (h), specific performance outcomes related to the long-term goals of increasing public safety and reducing recidivism.

"(2) PERFORMANCE OUTCOMES.—The performance outcomes identified under paragraph (1) shall include, with respect to offenders released back into the community—

"(A) reduction in recidivism rates, which shall be reported in accordance with the measure selected by the Director of the Bureau of Prisons under section 234(c)(2) of the Second Chance Act of 2007;

"(B) reduction in crime;

"(C) increased employment and education opportunities;

"(D) reduction in violations of conditions of supervised release;

"(E) increased child support;

"(F) increased housing opportunities;

"(G) reduction in drug and alcohol abuse; and

"(H) increased participation in substance abuse and mental health services.

"(3) OTHER OUTCOMES.—A grantee under this section may include in their reentry strategic plan other performance outcomes that increase the success rates of offenders who transition from prison, jails, or juvenile facilities.

"(4) COORDINATION.—A grantee under this section shall coordinate with communities and stakeholders about the selection of performance outcomes identified by the applicant, and shall consult with the Attorney General for assistance with data collection and measurement activities as provided for in the grant application materials.

"(5) REPORT.—

"(A) IN GENERAL.—Each grantee under this section shall submit an annual report to the Attorney General that—

"(i) identifies the progress of the grantee toward achieving its strategic performance outcomes; and

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

"(B) SUBMISSION TO CONGRESS.—On an annual basis, the Attorney General shall submit all reports received under this paragraph during the previous year to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

"(k) PERFORMANCE MEASUREMENT.—

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

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

"(B) identify sources and methods of data collection in support of performance measurement required under this section;

"(C) provide to all grantees technical assistance and training on performance measures and data collection for purposes of this section; and

"(D) consult with the Substance Abuse and Mental Health Services Administration and the National Institute on Drug Abuse on strategic performance outcome measures and data collection for purposes of this section relating to substance abuse and mental health.

"(2) COORDINATION.—The Attorney General shall coordinate with other Federal agencies to identify national and other sources of information to support performance measurement of grantees.

"(3) STANDARDS FOR ANALYSIS.—Any statistical analysis of population data conducted pursuant to this section shall be conducted in accordance with the Federal Register Notice dated October 30, 1997, relating to classification standards.

"(l) FUTURE ELIGIBILITY.—To be eligible to receive a grant under this section in any fiscal year after the fiscal year in which a grantee receives a grant under this section, a grantee shall submit to the Attorney General such information as is necessary to demonstrate that—

"(1) the grantee has adopted a reentry plan that reflects input from nonprofit organizations, in any case where relevant input is available and appropriate to the grant application;

"(2) the reentry plan of the grantee includes performance measures to assess the progress of the grantee toward increasing public safety by reducing the rate at which individuals released from prisons, jails, or juvenile facilities who participate in the reentry system supported by Federal funds are recommitted to prisons, jails, or juvenile facilities; and

"(3) the grantee will coordinate with the Attorney General, nonprofit organizations (if relevant input from nonprofit organizations is available and appropriate), and other experts regarding the selection and implementation of the performance measures described in subsection (k).

"(m) NATIONAL ADULT AND JUVENILE OFFENDER REENTRY RESOURCE CENTER.—

"(1) AUTHORITY.—The Attorney General may, using amounts made available to carry out this subsection, make a grant to an eligible organization to provide for the establishment of a National Adult and Juvenile Offender Reentry Resource Center.

"(2) ELIGIBLE ORGANIZATION.—An organization eligible for the grant under paragraph (1) is any national nonprofit organization approved by the Interagency Task Force on Federal Programs and Activities Relating to the Reentry of Offenders Into the Community, that provides technical assistance and training to, and has special expertise and broad, national-level experience in, offender reentry programs, training, and research.

"(3) USE OF FUNDS.—The organization receiving the grant under paragraph (1) shall establish a National Adult and Juvenile Offender Reentry Resource Center to—

"(A) provide education, training, and technical assistance for States, tribes, territories, local governments, service providers, nonprofit organizations, and corrections institutions;

"(B) collect data and best practices in offender reentry from demonstration grantees and others agencies and organizations;

"(C) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes;

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

"(E) develop and implement procedures to assist relevant authorities in determining when release is appropriate and in the use of data to inform the release decision;

"(F) develop and implement procedures to identify efficiently and effectively those violators of probation, parole, or supervision following release from prison, jail, or a juvenile facility who should be returned to prisons, jails, or juvenile facilities and those who should receive other penalties based on defined, graduated sanctions;

"(G) collaborate with the Interagency Task Force on Federal Programs and Activities Relating to the Reentry of Offenders Into the Community, and the Federal Resource Center for Children of Prisoners;

"(H) develop a national reentry research agenda;

"(I) bridge the gap between reentry research and practice by translating knowledge from research into practical information; and

"(J) establish a database to enhance the availability of information that will assist offenders in areas such as housing, employment, counseling, mentoring, medical and mental health services, substance abuse treatment, transportation, and daily living skills.

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

"(n) ADMINISTRATION.—Of amounts made available to carry out this section—

"(1) not more than 2 percent shall be available for administrative expenses in carrying out this section; and

"(2) not more than 2 percent shall be made available to the National Institute of Justice to evaluate the effectiveness of the demonstration projects funded under this section, using a methodology that—

"(A) includes, to the maximum extent feasible, random assignment of offenders (or entities working with such persons) to program delivery and control groups; and

"(B) generates evidence on which reentry approaches and strategies are most effective.".

(d) GRANT AUTHORIZATION.—Section 2976(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(a)) is amended by striking "States, Territories" and all that follows through the period at the end and inserting the following: "States, local governments, territories, or Indian tribes, or any combination thereof, in partnership with stakeholders, service providers, and nonprofit organizations.".

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

(1) in paragraph (1), by striking "$15,000,000 for fiscal year 2003" and all that follows and inserting "$65,000,000 for fiscal year 2008, and $65,000,000 for fiscal year 2009."; and

(2) by amending paragraph (2) to read as follows:

"(2) LIMITATION.—Of the amount made available to carry out this section in any fiscal year, not more than 3 percent or less than 2 percent may be used for technical assistance and training.".

SEC. 102. IMPROVEMENT OF THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE OFFENDERS PROGRAM.

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

(1) by striking the subsection heading and inserting "REQUIREMENT FOR AFTERCARE COMPONENT.—"; and

(2) by amending paragraph (1) to read as follows:

"(1) To be eligible for funding under this part, a State shall ensure that individuals who participate in the substance abuse treatment program established or implemented with assistance provided under this part will be provided with aftercare services, which may include case management services and a full continuum of support services that ensure providers furnishing services under the program are approved by the appropriate State or local agency, and licensed, if necessary, to provide medical treatment or other health services.".

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

"(d) RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM DEFINED.—In this part, the term 'residential substance abuse treatment program' means a course of comprehensive individual and group substance abuse treatment services, lasting a period of at least 6 months, in residential treatment facilities set apart from the general population of a prison or jail, which may include the use of pharmacological treatment, where appropriate, that may extend beyond such period.".

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

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

SEC. 111. STATE AND LOCAL REENTRY COURTS.

(a) IN GENERAL.—Part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w et seq.), as amended by section 101, is further amended by inserting at the end the following:

"SEC. 2978. STATE AND LOCAL REENTRY COURTS.

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

"(1) State and local courts; and

"(2) State agencies, municipalities, public agencies, nonprofit organizations, territories, and Indian tribes that have agreements with courts to take the lead in establishing a reentry court (as described in section 2976(b)(19)).

"(b) USE OF GRANT FUNDS.—Grant funds awarded under this section shall be administered in accordance with such guidelines, regulations, and procedures as promulgated by the Attorney General, and may be used to—

"(1) monitor juvenile and adult offenders returning to the community;

"(2) provide juvenile and adult offenders returning to the community with coordinated and comprehensive reentry services and programs such as—

"(A) drug and alcohol testing and assessment for treatment;

"(B) assessment for substance abuse from a substance abuse professional who is approved by the State and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate;

"(C) substance abuse treatment from a provider that is approved by the State, and licensed, if necessary, to provide medical and other health services;

"(D) health (including mental health) services and assessment;

"(E) aftercare and case management services that—

"(i) facilitate access to clinical care and related health services; and

"(ii) coordinate with such clinical care and related health services; and

"(F) any other services needed for reentry;

"(3) convene community impact panels, victim impact panels, or victim impact educational classes;

"(4) provide and coordinate the delivery of community services to juvenile and adult offenders, including—

"(A) housing assistance;

"(B) education;

"(C) employment training;

"(D) conflict resolution skills training;

"(E) batterer intervention programs; and

"(F) other appropriate social services; and

"(5) establish and implement graduated sanctions and incentives.

"(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as preventing a grantee that operates a drug court under part EE at the time a grant is awarded under this section from using funds from such grant to supplement the drug court under part EE in accordance with paragraphs (1) through (5) of subsection (b).

"(d) APPLICATION.—To be eligible for a grant under this section, an entity described in subsection (a) shall, in addition to any other requirements required by the Attorney General, submit to the Attorney General an application that—

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

"(2) describes a long-term strategy and detailed implementation plan for such program, including how the entity plans to pay for the program after the Federal funding ends;

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

"(4) certifies that—

"(A) all agencies affected by the program, including existing community corrections and parole entities, have been appropriately consulted in the development of the program;

"(B) there will be appropriate coordination with all such agencies in the implementation of the program; and

"(C) there will be appropriate coordination and consultation with the Single State Authority for Substance Abuse (as defined in section 201(e) of the Second Chance Act of 2007) of the State; and

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

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

"(1) waives, wholly or in part, the matching requirement under this subsection; and

"(2) publicly delineates the rationale for the waiver.

"(f) ANNUAL REPORT.—Each entity receiving a grant under this section shall submit to the Attorney General, for each fiscal year in which funds from the grant

are expended, a report, at such time and in such manner as the Attorney General may reasonably require, that contains—

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

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

"(3) such other information as the Attorney General may require.

"(g) AUTHORIZATION OF APPROPRIATIONS.—

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

"(2) LIMITATIONS.—Of the amount made available to carry out this section in any fiscal year—

"(A) not more than 2 percent may be used by the Attorney General for salaries and administrative expenses; and

"(B) not more than 5 percent nor less than 2 percent may be used for technical assistance and training.".

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

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

"PART CC—GRANTS FOR COMPREHENSIVE AND CONTINUOUS OFFENDER REENTRY TASK FORCES

"SEC. 2901. AUTHORIZATION.

"The Attorney General shall carry out a grant program under which the Attorney General makes grants to States, units of local government, territories, Indian tribes, and other public and private entities for the purpose of establishing and administering task forces (to be known as 'Comprehensive and Continuous Offender Reentry Task Forces'), in accordance with this part.

"SEC. 2902. COMPREHENSIVE AND CONTINUOUS OFFENDER REENTRY TASK FORCES.

"(a) IN GENERAL.—For purposes of this part, a Comprehensive and Continuous Offender Reentry Task Force is a planning group of a State, unit of local government, territory, or Indian tribe that—

"(1) develops a community reentry plan, described in section 2903, for each juvenile and adult offender to be released from a correctional facility in the applicable jurisdiction;

"(2) supervises and assesses the progress of each such offender, with respect to such plan, starting on a date before the offender is released from a correctional facility and ending on the date on which the court supervision of such offender ends;

"(3) conducts a detailed assessment of the needs of each offender to address employment training, medical care, drug treatment, education, and any other identified need of the offender to assist in the offender's reentry;

"(4) demonstrates affirmative steps to implement such a community reentry plan by consulting and coordinating with other public and nonprofit entities, as appropriate;

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

"(6) complies with applicable State, local, territorial, and tribal rules and regulations regarding the provision of applicable services and treatment in the applicable jurisdiction; and

"(7) consults and coordinates with the Single State Authority for Substance Abuse (as defined in section 201(e) of the Second Chance Act of 2007) and the criminal justice agencies of the State to ensure that offender reentry plans are coordinated and delivered in the most cost-effective manner, as determined by the Attorney General, in consultation with the grantee.

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

"(1) the criminal and juvenile justice and correctional facilities within the county or area;

"(2) the community health care services of the county or area;

"(3) the drug treatment programs of the county or area;

"(4) the employment opportunities available in the county or area;

"(5) housing opportunities available in the county or area; and

"(6) any other appropriate community services available in the county or area.

"SEC. 2903. COMMUNITY REENTRY PLAN DESCRIBED.

"For purposes of section 2902(a)(1), a community reentry plan for an offender is a plan relating to the reentry of the offender into the community and, according to the needs of the offender, shall—

"(1) identify employment opportunities and goals;

"(2) identify housing opportunities;

"(3) provide for any needed drug treatment;

"(4) provide for any needed mental health services;

"(5) provide for any needed health care services;

"(6) provide for any needed family counseling;

"(7) provide for offender case management programs or services; and

"(8) provide for any other service specified by the Comprehensive and Continuous Offender Reentry Task Force as necessary for the offender.

"SEC. 2904. APPLICATION.

"To be eligible for a grant under this part, a State or other relevant entity shall submit to the Attorney General an application in such form and manner and at such time as the Attorney General specifies. Such application shall contain such information as the Attorney General specifies.

"SEC. 2905. RULE OF CONSTRUCTION.

"Nothing in this part shall be construed as supplanting or modifying a sentence imposed by a court, including any terms of supervision.

"SEC. 2906. REPORTS.

"An entity that receives funds under this part for a Comprehensive and Continuous Offender Reentry Task Force during a fiscal year shall submit to the Attorney General, not later than a date specified by the Attorney General, a report that describes and evaluates the effectiveness of such Task Force during such fiscal year.

"SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $10,000,000 to carry out this section for each of fiscal years 2008 and 2009.".

SEC. 113. PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS.

(a) AUTHORIZATION.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended by section 112 of this Act, is further amended by inserting after section 2907 the following new part:

"PART DD—PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS

"SEC. 2911. GRANT AUTHORITY.

"(a) IN GENERAL.—The Attorney General may make grants to State and local prosecutors to develop, implement, or expand qualified drug treatment programs that are alternatives to imprisonment, in accordance with this section.

"(b) QUALIFIED DRUG TREATMENT PROGRAMS DESCRIBED.—For purposes of this part, a qualified drug treatment program is a program—

"(1) that is administered by a State or local prosecutor;

"(2) that requires an eligible offender who is sentenced to participate in the program (instead of incarceration) to participate in a comprehensive substance abuse treatment program that is approved by the State and licensed, if necessary, to provide medical and other health services;

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

"(4) that, in the case of an eligible offender who is sentenced to participate in the program, requires the offender to serve a sentence of imprisonment with respect to the crime involved if the prosecutor, in conjunction with the treatment provider, determines that the offender has not successfully completed the relevant substance abuse treatment program described in paragraph (2);

"(5) that provides for the dismissal of the criminal charges involved in an eligible offender's participation in the program if the offender is determined to have successfully completed the program;

"(6) that requires each substance abuse provider treating an eligible offender under the program to—

"(A) make periodic reports of the progress of the treatment of that offender to the State or local prosecutor involved and to the appropriate court in which the defendant was convicted; and

"(B) notify such prosecutor and such court if the offender absconds from the facility of the treatment provider or otherwise violates the terms and conditions of the program, consistent with Federal and State confidentiality requirements; and

"(7) that has an enforcement unit comprised of law enforcement officers under the supervision of the State or local prosecutor involved, the duties of which shall include verifying an offender's addresses and other contacts, and, if necessary, locating, apprehending, and arresting an offender who has absconded from the facility of a substance abuse treatment provider or otherwise violated the terms and conditions of the program, consistent with Federal and State confidentiality requirements, and returning such offender to court for sentencing for the crime involved.

"SEC. 2912. USE OF GRANT FUNDS.

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

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

"(2) Payments for substance abuse treatment providers that are approved by the State and licensed, if necessary, to provide alcohol and drug addiction treatment to eligible offenders participating in the program, including aftercare supervision, vocational training, education, and job placement.

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

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

"SEC. 2913. APPLICATIONS.

"To request a grant under this part, a State or local prosecutor shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require. Each such application shall contain the certification of the State or local prosecutor that the program for which the grant is requested is a qualified drug treatment program in accordance with this part.

"SEC. 2914. FEDERAL SHARE.

"The Federal share of a grant made under this part shall not exceed 75 percent of the total costs of the qualified drug treatment program funded by such grant for the fiscal year for which the program receives assistance under this part.

"SEC. 2915. GEOGRAPHIC DISTRIBUTION.

"The Attorney General shall ensure that, to the extent practicable, the distribution of grants under this part is equitable and includes State or local prosecutors—

"(1) in each State; and

"(2) in rural, suburban, and urban jurisdictions.

"SEC. 2916. REPORTS AND EVALUATIONS.

"For each fiscal year, each recipient of a grant under this part during such fiscal year shall submit to the Attorney General a report with respect to the effectiveness of activities carried out using that grant. Each report shall include an evaluation in such form and containing such information as the Attorney General may reasonably require. The Attorney General shall specify the dates on which such reports shall be submitted.

"SEC. 2917. DEFINITIONS.

"In this part:

"(1) STATE OR LOCAL PROSECUTOR.—The term 'State or local prosecutor' means any district attorney, State attorney general, county attorney, or corporation counsel who has authority to prosecute criminal offenses under State or local law.

"(2) ELIGIBLE OFFENDER.—The term 'eligible offender' means an individual who—

"(A) has been convicted, pled guilty, or admitted guilt with respect to a crime for which a sentence of imprisonment is required and has not completed such sentence;

"(B) has never been charged with or convicted of an offense, during the course of which—

"(i) the person carried, possessed, or used a firearm or dangerous weapon; or

"(ii) there occurred the use of force against the person of another, without regard to whether any of the behavior described in clause (i) or (ii) is an element of the offense or for which the person is charged or convicted;

"(C) does not have one or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm; and

"(D)(i) has received an assessment for alcohol or drug addiction from a substance abuse professional who is approved by the State and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate; and

"(ii) has been found to be in need of substance abuse treatment because that offender has a history of substance abuse that is a significant contributing factor to that offender's criminal conduct.".

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

"(26) There are authorized to be appropriated to carry out part DD such sums as may be necessary for each of fiscal years 2008 and 2009.".

SEC. 114. GRANTS FOR FAMILY SUBSTANCE ABUSE TREATMENT ALTERNATIVES TO INCARCERATION.

Title I of the Omnibus Crime Control and Safe Streets Act (42 U.S.C. 3711 et seq.) is further amended by inserting after Part II the following new part:

"PART JJ—GRANTS FOR FAMILY SUBSTANCE ABUSE TREATMENT ALTERNATIVES TO INCARCERATION

"SEC. 3001. GRANTS AUTHORIZED.

"The Attorney General may make grants to States, units of local government, territories, and Indian tribes to develop, implement, and expand comprehensive and clinically-appropriate family-based substance abuse treatment programs as alternatives to incarceration for nonviolent parent drug offenders.

"SEC. 3002. USE OF GRANT FUNDS.

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

"(1) Salaries, personnel costs, facility costs, and other costs directly related to the operation of the program.

"(2) Payments to providers of substance abuse treatment for providing treatment and case management to nonviolent parent drug offenders participating in the program, including comprehensive treatment for mental health disorders, parenting classes, educational classes, vocational training, and job placement.

"(3) Payments to public and nonprofit private entities to provide substance abuse treatment to nonviolent parent drug offenders participating in the program.

"SEC. 3003. PROGRAM REQUIREMENTS.

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

"(1) The program shall ensure that all providers of substance abuse treatment are approved by the State and are licensed, if necessary, to provide medical and other health services.

"(2) The program shall provide for appropriate coordination and consultation with the Single State Authority for Substance Abuse (as defined in section 201(e) of the Second Chance Act of 2007) of the State in which the program is located.

"(3) The program shall consist of clinically-appropriate, comprehensive, and long-term family treatment, including the treatment of the nonviolent parent

drug offender, the child of such offender, and any other appropriate member of the family of the offender.

"(4) The program shall be provided in a residential setting that is not a hospital setting or an intensive outpatient setting.

"(5) The program shall provide that if a nonviolent parent drug offender who participates in the program does not successfully complete the program the offender shall serve an appropriate sentence of imprisonment with respect to the underlying crime involved.

"(6) The program shall ensure that a determination is made as to whether or not a nonviolent drug offender has completed the substance abuse treatment program.

"(7) The program shall include the implementation of a system of graduated sanctions (including incentives) that are applied based on the accountability of the nonviolent parent drug offender involved throughout the course of the program to encourage compliance with the program.

"(8) The program shall develop and implement a reentry plan for each nonviolent parent drug offender that shall include reinforcement strategies for family involvement as appropriate, relapse strategies, support groups, placement in transitional housing, and continued substance abuse treatment, as needed.

"SEC. 3004. DEFINITIONS.

"In this part:

"(1) NONVIOLENT PARENT DRUG OFFENDERS.—The term 'nonviolent parent drug offender' means an offender who is a parent of a minor and who is convicted of a drug (or drug-related) felony that is a nonviolent offense.

"(2) NONVIOLENT OFFENSE.—The term 'nonviolent offense' has the meaning given such term under section 2991(a).

"SEC. 3005. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $10,000,000 for each of fiscal years 2008 and 2009.".

SEC. 115. PRISON-BASED FAMILY TREATMENT PROGRAMS FOR INCARCERATED PARENTS OF MINOR CHILDREN.

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

(1) by redesignating Part X at the end (relating to grants for sex offender apprehension and juvenile sex offender treatment) as Part KK; and

(2) by adding at the end the following new part:

"PART LL—PRISON-BASED FAMILY TREATMENT PROGRAMS FOR INCARCERATED PARENTS OF MINOR CHILDREN

"SEC. 3021. GRANTS AUTHORIZED.

"The Attorney General may make grants to States, units of local government, territories, and Indian tribes to provide prison-based family treatment programs for incarcerated parents of minor children.

"SEC. 3022. USE OF GRANT FUNDS.

"An entity that receives a grant under this part shall use amounts provided under the grant to—

"(1) develop, implement, and expand prison-based family treatment programs in correctional facilities for incarcerated parents with minor children, excluding from the programs those parents with respect to whom there is reasonable evidence of domestic violence or child abuse;

"(2) coordinate the design and implementation of such programs between appropriate correctional facility representatives, the Single State Authority for Substance Abuse (as defined in section 201(e) of the Second Chance Act of 2007), and other appropriate governmental agencies; and

"(3) develop and implement a pre-release assessment and a reentry plan for each incarcerated parent scheduled to be released to the community, and such plan shall include—

"(A) a treatment program for the incarcerated parent to receive continuous substance abuse treatment services and related support services, as needed;

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

"(C) a vocational or employment plan, including training and job placement services; and

"(D) any other services necessary to provide successful reentry into the community.

"SEC. 3023. PROGRAM REQUIREMENTS.

"A prison-based family treatment program for incarcerated parents with respect to which a grant is made shall comply with the following requirements:

"(1) The program shall integrate techniques to assess the strengths and needs of immediate and extended family of the incarcerated parent to support a treatment plan of the incarcerated parent.

"(2) The program shall ensure that each participant in the program has access to consistent and uninterrupted care if transferred to a different correctional facility within the State or other relevant entity.

"(3) The program shall be located in an area separate from the general population of the prison or jail.

"SEC. 3024. APPLICATIONS.

"To be eligible for a grant under this part for a prison-based family treatment program, an entity described in section 3021 shall, in addition to any other requirement specified by the Attorney General, submit an application to the Attorney General in such form and manner and at such time as specified by the Attorney General. Such application shall include a description of the methods and measurements the entity will use for purposes of evaluating the program involved and such other information as the Attorney General may reasonably require.

"SEC. 3025. REPORTS.

"An entity that receives a grant under this part for a prison-based family treatment program during a fiscal year shall submit to the Attorney General, not later than a date specified by the Attorney General, a report that describes and evaluates the effectiveness of such program during such fiscal year. Such evaluation shall be based on evidence-based data and shall use the methods and measurements described in the application of the entity for purposes of evaluating the program.

"SEC. 3026. PRISON-BASED FAMILY TREATMENT PROGRAM DEFINED.

"In this part, the term 'prison-based family treatment program' means a program for incarcerated parents in a correctional facility that provides a comprehensive response to offender needs, including substance abuse treatment, child early intervention services, family counseling, legal services, medical care, mental health services, nursery and preschool, parenting skills training, pediatric care, physical therapy, prenatal care, sexual abuse therapy, relapse prevention, transportation, and vocational or GED training.

"SEC. 3027. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $10,000,000 for each of fiscal years 2008 and 2009.".

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

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended by section 115 of this Act, is further amended by adding at the end the following new part:

"PART MM—GRANT PROGRAM TO EVALUATE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES

"SEC. 3031. GRANT PROGRAM TO EVALUATE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.

"(a) GRANT PROGRAM AUTHORIZED.—The Attorney General shall carry out a grant program under which the Attorney General makes grants to States, units of local government, territories, Indian tribes, and other public and private entities to—

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

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

"(b) APPLICATION.—To be eligible for a grant under this section, a State or other entity described in subsection (a) shall submit to the Attorney General an application in such form and manner and at such time as the Attorney General specifies. Such application shall contain such information as the Attorney General specifies.

"(c) REPORT.—Not later than 90 days after the last day of the final fiscal year for which an entity described in subsection (a) receives a grant under such subsection, such an entity shall submit to the Attorney General a detailed report of the aggregate findings and conclusions of the evaluation described in subsection (a)(1), and the recommendations to the Attorney General described in subsection (a)(2).

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

"(1) to carry out subsection (a)(1), $5,000,000 for each of the fiscal years 2008 and 2009; and

"(2) to carry out subsection (a)(2), $5,000,000 for each of the fiscal years 2008 and 2009.

"SEC. 3032. GRANTS TO IMPROVE EDUCATIONAL SERVICES IN PRISONS, JAILS, AND JUVENILE FACILITIES.

"(a) GRANT PROGRAM AUTHORIZED.—The Attorney General shall carry out a grant program under which the Attorney General makes grants to States, units of local government, territories, and Indian tribes for the purpose of improving the academic and vocational education programs available to offenders in prisons, jails, and juvenile facilities.

"(b) APPLICATION.—To be eligible for a grant under this section, an entity described in subsection (a) shall submit to the Attorney General an application in such form and manner and at such time as the Attorney General specifies. Such application shall contain such information as the Attorney General specifies.

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

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

Subtitle C—Conforming Amendments

SEC. 121. USE OF VIOLENT OFFENDER TRUTH-IN-SENTENCING GRANT FUNDING FOR DEMONSTRATION PROJECT ACTIVITIES.

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

(1) in paragraph (2) by striking "and" at the end;

(2) in paragraph (3) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(4) to carry out any activity referred to in section 2976(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(b)).".

TITLE II—ENHANCED DRUG TREATMENT AND MENTORING GRANT PROGRAMS

Subtitle A—Drug Treatment

SEC. 201. GRANTS FOR DEMONSTRATION PROGRAMS TO REDUCE DRUG USE AND RECIDIVISM IN LONG-TERM SUBSTANCE ABUSERS.

(a) AWARDS REQUIRED.—The Attorney General shall make competitive grants to eligible partnerships, in accordance with this section, for the purpose of establishing demonstration programs to reduce the use of alcohol and other drugs by supervised long-term substance abusers during the period in which each such long-term substance abuser is in prison, jail, or a juvenile facility, and until the completion of parole or court supervision of such abuser.

(b) USE OF GRANT FUNDS.—A grant made under subsection (a) to an eligible partnership for a demonstration program, shall be used—

(1) to support the efforts of the agencies, organizations, and researchers included in the eligible partnership, with respect to the program;

(2) to develop and implement a program for supervised long-term substance abusers during the period described in subsection (a), which shall include—

(A) alcohol and drug abuse assessments that—

(i) are provided by a State-approved program; and

(ii) provide adequate incentives for completion of a comprehensive alcohol or drug abuse treatment program, including through the use of graduated sanctions; and

(B) coordinated and continuous delivery of drug treatment and case management services during such period; and

(3) to provide addiction recovery support services (such as job training and placement, peer support, mentoring, education, and other related services) to strengthen rehabilitation efforts for long-term substance abusers.

(c) APPLICATION.—To be eligible for a grant under subsection (a) for a demonstration program, an eligible partnership shall submit to the Attorney General an application that—

(1) identifies the role, and certifies the involvement, of each agency or organization involved in such partnership, with respect to the program;

(2) includes a plan for using judicial or other criminal or juvenile justice authority to supervise the long-term substance abusers who are participating in a demonstration program under this section, including for—

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

(B) swiftly and certainly imposing an established set of graduated sanctions for non-compliance with conditions for reentry into the community relating to drug abstinence (whether imposed as a pre-trial, probation, or parole condition, or otherwise);

(3) includes a plan to provide supervised long-term substance abusers with coordinated and continuous services that are based on evidence-based strategies that assist such abusers by providing such abusers with—

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

(B) continued treatment during the period in which each such long-term substance abuser is in prison, jail, or a juvenile facility, and until the completion of parole or court supervision of such abuser;

(C) addiction recovery support services;

(D) employment training and placement;

(E) family-based therapies;

(F) structured post-release housing and transitional housing, including housing for recovering substance abusers; and

(G) other services coordinated by appropriate case management services;

(4) includes a plan for coordinating the data infrastructures among the entities included in the eligible partnership and between such entities and the providers of services under the demonstration program involved (including providers of technical assistance) to assist in monitoring and measuring the effectiveness of demonstration programs under this section; and

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

(A) located in each community involved; and

(B) who improve the status of their employment, housing, health, and family life.

(d) REPORTS TO CONGRESS.—

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

(2) FINAL REPORT.—Not later than September 30, 2009, the Attorney General shall submit to Congress a report on the demonstration programs funded under this section, including on the matters specified in paragraph (1).

(e) DEFINITIONS.—In this section:

(1) ELIGIBLE PARTNERSHIP.—The term "eligible partnership" means a partnership that includes—

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

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

(C) a researcher who has experience in evidence-based studies that measure the effectiveness of treating long-term substance abusers during the period in which such abusers are under the supervision of the criminal or juvenile justice system involved;

(D) community-based organizations that provide drug treatment, related recovery services, job training and placement, educational services, housing assistance, mentoring, or medical services; and

(E) Federal agencies (such as the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and United States Attorney's offices).

(2) LONG-TERM SUBSTANCE ABUSER.—The term "long-term substance abuser" means an offender, who—

(A) is in a prison, jail, or juvenile facility;

(B) has abused illegal drugs or alcohol for a significant number of years; and

(C) is scheduled to be released from prison, jail, or a juvenile facility within the next 24 months.

(3) SINGLE STATE AUTHORITY FOR SUBSTANCE ABUSE.—The term "Single State Authority for Substance Abuse" means an entity designated by the Governor or chief executive officer of a State as the single State administrative authority responsible for the planning, development, implementation, monitoring, regulation, and evaluation of substance abuse services.

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

SEC. 202. GRANTS FOR DEMONSTRATION PROGRAMS BY LOCAL PARTNERSHIPS TO REDUCE ILLEGAL DRUG DEMAND BY PROVIDING DRUG TREATMENT.

(a) GRANT AWARDS REQUIRED.—The Attorney General shall make competitive awards for demonstration programs by eligible partnerships for the purpose of reducing illegal drug demand by providing for drug treatment upon request programs through evidence-based models of such programs that—

(1) increase the accessibility of such a program to any individual who requests to participate in such program;

(2) increase public awareness of the availability of such programs; and

(3) decrease the cost of drug treatment.

(b) USE OF AWARD AMOUNTS.—Grant amounts received under this section shall be used—

(1) to support the efforts of the agencies, organizations, and researchers included in the eligible partnership;

(2) to develop a program that provides drug treatment upon request—

(A) at no cost to an individual who participates in the program; and

(B) within a reasonable period to any individual that requests such treatment;

(3) to increase awareness of the availability of such a program to any individual that may be interested in participating in such a program; and

(4) to record the outcomes of the program developed.

(c) REPORTS TO CONGRESS.—

(1) INTERIM REPORT.—Not later than September 30, 2008 the Attorney General shall submit to Congress a report that identifies the best practices in providing for drug treatment upon request programs, including the best practices identified through the activities funded under this section.

(2) FINAL REPORT.—Not later than September 30, 2009, the Attorney General shall submit to Congress a report on the demonstration programs funded under this section, including on the matters specified in paragraph (1).

(d) DEFINITIONS.—For purposes of this section:

(1) DRUG TREATMENT UPON REQUEST.—The term "drug treatment upon request" means a drug treatment program that provides to any individual who requests to participate in such program full availability and accessibility to such program without delay.

(2) ELIGIBLE PARTNERSHIP.—The term "eligible partnership" means a working group whose application to the Attorney General—

(A) identifies the roles played, and certifies the involvement of, two or more agencies or organizations, which may include—

(i) State or local agencies (such as those carrying out police, probation, prosecution, courts, corrections, parole, or treatment functions);

(ii) Federal agencies (such as the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and United States Attorney offices); and

(iii) community-based organizations;

(B) includes a qualified researcher;

(C) includes a plan for identifying, with respect to the date of the enactment of this Act—

(i) the availability, as of such date, of each drug treatment upon request program;

(ii) the demand, as of such date, for drug treatment that has not been met through programs in existence before such date;

(iii) the ease and quality of access to drug treatment, as of such date; and

(iv) the criteria that have influenced the outcome of drug treatment upon request programs; and

(D) includes a plan that describes the methodology and outcome measures proposed for evaluating the impact of each model used for a drug treatment upon request program.

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

SEC. 203. OFFENDER DRUG TREATMENT INCENTIVE GRANTS.

(a) GRANT PROGRAM AUTHORIZED.—The Attorney General shall carry out a grant program under which the Attorney General makes grants to States, units of local government, territories, and Indian tribes in an amount described in subsection (c) to improve the provision of drug treatment to offenders in prisons, jails, and juvenile facilities.

(b) REQUIREMENTS FOR APPLICATION.—To be eligible to receive a grant under subsection (a) for a given fiscal year, an entity described in such subsection shall, in addition to any other requirements specified by the Attorney General, submit to the Attorney General an application that demonstrates that, with respect to offenders in prisons, jails, and juvenile facilities who require drug treatment and who are in the custody of the jurisdiction involved, during the previous fiscal year the entity provided drug treatment meeting standards set forth by the Single State Authority for Substance Abuse (as defined in section 201(e)) to a number of such offenders that is two times the number of such offenders to whom the entity provided such drug treatment in the fiscal year that was two years before such given fiscal year. Such application shall be submitted in such form and manner and at such time as specified by the Attorney General.

(c) ALLOCATION OF GRANT AMOUNTS BASED ON DRUG TREATMENT PERCENT DEMONSTRATED.—In allocating grant amounts under this part, the Attorney General shall base the amount allocated to an entity for a fiscal year on the percent of offenders described in subsection (b) to whom the entity provided drug treatment in the previous fiscal year, as demonstrated by the entity in its application under such subsection.

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

(1) for continuing and improving drug treatment programs provided at prisons, jails, and juvenile facilities of such entity; and

(2) to strengthen rehabilitation efforts for offenders by providing addiction recovery support services, such as job training and placement, education, peer support, mentoring, and other similar services.

(e) TECHNICAL ASSISTANCE.—The Attorney General may provide technical assistance to any entity awarded a grant under this section to establish or expand drug treatment services under this section if such entity does not have any (or has only a few) prisons, jails, or juvenile facilities that offer such services.

(f) REPORTS.—An entity that receives a grant under subsection (a) during a fiscal year shall, not later than the last day of the following fiscal year, submit to the Attorney General a report that describes and assesses the uses of such grant.

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

SEC. 204. ENSURING AVAILABILITY AND DELIVERY OF NEW PHARMACOLOGICAL DRUG TREATMENT SERVICES.

(a) GRANT PROGRAM AUTHORIZED.—The Attorney General, through the National Institute of Justice, and in consultation with the National Institute on Drug Abuse and the Substance Abuse and Mental Health Services Administration, shall carry out a grant program under which the Attorney General makes grants to States, units of local government, territories, Indian tribes, and public and private organizations to establish pharmacological drug treatment services as part of the available drug treatment programs being offered by such grantees to offenders who are in prison or jail.

(b) CONSIDERATION OF PHARMACOLOGICAL TREATMENTS.—In awarding grants under this section to eligible entities, the Attorney General shall consider—

(1) the number and availability of pharmacological treatments offered under the proposed or existing program involved; and

(2) the participation of researchers who are familiar with evidence-based studies and are able to measure the effectiveness of such treatments using randomized trials.

(c) APPLICATIONS.—

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

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

(A) provide assurances that grant funds will be used only toward a program that is created in coordination with (or approved by) the Single State Authority for Substance Abuse, as defined in section 201(e), of the State involved to ensure pharmacological drug treatment services provided under such program are clinically appropriate;

(B) demonstrate how pharmacological drug treatment services offered under the proposed or existing program are part of a clinically-appropriate and comprehensive treatment plan; and

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

(d) REPORTS.—An entity that receives a grant under subsection (a) during a fiscal year shall, not later than the last day of the following fiscal year, submit to the Attorney General a report that describes and assesses the uses of such grant.

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

SEC. 205. STUDY OF EFFECTIVENESS OF DEPOT NALTREXONE FOR HEROIN ADDICTION.

(a) GRANT PROGRAM AUTHORIZED.—The Attorney General, through the National Institute of Justice, and in consultation with the National Institute on Drug Abuse, shall carry out a grant program under which the Attorney General makes grants to public and private research entities (including consortia, single private research entities, and individual institutions of higher education) to evaluate the effectiveness of depot naltrexone for the treatment of heroin addiction.

(b) EVALUATION PROGRAM.—To be eligible to receive a grant under this section, an entity described in subsection (a) shall submit to the Attorney General an application that—

(1) contains such information as the Attorney General specifies, including information that demonstrates that—

(A) the applicant conducts research at a private or public institution of higher education;

(B) the applicant has an established or proposed plan to work with parole officers or probation officers for offenders who are under court supervision; and

(C) the evaluation described in subsection (a) will measure the effectiveness of such treatments using randomized trials; and

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

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

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

Subtitle B—Job Training

SEC. 211. TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS.

(a) AUTHORITY TO MAKE GRANTS.—From amounts made available to carry out this section, the Attorney General shall make grants to States, units of local government, territories, and Indian tribes to provide technology career training to prisoners.

(b) USE OF FUNDS.—Grants awarded under subsection (a) may be used for establishing a technology careers training program to train prisoners during the 3-year period before release from prison, jail, or a juvenile facility for technology-based jobs and careers.

(c) REPORTS.—Not later than the last day of each fiscal year, an entity that receives a grant under subsection (a) during the preceding fiscal year shall submit to the Attorney General a report that describes and assesses the uses of such grant during the preceding fiscal year.

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

Subtitle C—Mentoring

SEC. 221. MENTORING GRANTS TO NONPROFIT ORGANIZATIONS.

(a) AUTHORITY TO MAKE GRANTS.—From amounts made available to carry out this section, the Attorney General shall make grants to nonprofit organizations for the purpose of providing mentoring and other transitional services essential to reintegrating offenders into the community.

(b) USE OF FUNDS.—Grant funds awarded under subsection (a) may be used for—

(1) mentoring adult and juvenile offenders during incarceration, through transition back to the community, and post-release;

(2) transitional services to assist in the reintegration of offenders into the community; and

(3) training regarding offender and victims issues.

(c) APPLICATION; PRIORITY CONSIDERATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a nonprofit organization shall submit an application to the Attorney General based on criteria developed by the Attorney General.

(2) PRIORITY CONSIDERATION.—Priority consideration shall be given to any application that—

(A) includes a plan to implement activities that have been demonstrated effective in facilitating the successful reentry of offenders; and

(B) provides for an independent evaluation that includes, to the maximum extent feasible, random assignment of offenders to program delivery and control groups.

(d) STRATEGIC PERFORMANCE OUTCOMES.—The Attorney General shall require each applicant under this section to identify specific performance outcomes related to the long-term goal of stabilizing communities by reducing recidivism (using a measure that is consistent with the research undertaken by the Bureau of Justice Statistics pursuant to section 241(b)(6)), and reintegrating offenders into society.

(e) REPORTS.—Not later than the last day of each fiscal year, an entity that receives a grant under subsection (a) during the preceding fiscal year shall submit to the Attorney General a report that describes and assesses the uses of such grant during the preceding fiscal year and that identifies the progress of the grantee toward achieving its strategic performance outcomes.

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

SEC. 222. BUREAU OF PRISONS POLICY ON MENTORING CONTACTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Director of the Bureau of Prisons shall, in order to promote stability and continued assistance to offenders after release from prison, adopt and implement a policy to ensure that persons who provide mentoring services to incarcerated offenders are permitted to continue such services after the offender is released from prison. The policy shall permit the continuation of such mentoring services unless the Director can demonstrate that such services would be a significant security risk to the offender, incarcerated offenders, persons who provide such services, or any other person.

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

Subtitle D—Administration of Justice Reforms

CHAPTER 1—IMPROVING FEDERAL OFFENDER REENTRY

SEC. 231. FEDERAL PRISONER REENTRY PROGRAM.

(a) ESTABLISHMENT.—The Director of the Bureau of Prisons (hereinafter in this chapter referred to as the "Director") shall establish a prisoner reentry program (referred to in this section as the "Program") to prepare prisoners for release and successful reentry into the community.

(b) PROGRAM ELEMENTS.—The Program shall provide for the following, in accordance with this section:

(1) VOLUNTARY ENROLLMENT.—Voluntary enrollment for prisoners meeting enrollment criteria established by the Director, provided such criteria provides that a prisoner may not enroll in the Program any earlier than the first day of the two-year period preceding the prisoner's expected release date.

(2) PROGRAM PHASES.—An initial institutional phase, a transitional institution phase, and a transitional community phase under subsection (c), during each of which each prisoner enrolled in the Program receives reentry education (as described in subsection (e)).

(3) PROGRAM INCENTIVES.—Program incentives described in subsection (d) for prisoners meeting the phase requirements of the Program.

(c) PROGRAM PHASES.—The Program shall include the following phases:

(1) INITIAL INSTITUTIONAL PHASE.—An initial institutional phase for prisoners enrolled in the Program at each Federal institution and, to the extent feasible, in an area set apart from the general prison population.

(2) TRANSITIONAL INSTITUTION PHASE.—A transitional institution phase at each Federal institution for prisoners that have completed the initial institutional phase but have not yet been released or placed in pre-release custody.

(3) TRANSITIONAL COMMUNITY PHASE.—A transitional community phase at each community corrections facility for prisoners that have completed the initial institutional phase, have remained eligible during the transitional institution phase, and have been transferred to a community corrections facility.

(d) PROGRAM INCENTIVES.—

(1) IN GENERAL.—Subject to paragraph (4), under the Program a prisoner eligible under paragraph (2) for Program incentives may receive any of the following incentives:

(A) Temporary release for reentry preparation purposes.

(B) The maximum allowable period in a community corrections facility.

(C) Early release, but not earlier than the date that is one year before the prisoner's original scheduled release.

(D) Such other incentives as the Director considers appropriate.

(2) ELIGIBILITY FOR INCENTIVES.—

(A) INITIAL INSTITUTIONAL PHASE.—To be eligible for Program incentives during the initial institutional phase, a prisoner must successfully complete 500 hours of reentry education before the end of the one-year period beginning on the date of the prisoner's enrollment in the Program.

(B) TRANSITIONAL INSTITUTION PHASE.—To remain eligible for Program incentives during the transitional institution phase, a prisoner must successfully complete two hours of reentry education during each month—

(i) beginning after the month the prisoner completes the initial institutional phase; and

(ii) ending before the month the prisoner is released or placed in pre-release custody.

(C) TRANSITIONAL COMMUNITY PHASE.—To remain eligible for Program incentives during the transitional community phase, a prisoner must successfully complete one hour of reentry education during each month—

(i) beginning after the month of the prisoner's transfer to a community corrections facility; and

(ii) ending before the month the prisoner is released.

(3) REVOCATION OF INCENTIVES.—If a prisoner fails to meet the eligibility requirements to receive Program incentives during a given phase of the Program, the Director may revoke any Program incentive granted to the prisoner.

(4) LIMITATIONS.—

(A) CONSIDERING PUBLIC SAFETY.—When considering whether to grant a Program incentive to a prisoner, the Director shall take into account the prisoner's behavior while imprisoned and history of criminal conduct to determine whether granting such incentive would endanger the safety of the public.

(B) INELIGIBILITY UNDER OTHER PROVISION OF LAW.—For purposes of this subsection, any prisoner who is ineligible for a Program incentive by operation of any other provision of law shall be ineligible for such incentive.

(e) PROGRAM REENTRY EDUCATION.—For purposes of subsection (b)(2), reentry education shall include classes and activities designed to prepare prisoners for release and successful reentry into the community. Each such class or activity shall relate to one or more of the following categories:

(1) Health and nutrition issues a prisoner may face after release.

(2) Finding employment and preparation for reentry and assimilation into the workforce.

(3) Dealing with personal money management and financial planning.

(4) Familiarization with available community resources, including housing availability and public welfare benefits and services.

(5) Familiarization with release procedures, including prisoner compliance with pre-release and release requirements.

(6) Social skills, family relationships and development, and relapse prevention.

(f) DEFINITION.—For purposes of this section and section 232, the term "prisoner" means an individual committed to the custody of the Bureau of Prisons under section 3621 of title 18, United States Code. Such term does not include an individual confined in a non-Federal facility.

SEC. 232. IDENTIFICATION AND RELEASE ASSISTANCE FOR FEDERAL PRISONERS.

(a) OBTAINING IDENTIFICATION.—The Director of the Bureau of Prisons shall assist prisoners in obtaining identification (including social security card, driver's license, or birth certificate) prior to release.

(b) ASSISTANCE DEVELOPING RELEASE PLAN.—If a direct-release prisoner so requests, a representative of the United States Probation System shall, prior to the prisoner's release, help the prisoner develop a release plan.

(c) DIRECT-RELEASE PRISONER DEFINED.—In this section, the term "direct-release prisoner" means a prisoner who is scheduled for release and will not be placed in pre-release custody.

SEC. 233. IMPROVED REENTRY PROCEDURES FOR FEDERAL PRISONERS.

The Attorney General shall take such steps as are necessary to modify the procedures and policies of the Department of Justice with respect to the transition of offenders from the custody of the Bureau of Prisons to the community—

(1) to enhance case planning and implementation of reentry programs, policies, and guidelines; and

(2) to improve such transition to the community, including placement of such individuals in community corrections facilities.

SEC. 234. DUTIES OF THE BUREAU OF PRISONS.

(a) DUTIES OF THE BUREAU OF PRISONS EXPANDED.—Section 4042(a) of title 18, United States Code, is amended—

(1) in paragraph (4), by striking "and" at the end;

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

(3) by adding at the end the following:

"(6) provide for pre-release planning procedures for prisoners to ensure eligibility for Federal and State benefits upon release (including benefits under the old-age, survivors, and disability insurance program under title II of the Social Security Act, the supplemental security income program under title XVI of such Act, the Medicare program under title XVIII of such Act, the Medicaid program under title XIX of such Act, and a program of the Department of Veterans Affairs under title 38) is established prior to release, subject to any limitations in law;

"(7) include as part of the standard intake procedures for offenders entering Federal custody the collection of information regarding the dependent children of such an offender, including the number, age, and residence of such children;

"(8) ensure that all policies, practices, and facilities of the Bureau of Prisons support the relationship between parent and child; and

"(9) identify and address the training needs of employees of the Bureau of Prisons with respect to the effect of incarceration on children, families, and communities, age-appropriate interactions, and community resources for the families of offenders.".

(b) MEASURING THE REMOVAL OF OBSTACLES TO REENTRY.—

(1) PROGRAM REQUIRED.—The Director shall carry out a program under which each institution within the Bureau of Prisons codes the reentry needs and deficits of inmates as identified by an assessment tool that is used to produce an individualized skills development plan for each inmate.

(2) TRACKING.—In carrying out the program under this subsection, the Director shall quantitatively track, by institution and Bureau-wide, the progress in responding to the reentry needs and deficits of individual inmates.

(3) ANNUAL REPORT.—On an annual basis, the Director shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that documents the progress of each institution within the Bureau, and of the Bureau as a whole,

in responding to the reentry needs and deficits of inmates. The report shall be prepared in a manner that groups institutions by security level to allow comparisons of similar institutions.

(4) EVALUATION.—The Director shall—

(A) implement a formal standardized process for evaluating each institution's success in enhancing skills and resources to assist in reentry; and

(B) ensure that—

(i) each institution is held accountable for low performance under such an evaluation; and

(ii) plans for corrective action are developed and implemented as necessary.

(c) MEASURING AND IMPROVING RECIDIVISM OUTCOMES.—

(1) ANNUAL REPORT REQUIRED.—

(A) IN GENERAL.—At the end of each fiscal year, the Director shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing the statistics demonstrating the relative reduction in recidivism for inmates released by the Bureau of Prisons within that fiscal year and the 2 prior fiscal years, comparing inmates who participated in major inmate programs (including residential drug treatment, vocational training, and prison industries) with inmates who did not participate in such programs. Such statistics shall be compiled separately for each such fiscal year.

(B) SCOPE.—A report under this paragraph is not required to include statistics for a fiscal year that begins before the date of the enactment of this Act.

(C) CONTENTS.—Each report under this section shall provide the recidivism statistics for the Bureau of Prisons as a whole, and separately for each institution of the Bureau.

(2) MEASURE USED.—In preparing the reports required by subsection (a), the Director shall, in consultation with the Director of the Bureau of Justice Statistics, select a measure for recidivism (such as rearrest, reincarceration, or any other valid, evidence-based measure) that the Director considers appropriate and that is consistent with the research undertaken by the Bureau of Justice Statistics pursuant to section 241(b)(6).

(3) GOALS.—

(A) IN GENERAL.—After the Director submits the first report required by paragraph (1), the Director shall establish goals for reductions in recidivism rates and shall work to attain those goals.

(B) CONTENTS.—The goals established under subparagraph (A) shall use the relative reductions in recidivism measured for the fiscal year covered by that first report as a baseline rate, and shall include—

(i) a 5-year goal to increase, at a minimum, the baseline relative reduction rate by 2 percent within 5 fiscal years; and

(ii) a 10-year goal to increase, at a minimum, the baseline relative reduction rate by 5 percent within 10 fiscal years.

(d) FORMAT.—Any written information that the Bureau of Prisons provides to inmates for reentry planning purposes shall use common terminology and language.

(e) MEDICAL CARE.—The Bureau of Prisons shall provide the United States Probation and Pretrial Services System with relevant information on the medical care needs and the mental health treatment needs of inmates scheduled for release from custody. The United States Probation and Pretrial Services System shall take this information into account when developing supervision plans in an effort to address the medical care and mental health care needs of such inmates. The Bureau of Prisons shall provide inmates with a sufficient amount of all necessary medications (which will normally consist of, at a minimum, a 2-week supply of such medications) upon release from custody.

SEC. 235. AUTHORIZATION OF APPROPRIATIONS FOR BUREAU OF PRISONS.

There are authorized to be appropriated to the Director to carry out sections 231, 232, 233, and 234 of this chapter, $5,000,000 for each of the fiscal years 2008 and 2009.

SEC. 236. ENCOURAGEMENT OF EMPLOYMENT OF FORMER PRISONERS.

The Attorney General shall take such steps as are necessary to implement a program to educate employers about existing incentives for hiring former Federal, State, or local prisoners, including the Federal bonding program and tax credits.

SEC. 237. ELDERLY NONVIOLENT OFFENDER PILOT PROGRAM.

(a) PROGRAM ESTABLISHED.—

(1) IN GENERAL.—Notwithstanding section 3624 of title 18, United States Code, or any other provision of law, the Director shall conduct a pilot program to determine the effectiveness of removing each eligible elderly offender from a Bureau of Prison facility and placing such offender on home detention until the date on which the term of imprisonment to which the offender was sentenced expires.

(2) TIMING OF PLACEMENT IN HOME DETENTION.—

(A) IN GENERAL.—In carrying out the pilot program under paragraph (1), the Director shall—

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

(ii) in the case of an offender who is determined to be an eligible elderly offender after the date specified in subparagraph (B) and before the date that is 3 years and 91 days after the date of the enactment of this Act, place such offender on home detention not later than 90 days after the date of such determination.

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

(3) VIOLATION OF TERMS OF HOME DETENTION.—A violation by an eligible elderly offender of the terms of the home detention, including the commission of another Federal, State, or local crime, shall result in the removal of the offender from home detention and the return of the offender to the designated Bureau of Prisons institution in which the offender was imprisoned immediately before placement on home detention under paragraph (1).

(b) SCOPE OF PILOT PROGRAM.—

(1) PARTICIPATING DESIGNATED FACILITIES.—The pilot program under subsection (a) shall be conducted through at least 1 Bureau of Prisons institution designated by the Director as appropriate for the pilot program.

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

(c) PROGRAM EVALUATION.—

(1) IN GENERAL.—The Director shall contract with an independent organization to monitor and evaluate the progress of each eligible elderly offender placed on home detention under subsection (a)(1) for the period such offender is on home detention during the duration described in subsection (b)(2).

(2) ANNUAL REPORT.—The organization described in paragraph (1) shall annually submit to the Director and to Congress a report on the pilot program under subsection (a)(1), which shall include—

(A) an evaluation of the effectiveness of the pilot program in providing a successful transition for eligible elderly offenders from incarceration to the community, including data relating to the recidivism rates for such offenders; and

(B) the cost savings to the Federal Government resulting from the early removal of such offenders from incarceration.

(3) PROGRAM ADJUSTMENTS.—Upon review of the report submitted under paragraph (2), the Director shall submit recommendations to Congress for adjustments to the pilot program, including its expansion to additional facilities.

(d) DEFINITIONS.—In this section:

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

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

(B) is serving a term of imprisonment after conviction for an offense other than a crime of violence and has served the greater of 10 years or ½ of the term of imprisonment;

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

(D) has not been determined by the Bureau of Prisons, on the basis of information the Bureau uses to make custody classifications, and in the sole discretion of the Bureau, to have a history of violence; and

(E) has not escaped, or attempted to escape, from a Bureau of Prisons institution.

(2) HOME DETENTION.—The term "home detention" has the same meaning given the term in the Federal Sentencing Guidelines, and includes detention in a nursing home or other residential long-term care facility.

(3) TERM OF IMPRISONMENT.—The term "term of imprisonment" includes multiple terms of imprisonment ordered to run consecutively or concurrently, which shall be treated as a single, aggregate term of imprisonment for purposes of this section.

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

CHAPTER 2—REENTRY RESEARCH

SEC. 241. OFFENDER REENTRY RESEARCH.

(a) NATIONAL INSTITUTE OF JUSTICE.—From amounts made available to carry out this Act, the National Institute of Justice may conduct research on juvenile and adult offender reentry, including—

(1) a study identifying the number and characteristics of minor children who have had a parent incarcerated, and the likelihood of such minor children becoming involved in the criminal justice system some time in their lifetime;

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

(3) a study on the population of offenders released from custody who do not engage in recidivism and the characteristics (housing, employment, treatment, family connection) of that population.

(b) BUREAU OF JUSTICE STATISTICS.—From amounts made available to carry out this Act, the Bureau of Justice Statistics may conduct research on offender reentry, including—

(1) an analysis of special populations, including prisoners with mental illness or substance abuse disorders, female offenders, juvenile offenders, offenders with limited English proficiency, and the elderly, that present unique reentry challenges;

(2) studies to determine who is returning to prison, jail, or a juvenile facility and which of those returning prisoners represent the greatest risk to victims and community safety;

(3) annual reports on the profile of the population coming out of prisons, jails, and juvenile facilities;

(4) a national recidivism study every 3 years;

(5) a study of parole, probation, or post-incarceration supervision violations and revocations; and

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

SEC. 242. GRANTS TO STUDY PAROLE OR POST-INCARCERATION SUPERVISION VIOLATIONS AND REVOCATIONS.

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

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

(1) certify that the State has, or intends to establish, a program that collects comprehensive and reliable data with respect to individuals described in subsection (a), including data on—

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

(B) the reasons for parole or post-incarceration supervision revocation;

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

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

(2) provide the data described in paragraph (1) to the Bureau of Justice Statistics, in a form prescribed by the Bureau.

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

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

SEC. 243. ADDRESSING THE NEEDS OF CHILDREN OF INCARCERATED PARENTS.

(a) BEST PRACTICES.—The Attorney General shall collect data and develop best practices of State corrections departments and child protection agencies relating to the communication and coordination between such State departments and agencies to ensure the safety and support of children of incarcerated parents (including those in foster care and kinship care), and the support of parent-child relationships between incarcerated (and formerly incarcerated) parents and their children, as appropriate to the health and well-being of the children. Such best practices shall include information related to policies, procedures, and programs that may be used by States to address—

(1) maintenance of the parent-child bond during incarceration;

(2) parental self-improvement; and

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

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

(c) SENSE OF CONGRESS.—It is the sense of Congress that States and other relevant entities should use the best practices developed and disseminated in accordance with this section to evaluate and improve the communication and coordination between State corrections departments and child protection agencies to ensure the safety and support of children of incarcerated parents (including those in foster care and kinship care), and the support of parent-child relationships between incarcerated (and formerly incarcerated) parents and their children, as appropriate to the health and well-being of the children.

CHAPTER 3—CORRECTIONAL REFORMS TO EXISTING LAW

SEC. 251. CLARIFICATION OF AUTHORITY TO PLACE PRISONER IN COMMUNITY CORRECTIONS.

(a) PRE-RELEASE CUSTODY.—

(1) AMENDMENT.—Section 3624(c) of title 18, United States Code, is amended to read as follows:

"(c) PRE-RELEASE CUSTODY.—

"(1) IN GENERAL.—The Director of the Bureau of Prisons shall, to the extent practicable, ensure that a prisoner serving a term of imprisonment spends a portion of the final months of such term (not to exceed 12 months), under conditions that will afford the prisoner a reasonable opportunity to adjust to and prepare for the prisoner's reentry into the community. Such conditions may include a community correctional facility.

"(2) HOME CONFINEMENT AUTHORITY.—The authority provided by this subsection may be used to place a prisoner in home confinement for the last 10 percent of the term of imprisonment or the final 6 months of such term, whichever is shorter.

"(3) ASSISTANCE.—The United States Probation System shall, to the extent practicable, offer assistance to a prisoner during such pre-release custody.

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

"(5) REPORTING.—Not later than 1 year after the date of enactment of the Second Chance Act of 2007 (and every year thereafter), the Director of the Bureau of Prisons shall transmit to the Committees on the Judiciary of the Senate and the House of Representatives a report describing the Bureau's utilization of community corrections facilities. Such report shall set forth the number and percentage of Federal prisoners placed in community corrections facilities during the preceding year, the average length of such placements, trends in such utilization, the reasons some prisoners are not placed in community corrections facilities, and any other information that may be useful to the committees in determining if the Bureau is utilizing community corrections facilities in an effective manner.

"(6) ISSUANCE OF REGULATIONS.—Not later than 90 days after the date of enactment of the Second Chance Act of 2007, the Director of Bureau of Prisons shall issue regulations pursuant to this subsection, which shall include modifications to section 570.21 of the Bureau's regulations (28 C.F.R. 570.21), to ensure that such section is in accordance with the provisions of this subsection.".

(2) APPLICABILITY OF AMENDMENT.—The amendment made by this subsection shall apply with respect to any prisoner who—

(A) is serving a term of imprisonment on the date of enactment of this Act;

(B) has been sentenced to a term of imprisonment before the date of enactment of this Act, but who has not begun to serve such sentence on such date of enactment; or

(C) is sentenced to a term of imprisonment on or after the date of enactment of this Act.

(b) COURTS MAY NOT REQUIRE A SENTENCE OF IMPRISONMENT TO BE SERVED IN A COMMUNITY CORRECTIONS FACILITY.—Section 3621(b) of title 18, United States Code, is amended by adding at the end the following: "Any order, recommendation, or request by a sentencing court that a convicted person serve a term of imprisonment in a community corrections facility has no binding effect on the discretionary authority of the Bureau under this section to determine or change the place of imprisonment of that person.".

SEC. 252. RESIDENTIAL DRUG ABUSE PROGRAM IN FEDERAL PRISONS.

Section 3621(e)(5)(A) of title 18, United States Code, is amended by striking "means a course of" and all that follows and inserting the following: "means a course of individual and group activities and treatment, lasting at least 6 months, in residential treatment facilities set apart from the general prison population, which may include the use of pharmocotherapies, where appropriate, that may extend beyond the 6-month period;".

SEC. 253. MEDICAL CARE FOR PRISONERS.

Section 3621 of title 18, United States Code, is further amended by adding at the end the following new subsection:

"(g) CONTINUED ACCESS TO MEDICAL CARE.—

"(1) IN GENERAL.—In order to ensure a minimum standard of health and habitability, the Bureau of Prisons shall ensure that each prisoner in a community confinement facility has access to necessary medical care, mental health care, and medicine.

"(2) DEFINITION.—In this subsection, the term 'community confinement' has the meaning given that term in the application notes under section 5F1.1 of the Federal Sentencing Guidelines Manual, as in effect on the date of the enactment of the Second Chance Act of 2007.".

SEC. 254. CONTRACTING FOR SERVICES FOR POST-CONVICTION SUPERVISION OFFENDERS.

Section 3672 of title 18, United States Code, is amended by inserting after the third sentence in the seventh paragraph the following new sentence: "He also shall have the authority to contract with any appropriate public or private agency or person to monitor and provide services to any offender in the community, including treatment, equipment and emergency housing, corrective and preventative guidance and training, and other rehabilitative services designed to protect the public and promote the successful reentry of the offender into the community.".

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Mr. SCOTT. And I would like to thank Ranking Member Forbes and his staff for their leadership and dedicated contributions to continuing this important effort in Congress.

This effort will provide greater public protection from crime by better assuring the successful re-entry of offenders from prison back into their communities.

I would also like to thank Congressman Davis from Illinois and Congressman Cannon for their continued leadership in this effort, as well as that of Chairman Conyers and Ranking Member Smith and other co-sponsors of the bill.

I also want to further acknowledge the dedication and tireless efforts of many members of the diverse coalition of national, State and local organizations and their representative who continue to work for the passage of this bill.

Our national crime rates have been falling significantly over the past decade. We have seen an unprecedented explosion in our pris-

on and jail populations. Now there are more than 2.2 million people incarcerated in Federal and State prisons and jails—a significant increase since 1980. Moreover, expenditures on corrections have increased from about $9 billion in 1982 to more than $65 billion today, a figure that continues to grow. These figures do not include the cost of arrest, prosecution, nor do they take into account the cost to victims.

As a result of all the focus on incarceration, the United States is the world's largest incarcerator, by far, locking up 726 inmates per 100,000 population according to 2004 data. The incarceration rate around the world is around 100 per 100,000, 142 in England, 117 in Australia, 116 in Canada, 91 in Germany. So, the United States rate is more than seven times the average. The closest competitor is Russia, at 532.

Over 95 percent of incarcerated inmates will be released at some time. This year, more than 650,000 people will be released from State and Federal prisons to communities nationwide, along with more than 9 million people leaving local jails. According to the Department of Justice's Bureau of Justice Statistics, 67 percent of offenders leaving State and Federal prison are re-arrested within 3 years.

Most of those leaving prison are ill-prepared to succeed in earning a living and leading a law-abiding life. And the resources available to assist them to re-enter successfully are very limited. The addition of a felony record and a prison or jail stay certainly does not assist their job or social development prospects.

With no or limited education, resources, job skills, with Federal benefits being disqualified because of drug or other convictions, and often with little or no family or community support, it is not surprising that as many as two-thirds of released prisoners are re-arrested within 3 years of their release.

So, with this growing number of ill-equipped offenders returning to communities each year, the question is whether they re-enter society better prepared to lead law-abiding lives than when they came in.

The Second Chance Act provides a host of evidence-based approaches designed to reduce the high rate of recidivism. If we are going to continue to send more and more people to prison with longer and longer sentence, we should do as much as we reasonably can to assure than, when they do return, they won't go back to prison due to new crimes.

The primary reason for doing this is not to benefit offenders, although it does. The primary reason to do this is because it assures that all of us and other members of the public will be less likely to be victims of crime due to recidivism and also will be much less likely to have to pay the high cost of incarceration as taxpayers.

So, this is a compelling issue, one that we have worked in a bipartisan way. And I want to thank again Ranking Member Forbes for working with us. This Crime Subcommittee and Judiciary Committee generally is a fairly contentious group of people. We don't always agree on many things. But on this, I think we have got excellent cooperation on a bipartisan basis. And hopefully, we can get the bill passed into law as soon as possible.

With that, I will now recognize my colleague from Virginia, the Ranking Member of the Subcommittee, Mr. Forbes, for his opening statement.

Mr. FORBES. Thank you, Chairman Scott. And I appreciate you holding this hearing on the Second Chance Act of 2007.

And of course, we appreciate all of our witnesses and their attendance here.

I want to begin by commending you and Chairman Conyers, Congressman Cannon and also Congressman Coble for your commitment to the issue of prison re-entry.

The new bill, which is molded on a prior version, is an excellent example of bipartisan cooperation on important criminal justice matters.

I also want to commend your chief counsel, Bobby Vassar, and Keenan Kelly from Chairman Conyers' staff.

Also, I would like to commend our counsel, Mike Volkov; a member of my staff, Jamie Miller; and also a member of Congressman Coble's staff, Johnny Mautz, for their dedication and hard work on this issue. It took a long time. It was a lot of hard work to get it here.

Whether you are tough on crime or favor intervention and prevention strategies, there is common ground on the critical issue of prison re-entry. I believe in tough enforcement of our criminal laws. Public safety is essential of a free society. And criminals must be aggressively prosecuted and incarcerated to protect our communities.

Once criminals are incarcerated, we have an obligation to make sure they are rehabilitated and treated humanely. A critical component to this is the need to plan and provide effective re-entry services. We can no longer release criminals with new clothes and a $5 bill and expect them to become productive citizens.

The Second Chance Act creates a framework of strategic policy innovations to provide effective re-entry services. The demand for innovative solutions is obvious. It is conservatively estimated that approximately 650,000 inmates will be released from State prisons in the next year. In the absence of actions to address this issue, 67 percent of these individuals will be re-arrested, and over half will return to prison in the 3 years following their release from prison.

States are being crushed by an overwhelming financial burden for correctional cost. We need to ensure that governments have in place appropriate programs to ease the transition for offenders, to bring families together once again, and to make sure that offenders get the necessary support, so that they can truly have a second chance to live a law-abiding life. Successful re-entry protects those who might otherwise be crime victims. It also improves the likelihood that individuals released from prison, jail or juvenile detention facilities can pay fines, fees, restitution and provide family support.

The Second Chance Act expands existing demonstration programs to improve coordination among service providers, supervision services and re-entry task force, and between State substance abuse agencies and criminal justice agencies. The Act also strengthens re-entry services by expanding the use of mentors, im-

proving medical services, offering a continuum of drug treatment services, ensuring adequate education opportunities and promoting family relationships during incarceration.

The Act also authorizes grants to operate State and local re-entry courts and to establish local re-entry task forces to develop comprehensive re-entry plans during each phase of transition from incarceration, to transitional housing, to release in the community. Finally, the Act expands drug treatment programs to include family-based substance abuse treatment programs, new pharmacological drug treatment programs and comprehensive drug treatment for offenders in a re-entry program.

Mr. Chairman, I look forward to hearing from today's witnesses who can tell us firsthand how re-entry services are provided and what new approaches are needed.

Mr. SCOTT. Thank you. And, without objection, all Members may include their opening statements in the record at this point. And we have a distinguished panel of witnesses here today to help us consider the important issue before us.

Our first witness will be Stefan LoBuglio, who is an expert of designing and evaluating prisons re-entry recidivism education and employment programs, including faith-based programs. He is currently chief of the Pre-Release and Re-entry Services Division of the Montgomery County, Maryland, Department of Correction and Rehabilitation. He manages the community-based, 155-bed, pre-release and re-entry facility, as well as non-residential home electronic monitoring programs.

He is previously the deputy superintendent of the Suffolk County Sheriff's Department Community Corrections Division in Massachusetts. Prior to that, he was a criminal justice policy consultant. He is a doctoral candidate at Harvard University Graduate School of Education, holds a master's in public policy from the John F. Kennedy School of Government and is a graduate of Duke University.

Our next witness is Professor Roger Peters, chair of the Department of Mental Health Law and Policy of the St. Louis de la Parte Mental Health Institute at the University of South Florida, where he has been a faculty member since 1986. He received his Ph.D. in clinical psychology from Florida State University and has also studied at the University of North Carolina School of Medicine.

He served as lead consultant to the Department of Health and Human Services Center for People with Co-Occurring Disorders in the Justice System. He has also served for 4 years on the board of directors of the National Association of Drug Court Professionals and, for the past 7 years, has served on the treatment-based drug court steering committee for the Florida Supreme Court.

Our next witness is Steve Lufburrow, who is the president and CEO of Goodwill Industries of Houston, a Houston-based organization that provides training, skills development, work opportunities for people with disabilities and other barriers to employment. In his career, he has served as a member of the advisory board of Target Hunger and Texas Industries for the Blind and Handicapped, as well as the State Bar of Texas grievance committee.

Currently, he serves as a member of the board of directors with the Better Business Bureau and the Houston-Galveston Area

Council Work Development Board. He is a graduate of Southwestern University in Georgetown, Texas, and of the Certified Executive Training Program for Goodwill Industries of America.

Our next witness will be Jack Cowley, who is the national director of Alpha USA's prisons and re-entry program, which helps churches administer to prisoners. He served for 30 years with the Oklahoma Department of Corrections primarily as a prison warden. When he retired in 1996, he joined the Prison Fellowship Ministries as a public policy advocate and later as director of Interchange Freedom Initiative, a faith-based re-entry program.

He has run a transitional housing and treatment program for released offenders. He serves on the advisory boards of the National Institute of Corrections and the Billy Graham Institute of Criminal Justice Ministries. He earned his B.S. in sociology, an M.S. in corrections from Oklahoma State University and completed coursework for a Ph.D. in organizational leadership from the University of Oklahoma.

Our final witness will be George McDonald, who is the founder and president of the Doe Fund, a New York-based nonprofit organization that helps individuals break the cycles of homelessness, welfare dependency and incarceration through paid work programs, housing, support services and business ventures.

A former executive and entrepreneur in the apparel industry, he currently chairs New York City's Independent Committee on Re-Entry and Employment and is co-chair of its Discharge Planning Initiative Employment Committee. He also serves on the Prisoner Re-entry Steering Committee of the city's Workforce Investment Board.

The Doe Fund has been recognized by the city of New York, WENT Channel 13, the New York Post and the Department of Housing and Urban Development. He received his undergraduate degree from Fairleigh Dickinson University.

Thank you.

And before we hear from our witnesses, does the Chairman of the Committee have a statement?

Mr. CONYERS. I have a statement, but I would like only a minute or two. And then I will put it in the record.

Mr. SCOTT. Thank you. Mr. Conyers?

Mr. CONYERS. Thank you, Chairman Scott and Members of this Committee.

Re-entry is so important. And now, thanks to this Committee, we are beginning to examine the pressing need to provide as much as we can for the 650,000 men and women who re-enter our communities from prison every year. And the cultural and economic requirements to prepare them for this coming back into society has been staggering.

And I am happy to join in with all of you and the distinguished panel of witnesses that we have here to examine the Second Chance Act. I think it is a great opportunity. I look forward to hearing the witnesses.

And I ask unanimous consent that my complete statement is included in the record.

[The prepared statement of Mr. Conyers follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN CONYERS, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN, AND CHAIRMAN, COMMITTEE ON THE JUDICIARY

Good afternoon. I am pleased to join my colleagues on the Subcommittee on Crime, Terrorism and Homeland Security today as we address the issues of federal offender re-entry. For the past several sessions, I have introduce my own comprehensive re-entry legislation. This year, I am happy to join as an original co-sponsor of the Second Chance Act. With this bipartisan legislation, we are set to take the next important step in building a web of programs which will help break the cycle of recidivism laying at the heart of our prison population explosion.

As Chairman Scott observed in his opening statement, there is a pressing need to provide the more than 650,000 men and women who re-enter our communities from prison each year with the education and training necessary to obtain and hold onto steady jobs, undergo drug treatment, and get medical and mental health services. The statistics underlying the needs of our prison population are staggering. As detailed by many researchers, these deficiencies include limited education, few job skills or experience, substance and alcohol dependency, and other health problems, including mental health. Evidence from the Department of Justice indicates that the needs of the prison population are not being met under the current system. If we allow them to return to communities with few economic opportunities, where their family and friends are often involved in crime and substance abuse, we can only expect to extend the cycle of recidivism.

For example, 57 percent of federal and 70 percent of State inmates used drugs regularly before prison, with some estimates of involvement with drugs or alcohol around the time of the offense as high as 84 percent. Further, over one-third of all jail inmates have some physical or mental disability and 25 percent of jail inmates have been treated at some time for a mental or emotional problem.

In the face of these statistics, I believe that we can be cautiously optimistic in the support of re-entry programming. Researchers at the Washington State Institute for Public Policy have determined that programs employing "best practices" have yielded up to 20% declines in re-arrest rates. Spread across the thousands of arrests each year, these practices could yield a significant decline in recidivism, with a commensurate reduction in community and victim costs.

This is what we hope for with passage of the Second Chance Act. The bill focuses on the development and support of programs that provide alternatives to incarceration, expand the availability of substance abuse treatment, strengthen families and expand comprehensive re-entry services.

As we move toward passage, I hope that we are not caught in the trap of attempting to solve this problem on the cheap. In past Congresses, there have been objections to the cost of this bill and past re-entry initiatives. I must point out that Section 101, the demonstration projects at the heart of the legislation, works out to less that $200 for each of the more than 650,000 people released into the community each year. This bill is a truly modest measure when balanced against the more than $60 billion each year spent on incarceration. I look forward to healthy discussion on re-entry best practices, particularly in the area of drug treatment, to highlight the serious need for passage of this legislation.

Mr. SCOTT. Thank you.

Are there other statements? Without objection, they can be placed in the record.

And we will hear from our witnesses, beginning with Chief LoBuglio.

TESTIMONY OF STEFAN LoBUGLIO, CHIEF, PRE-RELEASE AND RE-ENTRY SERVICES, MONTGOMERY COUNTY DEPARTMENT OF CORRECTION AND REHABILITATION, ROCKVILLE, MD

Mr. LOBUGLIO. Thank you, Mr. Chairman.

Mr. SCOTT. If I may ask, please let me recognize the other Members that are here: Representative Johnson from Georgia, Representative Gohmert from Texas, and Coble from North Carolina.

Thank you. I am sorry.

Mr. LOBUGLIO. Mr. Chairman, it is an honor to speak before you in support of this legislation. And I thank you for your leadership on this legislation.

This legislation is important to the field of corrections. It is important to those who are incarcerated. It is important to communities across the country.

I have the privilege of working on a day-to-day basis with a dedicated staff of correctional professionals. And we manage as many as 200 individuals in the community on a day-to-day basis. Those individuals are from the Federal system, the State system and the local system. They can be serving sentences of 20 years or 20 days. The main criteria is that they are within 1 year of release and returning home to our communities.

When they are in our program, we know where they are at all times. They are working. They are receiving treatment. They are meeting with family members. Importantly, they are earning money. They are paying family support. They are paying restitution. They are being responsible members of our society.

In Montgomery County, 30 percent of our sentenced population is in our program. We are not a boutique program. Through a careful screening process, we are able to put a number of individuals of different types of offense types into our program.

Right now, I have a count of 164 individuals; 135 of those individuals are living in a pre-release center that is a 35-minute metro ride from where I am talking now. The other 29 are living at home. They have successfully graduated to our home confinement program. They have demonstrated that their job, their house, their family support system, their connection with communities are such that we can allow them to live in the community in their home with electronic monitoring.

Those on our program are working as contractors. They are working in the construction field and landscapers and food services in offices across the greater Washington area. Every single employer who employs them is aware of their situation.

We actually involve the employer in the re-entry process with a formal signed contract. We involve the family in our re-entry process. We speak with the loved ones of those who are with us and talk about ways that we can work in partnership to assist them as they transition to the community.

Importantly and as part of our everyday practice, we work with every community organization that we can, from Government agencies, to nonprofit organizations, to the faith-based community. There is a limit to the expertise that we have in corrections. We know it. And we need the assistance and the expertise of outside agencies.

We have a premise in Montgomery County that it is better for individuals to leave our work release program than to leave a correctional facility—whether our own correctional facility or a facility in a State prison system or a Federal prison hundreds of miles away. We do everything we can to get them into our program.

For those who can't come into our program, we have extensive re-entry services at our jail. We have developed a one-step career center in our jail. We involve over 40 social service providers every

2 weeks in a re-entry discussion about those who are going to be released, and what wraparound services they need.

Ours is but one of many local and State programs that is an example of how re-entry can work. I find it remarkable that, at this point in time, there is a consensus—a bipartisan political consensus, a consensus of advocates, a consensus of professional organizations, and a consensus among the leadership in corrections—that re-entry is the way to go; and that we have an opportunity now, perhaps the first in 30 years, to transform the way that we do corrections, so that re-entry is our standard operating procedure. The Second Chance Act will help stoke that effort.

We have learned a lot about re-entry in the last 8 years. Eight years ago, a correctional official might have been excused for not knowing what works and how a re-entry program could work in their facility. However, now there is a huge body of evidence that points us in the right direction. It is a body of evidence that has been developed by correctional practitioners and by leaders and academics in many other disciplines.

There is no one re-entry model that will work in any system. And that is why we need the Second Chance Act. We need each jurisdiction in the multiple criminal justice systems across the country to work out among themselves how does re-entry work? What stakeholders should be part of it? And how will they put together the plan?

Another important point I need to make this morning, that it is not only the 650,000 returning from State and Federal prisons; but it is the 12 million bookings and the 9 million individuals who are both being processed into and being discharged from our local jails annually. I work at the local system. Jail re-entry is as much a part of the discussion as prison re-entry is in the State system.

And what is important and valuable about the Second Chance Act is that it recognizes that jails have a role. Jails are struggling right now with many issues such as inmates with mental health issues and issues of domestic violence issues. And re-entry has to be part of the fabric of how we run our programs.

Re-entry requires collaboration. It requires the outreach and inreach of community service providers and faith-based organizations. What is important about the Second Chance Act, what has been important about the Serious and Violent Offender Re-Entry Initiative—the precursor to this Act, is that it has leveraged enormous amount of local resources.

I know I am over my time a few minutes. But with that, I will conclude in a minute if I may. Re-entry is sound corrections. There are leaders at all levels in corrections—from line officers, sergeants, lieutenants, shift commanders, sheriffs, wardens—who are ready to embrace re-entry. We need some assistance. We need some good models. We are ready to do the task.

Those facilities and those systems that incorporate re-entry are among the cleanest, the most humane, and the ones that best use their bed space. Re-entry has a great advantage, not only to public safety, not only to community well-being, not only to victims, but also to the correctional professionals who staff our thousands of correctional facilities, and those that monitor the millions of indi-

viduals in community supervision. It can literally transform how we do corrections to the betterment of those in the correction field.

Thank you, Mr. Chairman.

[The prepared statement of Mr. LoBuglio follows:]

PREPARED STATEMENT OF STEFAN LOBUGLIO

INTRODUCTION

My name is Stefan LoBuglio and I serve as the Chief of the Montgomery County Department of Correction and Rehabilitation's Pre-Release and Reentry Services Division in Maryland. I am honored to present testimony to support the introduction and enactment of the Second Chance Act.

From my perspective as both a practitioner and as a researcher in corrections for 15 years, I believe this legislation can catalyze the demonstrated leadership across this county in different disciplines and at all organizational and political levels to incorporate prisoner reentry as part of our nation's correctional systems' policies and practices. Such reforms will directly benefit public safety and community well-being, individual incarcerants and their families, and just as important, the working environment and job functions of the thousands of correctional professionals who run the country's jails and prisons and who supervise probationers and parolees in the community.

The Second Chance Act will provide important seed money to encourage and expand innovative prisoner reentry programs in jurisdictions throughout this country from county and tribal jails to state and federal prisons. Building on the success of the $100 million federal Serious and Violent Offender Reentry Initiative, the funds from the Second Chance Act will spur partnerships and collaborations across disciplines that will leverage local resources in the areas of health, workforce development, housing, and treatment services. Also significant, the Second Chance Act will continue to build the body of research and identify promising practices in prisoner reentry that will assist local, state, and federal jurisdictions to better assess what models and programs are best adapted for their locations.

By way of background, I currently have the privilege of working with a dedicated staff of correctional professionals and oversee a program that manages nearly 200 sentenced individuals—almost 30% of Montgomery County's total sentenced population—who are living and working in the community and who are within 6–8 months of release from federal, state, and local custody. Prior to Montgomery County, I helped develop reentry programs in a 2,000-bed sentenced facility located in Boston for the Suffolk County Sheriff's Department. In the course of my correctional career, I have made dozens of presentations on different reentry topics at local, state, and national conferences, and more recently have worked with the field's major professional organizations—the American Jail Association and the American Correctional Association—to advance training and education in this area. I have also been active in a number of innovative reentry projects sponsored by the National Association of Counties and the Council of State Governments.

In terms of research, I have co-authored several articles on reentry on subjects ranging from correctional education, community supervision, recidivism, and implementation challenges. This month, I completed a two-year evaluation of a jail reentry program in Massachusetts, which also serves as my doctoral thesis at Harvard University's Graduate School of Education. Currently, I serve as a member of the External Advisory Committee for the national evaluation of the federal Serious and Violent Offender Reentry Initiative, which is one of the largest and most comprehensive evaluations of reentry program in recent history. With funding from the U.S Department of Justice's Bureau of Justice Assistance, I am also currently participating in a research effort to collect and disseminate information about jail reentry programs and practices—called the Jail Reentry Roundtable—which is co-sponsored by the Urban Institute, the John Jay College of Criminal Justice, and the Montgomery County Department of Correction and Rehabilitation.

In this written statement, I provide an overview of prisoner reentry issues with an emphasis on six major points. **First, I believe we have a window of opportunity—perhaps the first in 30 years—to reexamine and change correctional practices and post-release support with the mutually supportive goals of increasing public safety, community well-being, and the lives of the former incarcerated and their families.** Prisoner reentry enjoys wide support from bi-partisan policy makers, practitioners, professional associations, think tanks, faith-based organizations and the inmate-advocacy community, and provides a strategy to mitigate the rising social and economic costs of high rates of incarceration.

Second, we have learned an enormous amount about what programs and services are effective in supporting reentry goals over the past decade. This body of research along with the examples of many promising program models that have emerged in jurisdictions throughout this country can provide direction, support, and technical assistance to spur the development of more programs and to help bring them to scale.

Third, jails and local correctional systems serve as the entry and exit point in the nation's correctional system and must be included in the development of prisoner reentry systems. Not only do jails face the enormous challenge of processing millions of court-involved individuals each year, but they also face unique reentry issues such as managing institutional populations with high proportions of individuals with mental health and serious physical health problems.

Fourth, reentry programs require extensive collaborations and partnerships with government agencies and community organizations to provide the wide range of support and services needed to address the many needs of those under correctional supervision. Correctional facilities are highly complex and challenging institutions to operate, and correctional staff behind the walls and in the community need the expertise and resources of practitioners from many other disciplines to provide targeted and relevant transitional assistance to this population.

Fifth, prisoner reentry reaffirms and refocuses correctional systems on one of their historical goals to correct and rehabilitate. The safest, cleanest, most secure and orderly correctional facilities that I have seen are the same ones that have the most extensive reentry programming. These facilities enjoy a healthy culture that supports mutual respect between staff and incarcerants, and utilize more of the skills and talents of correctional professionals to manage and motivate the institutional population. They are also the facilities that most efficiently manage their bed space and which are best able to classify appropriate individuals for lower security levels while reserving the use of the higher security levels for those who need this additional level of control and confinement. Prisoner reentry also will lead to more transparent institutions as the magnitude and complexity of the issue transcends corrections alone, and requires the active partnership, collaboration, and inreach of social service agencies, workforce community, the community and faith-based organizations, law enforcement and other public safety departments.

Sixth, and finally, reentry programs face enormous implementation, coordination, and capacity-building challenges, and it is too soon to expect that many of them will accomplish such long-term goals as significantly reducing recidivism. Instead, we need to ensure that these programs are targeting the right individuals, are addressing real needs of the population that can affect their post-release success, are well-designed with evidenced-based practices, and are implemented with integrity and quality control. Such programs should demonstrate an ability to accomplish intermediate goals in their treatment domains, but an expectation of an immediate reduction in recidivism rates is unrealistic, and may lead us to prematurely conclude these programs are ineffective before they have had a fair chance to demonstrate their long-term benefits.

PRISONER REENTRY BACKGROUND

The growth of the nation's correctional population and the high recidivism rates among those released has triggered a re-examination of correctional policies and programs that aims to assist inmates' transition from incarceration to community life. By mid-year 2005, the nation's correction population had risen to 2.2 million—up 380% from 1980—of which 750,000 were housed in jails and the remainder in state and federal prisons (Harrison & Beck, 2006). Many inmates sentenced to correctional facilities had previously been incarcerated, giving credence to the metaphorical "revolving door" at the prison gate. In June 2002, the United States Department of Justice's Bureau of Justice Statistics published one of the largest and best known studies that found that among a representative sample of the nation's prison population released in 1994, 67.5% were rearrested within 3 years, 46.9% were convicted for a new crime and 51.8% were re-incarcerated (Langan & Levin, 2002).

For decades, researchers and policy makers have vigorously debated the effectiveness of prisoner rehabilitation programs to reduce post-release criminality; however, the current national policy discussion on reentry programs has reframed the issue. Instead of being mired in rancorous opinions about inmates' deservedness for programs, the current discussion about prisoner reentry has placed community interests and safety at the forefront of the desired outcomes. It has focused on the daily reality that large numbers of inmates are leaving correctional facilities and return-

ing to communities across the nation, and that better preparing them for release is in everyone's best interests.

As such, this new focus has been notable for attracting bi-partisan support from both sides of the political aisle. Then-President Clinton and his Attorney General Janet Reno launched the reentry dialogue in the late 1990's, and more recently, President Bush has accelerated the discussion by including the issue in his inaugural address in 2004 and by authorizing a $100 million grant program—called the Serious and Violent Offender Reentry Initiative—that provided funds for reentry programs for every state in the nation. The Second Chance Act will further the development of prisoner reentry programs in more jurisdictions and provide additional opportunities for research and dissemination of promising practices.

These reentry initiatives are touted as serving community interests and safety and draw support from the sheer number of released jail and prison inmates and the growing social and economic costs of corrections. Collectively, correctional budgets at all governmental levels now total more than $60 billion annually, and have begun to rival expenditures for such public goods as higher education (Hughes, 2006).

Additionally, the hundreds of thousands of state and federal prisoners returning home, and the millions being released from jails, typically return to the same poorly-resourced neighborhoods and bring with them housing, health, and employment problems that further destabilize these areas. An estimated one in three of all African-American males in their mid-to-late twenties is under correctional supervision; the disproportional impact of corrections on this and other groups and regions threatens to solidify a perpetual underclass in this society. Most individuals in prison have poor educational backgrounds and skills (average math and reading scores are 5.0 and 7.8 grade level equivalencies), and their criminal backgrounds handicap them from pursuing certain various careers, licensures, and positions, and from receiving government benefits such as student financial aid (Jeremy Travis, 2000, 2001; Jeremy Travis, Solomon, & Waul, 2001).

EFFECTIVE PROGRAMMING: RISK, NEEDS, TREATMENT, AND FIDELITY

For policy makers and correctional practitioners, the new interest in reentry programs has been welcome, but has also left them struggling with the question about which types of programs should be offered, and how these programs should be developed and evaluated. Fortunately, researchers have worked over the past two decades to provide some guidance on effective correctional programs and their designs. This body of work has emerged to counter earlier reports that questioned whether any treatment programming works in corrections to reduce recidivism (D. Lipton, Martinson, & Wilks, 1975; D. S. Lipton, 1995; Robert Martinson, 1974; Robert Martinson, 1979).

In the late '80's and the '90's, several researchers re-analyzed data from earlier studies and conducted new studies, and came forth with much different conclusions. They found that treatment programming was effective providing that it met certain four principles: first, the programs need to target high risk offenders; second, they need to focus on factors that lead to recidivism; third, they need to incorporate a curriculum that is responsive to this population; and fourth, the programs need to be well-designed, implemented, and enjoy institutional support (i.e. the programs need to demonstrate "fidelity" to these goals) (Andrews et al., 1990; Cullen & Gendreau, 2000; Gaes, Flanagan, Motiuk, & Stewart, 1999; Lowenkamp, Latessa, & Holsinger, 2006; Lyman, 2004; Lyman, Morehouse, & Perkins, 2001). Subsequent meta-analyses have also identified certain treatment programs as more effective than others. For instance, in a policy report in January of 2002, the Washington State Institute for Public Policy found that vocational programs in prison can reduce recidivism by 12.6 percent, basic adult education by 5.1, and cognitive behavioral programming in the community by 31.2, whereas boot camps and behavioral therapy for sex offenders were found to be ineffective (Aos, Miller, & Drake, 2006).

The failure of previous programs to meet the four principles of effective programming—risk, needs, treatment, and fidelity—explains why researchers have often failed to find statistically significant and causal connections between treatment programming and reduced recidivism in literally thousands of studies over the past five decades.[1] Gaes et al. explains that education and treatment programs have not been designed or optimized to reduce recidivism:

[1] The literature on "what works" in corrections has greatly expanded in recent years. Professor Edward Latessa from the University of Cincinnati has synthesized this literature into the

Continued

> "The design and delivery of educational programs has commonly violated many of the principles of effective correctional treatment . . . education programs in prison have not been directed to specific criminogenic needs of offenders, have not been part of a multimodal intervention strategy, have not considered responsivity effects, have not been tailored to address the needs of offenders in different risk classifications, and have not been adequately funded to permit the high doses of educational intervention that many offenders require "(Gaes et al., 1999).

Risk

The first principle, "risk," argues that correctional programs must target offenders who are at high risk of recidivating if they are to demonstrate success at reducing recidivism. By definition, lower-risk offenders do not need such programs, and studies have actually shown that they can fare worse if made to participate. Programs for these offenders can interfere with the structure and support systems that they would be able to create for themselves (Lowenkamp et al., 2006).

Unfortunately, several factors converge in the correctional environment that leads to lower-risk offenders enrolling in programs. Many programs are offered in lower security settings that are off-limits to higher-risk inmates. Others have incorporated eligibility criteria that specifically exclude high risk offenders as part of a strategy to win greater institutional and community support. Also, since programs offer inmates many advantages within the institution—greater out-of-cell time, reduction in sentence length, nominal pay—and have open and voluntary enrollment policies, they tend to attract the most motivated, highly-skilled, and savviest inmates who are less likely to recidivate. Many evaluations that find statistically significant reductions in recidivism between program participants and a control group are actually finding the "self-selection" bias that is comparing low-risk inmates in programs with high-risk inmates in the controls.

Needs

The second principle of effective programming, "needs," requires that programs specifically target those risks and needs that make certain offenders at higher risk of recidivating. In the field of criminal justice, the most commonly identified criminogenic factors include individual characteristics and traits that are static and immutable: age, family upbringing, prior juvenile and adult criminal history, prior drug use; and others that are dynamic and that can be changed: anti-social/pro-criminal attitudes, belief, and values (sometimes called criminal thinking), impulsive behavior, association with criminal peers, return to high-crime areas; and poor education and vocation skills.

The needs principle states that only programs that explicitly address these dynamic criminogenic factors can reduce recidivism. This obvious point addresses the problem of internal validity that is commonplace in the evaluation literature of correctional treatment programs. Programs that are not designed to reduce recidivism and that lack a direct logical mechanism to address factors that could reduce future criminality are nonetheless often solely evaluated by their success at reducing recidivism. Not surprisingly, the evaluations of these programs find them unsuccessful at demonstrating the effectiveness of this outcome, although the programs may offer other benefits to inmates and to jail administrators that have nothing to do with reduced recidivism rates.

Programming in most correctional facilities was not designed with the specific purpose to reduce recidivism. Instead, many institutions have an eclectic collection of programs that have evolved rather than being the results of deliberative planning. In many cases a community volunteer, organization, or church will have proposed a program or service, and the institution has gladly accepted the opportunity to have inmates engaged in programming that has little cost. Alternatively, cyclical grant programs funded by outside organizations will lead to the development of new programs that did not necessarily address a specific institutional need, but are welcomed nonetheless. From a correctional administrator's standpoint, these programs serve a valuable function—to occupy inmates' time in a constructive fashion making the job of running the facility easier—but most of these programs were not designed with the goal of reducing recidivism.

Treatment

The third principle for effective programming, "treatment," relates to the importance of incorporating social learning theory in the curriculum and classroom activi-

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framework of four principles of effective programming—risk, needs, treatment, and fidelity—which is used in this paper.

ties where new skills and behaviors are modeled. It promotes a widely-used therapy used by psychologists in this country called cognitive behavioral therapy (CBT) that focuses on action, motivation, goal setting, and "correct" thinking patterns. Unlike psychoanalytic therapy, CBT does not attempt to delve into past issues to identify root causes of active behavior, but rather is oriented in the present and future. This type of therapeutic style can be infused in treatment programs that focus on specific needs such as substance abuse or anger management.

Fidelity

The fourth principle, "fidelity," for effective correctional programming, concerns the need to ensure that programs are well-designed, robust, implemented with integrity by qualified and motivated staff, and are supported by the institution. Again, a seemingly obvious point, but many correctional programs do not subscribe to these criteria. Often programs meet infrequently, have no standardized curriculum, are taught by volunteers and staff (and sometimes fellow inmates) who are not schooled in delivering programs effectively, and the programs are poorly supported by the institution.

IMPLEMENTATION CHALLENGES

Recent studies of reentry programs reveal the enormous challenges that correctional practitioners face to develop and implement reentry programs, and to demonstrate their effectiveness particularly on the sole measure of reduced recidivism rates. In an evaluation of a modest jail reentry program in Boston, Piehl, LoBuglio and Freeman generalized the implementation challenges of reentry programs into four points:

- First, they recognized that correctional institutions have few incentives to develop reentry programs given that the benefits of these programs accrue to society as a whole, while the institutions bear the full costs and liabilities of running them. The traditional responsibility of caring for and controlling complex inmate populations proves difficult enough but, unlike recidivism, these goals are within the means of correctional officials to control directly;
- Second, the researchers indicated that the fractious jurisdictional differences in the country's criminal justice systems make replicating one reentry model difficult, and that the design of reentry programs will be driven by the local stakeholders and community institutions of the facility;
- Third, the case study details just how difficult it is to operate programs in a busy correctional environment, and the critical importance of institutional support for reentry programs;
- And fourth and finally, the authors write that while analysts and practitioners agree on the need to support inmates reentering the community, there is no clear consensus on reentry treatment models or the rank ordering of inmates to participate in such programs in terms of deservedness, greatest need, or potential highest public safety return on investment (Piehl, LoBuglio, & Freeman, 2003).

The research findings to date of the largest and most comprehensive evaluation of reentry programs have also identified implementation issues as a significant problem. Many of the 69 program sites studied as part of the national evaluation of the $100 million Serious and Violent Offender Initiative (SVORI) were delayed in meeting their planned start-up dates and were under-enrolling participants in their programs. After thousands of interviews with individuals during their incarceration and post-release, researchers from the two organizations leading the study—the Urban Institute and the Research Triangle Institute—have found that SVORI program participants did receive slightly more services than non-program participants, but that the level of the services received were generally far below the levels of self-reported needs. There is some encouraging evidence to indicate that the program participants are demonstrating better outcomes on a wide range of program goals, and a recidivism comparison between the treatment and control groups will be completed by next year (Lattimore & Steffey, 2006).

This study and the Boston case study both raise concern that if these start-up issues are not carefully considered and if the expectations of program success are unrealistically too high initially, the enormous implementation challenges may squander this unique opportunity to reassess the three-decade movement of corrections away from rehabilitative ideals and post-release support and supervision. Unfortunately, failure to address implementation challenges could reaffirm the cynical notion that "nothing works" in offender programming, without giving reentry programming a fair chance to prove its effectiveness.

REENTRY FROM JAIL

For the past seven years, the policy discussion on offender reentry has focused exclusively on the return of prisoners from state and federal prisons and has largely ignored jails. Several factors may explain this omission. First, comparatively little data exists at the national level on jail populations. While state and federal correctional systems are easy to identify, there were over 3,600 jails in the country when last surveyed in 1999, each of them can be organized and run by different entities including sheriff's departments, county and municipal departments, Indian tribes, states, penal commissions, and the federal government. They range in size from modest lock-up facilities in rural areas with a handful of cells, to large systems such as those in Los Angeles and New York City that incarcerate more offenders than many state prison systems (19,500 and 14,000 respectively). Nearly half of the nation's jails have populations under 50, yet the almost 160 jails with average daily populations of more than 2,000 inmates incarcerate 30% of the total number of inmates in the country (Sabol & Beck, 2007).

A second reason that jails have been ignored in the policy discussion on prisoner reentry is that their populations are more varied and complex than prison populations and many policy makers and even some jail practitioners do not understand the relevance of offender reentry for a highly mobile population, most of whom will be released back into the community in a matter of hours. In the criminal justice system, jails serve a variety of functions, from holding individuals pre-trial, holding individuals temporarily (juveniles, mentally ill, military, court witnesses, protective custody), to holding individuals awaiting transfer to a state or federal agencies (often due to overcrowding).

Third, while jails book large numbers of offenders annually, most of these individuals stay for only a few hours or days, and some believe it is not practical or feasible to offer reentry services in this limited time period. The nation's jails process 12 million bookings of 9 million individuals each year. By comparison, approximately 700,000 individuals are both admitted and discharged from the country's state and federal prisons, and the average inmate spends several years in these facilities. Finally, jail inmates are often viewed as less serious offenders than state and federal inmates, and therefore are viewed as requiring fewer services.

In reality, jails are often the point of entry into the nation's correctional system and incarcerate offenders who are alleged to have committed or who have been convicted of crimes of all types. Jails also incarcerate large numbers of offenders serving relatively short post-conviction sentences for which offender reentry programs are extremely relevant. In many states, offenders sentenced to one year or less serve their sentences in jails rather than in the state prison system.

The sentence threshold between serving time in jails versus serving time in a state prison system actually varies from state to state. In Massachusetts, which has the 30-month sentencing threshold, more sentenced offenders are held in county jails than in state prisons. While the vast majority of the 12 million individuals moving in and out of jails remain only for a few hours or days before community release or institutional transfer, an estimated 20% will spend at least one month in jail, 12% at least two months, and 4% will spend more than 6 months (Gerard, 2005; Sabol & Beck, 2007).

The growing recognition of the importance of including jails in the policy discussion on offender reentry is evidenced by the fact that the government's main statistical gathering entity, the Bureau of Justice Statistics, is due to release the first large-scale survey of jail populations in its history. Also, the Bureau of Justice Assistance, an agency within the U.S. Department of Justice, funded a national conference on jail reentry in June of 2006 that brought together practitioners, policy makers, and academics from across the country. As part of this conference, several papers were commissioned to study effective means of transitioning jail inmates back into their communities.[2]

Indeed, by including jails in the discussion, policy makers and practitioners have begun to realize that jails possess enormous geographical advantages in delivering reentry services as compared to federal and state prison systems. Most jail releasees are released to a neighborhood in proximity to the jail, whereas state and federal prison inmates are released from correctional institutions hundreds if not thousands of miles from their homes. Some states like Virginia are experimenting with reentry models that transfer state inmates to local jails in order to allow the inmates to develop stronger family and community ties before release. Many state systems and

[2] The conference was organized by the Urban Institute with funding from the U.S. Department of Justice's Bureau of Justice Assistance and was co-sponsored by the John Jay College of Criminal Justice and the Montgomery County Department of Correction and Rehabilitation.

the Federal Bureau of Prison also contract with local jails and community-based facilities to place carefully selected inmates into work release programs just prior to release.

PROMISING PRACTICES

In the last decade, many jurisdictions have developed and refined promising reentry programs. The Report of the Re-entry Policy Council, a 648-page summation of the work of hundreds of stakeholders from around the country organized by the Council of State Governments, lists dozens of noteworthy reentry programs in jurisdictions from across the country. Similarly publications and websites from the American Correctional Association, the Urban Institute, the National Institute of Corrections and other organizations have profiled programs of all types and sizes that target specific populations with specialized services. In this information age, there is no dearth of data on different programmatic reentry models and a Google search on the term "prisoner reentry" yields over 480,000 entries and illustrates the explosion of interest and research in this topic.

In Montgomery County, we continue to develop new programs and ideas daily to improve reentry services both for incarcerated individuals who are confined to our detention centers and to those who are enrolled in our work release program. As mentioned earlier, our Pre-Release and Reentry Services (PRRS) Division supervises nearly 200 sentenced individuals who are living and working in the community and who are within 6-8 months of release from federal, state, and local custody. Our work-release program holds them accountable for their whereabouts at all times, and most importantly directly contributes to public safety and community well-being by ensuring that they are working, paying program fees, child support, and restitution orders, addressing their housing and treatment needs, and developing a support system with family and community institutions that will assist them transition back into their communities.

For thirty years, our program has assisted over 11,000 individuals sentenced at the local, state, and federal level who are returning home to Montgomery County and the Greater Washington area. We conduct extensive screening and assessment to ensure that we enroll individuals who can work, participate in treatment, comply with the rules of the program, and refrain from criminal behavior. Unlike most programs, we have few disqualifiers and operate on the premise that whenever possible—even in the case of lower level sex offenders—it is in the community's best interest and the individual's best interest to have them leave confinement from our program with housing, a job, and family support rather than from a correctional facility, which in the case of state and federal inmates, might be located hundreds of miles from their home.

We look at each case uniquely and carefully balance the benefits and the risks of bringing each individual into our program. The only exceptions are that we will not accept individuals who have a prior history of escape and individuals who have assaulted correctional officers. In our program, we provide intensive and quality services and develop unique reentry plans that combine goals for work, treatment, and family/community support.

At the same time, our programs employs many methods and technologies to ensure that program participants are either at our community correctional facility or at an approved community location whether it be a job site, a treatment program, or the home of a family member. If they are not and we can not locate them within two hours, we file criminal escape charges, and work directly the police and sheriff's department to apprehend the individual and with the State Attorney's Office to ensure that the individual is prosecuted to the full extent of the law. Once apprehended, we follow the case and attend all of the disposition hearings and I will personally speak at sentencing hearings about the harm that the escape caused our program and public safety.

While we have not measured whether our program reduces recidivism rates, our performance measures speak to many accomplishments. To cite data from 2006:

- 85% successfully completed our program and were released from the pre-release facility instead of from the jail;
- Nearly 90% were released with employment;
- 99% were released with a housing plan that does not include a shelter;
- Nearly all of the residents were referred to community and faith-based organizations and have made follow-up appointments;
- Almost $400,000 of program fees were collected by clients;
- The average individual released had savings of more than $600.

The Montgomery County Department of Correction and Rehabilitation's (MCDCR) commitment to reentry extends not only to those on our work release program, but also to those individuals in the jail who are pre-trial detainees and who are ineligible for the work-release program and to sentenced individuals who due to institutional misconduct, the nature of their cases, or on-going legal matters cannot be placed in the community program either. In 2006, 9,400 individuals were received and discharged from the Department, and the vast majority of them were detained on a pre-trial status. Of this number, most were released from the detention centers and 550 participated in the work release program, which demonstrates the need for reentry program both in the community and in the jail settings.

To serve the population of individuals in the detention center, the MCDCR introduced a program called "Reentry for All," in 2005 to better coordinate the extensive array of education, treatment, and workforce programming and services offered within the jail and to develop extensive linkage and in-reach partnerships with community and government agency collaborators. In the longer-term detention facility, the Montgomery County Correctional Facility, over 75% of the institutional population of over 700 individuals is engaged in some form of work or reentry programming that lasts for a minimum of 6 hours a day. These programs include a full service educational program that includes special education instruction, drug treatment and cognitive behavioral therapeutic communities within several living units, mental health therapy in the Crisis Intervention Unit, and a workforce production section. The workforce programs—the Job Shop and the Digital Imaging Shop—offer individuals an opportunity to perform real-world jobs in a work environment that teaches a variety of job readiness and job production skills.

In 2006, the MCDCR, in collaboration with the Montgomery County Workforce Investment Board, located a full-service One-Stop Career Center in the jail. This career center is staffed by workforce personnel who move between the One-Stop Career locations in the jail and in the community. This allows them to work with individuals in the jail and then to continue to provide direct services post-release at the One-Stop Career Center in Wheaton, Maryland. The One-Stop offers incarcerated individuals carefully controlled internet access to sites with job listings, and offers job readiness and instructional videos, and literature and program guides on a variety of services that can assist them as they reenter the labor market. With technical assistance from the National Institute of Corrections and the US Department of Labor, the program is seeking to extend service hours by tapping volunteers from faith-based organizations.

For selected inmates within 90 days of release and who will be returning to communities in Montgomery County directly, the "Reentry for All" program has also created a Collaborative Case Management Process where more than forty social service providers from community, faith-based organizations, and government agencies review the reentry needs of these individuals and team-up to provide wrap-around services post-release. Meeting twice a month, this group examines the unique reentry challenges that individuals face such as housing, employment, and health service. These issues are discussed at length and a workable and coordinated reentry plan among the partner agencies is developed. Finally, the "Reentry for All" initiative also provides released inmates with a temporary identification card with the County seal: this can assist individuals secure housing, jobs, education opportunities—and in one case—was even helpful to an individual to allow him to participate in school functions with his children. The 60-day card also serves as a bus pass and a library card, thus addressing very practical transportation and informational needs that individuals have immediately after release.

Montgomery County is but one of dozens of jurisdictions from around the country committed to developing effective Prisoner Reentry programs, and many others offer innovative and exciting models that are worthy of study and emulation. A brief—but by no means complete—survey of such noteworthy models might include:

- The Hampden County Sheriff's community health care model that successfully integrates the community and institutional health care delivery systems such that incarcerated individuals see the same doctors in the institution that they see in neighborhood health clinics;
- The Allegheny County State Forensic Program that provides mental health services and support for individuals released from the Pennsylvania prison system and those that are detained in the in the county jail in Pittsburgh;
- Statewide efforts in Colorado, Texas, and Virginia that have connected the workforce development system with the correctional system to assist returning individuals secure employment and benefits;
- Parole agents in Iowa case managing individuals before they are released from prisons in Iowa to ensure a greater continuity of support and services;

- Police and Sheriff Departments' efforts to implement monthly public safety and social service panels as part of the Boston Reentry Initiative that seek to target the highest risk returning offenders with an array of services provided by community-based partners, and including a community college and faith-based organizations;
- The efforts to provide discharge planning services in New York City's correctional department with community partners for a system that has an average daily population of 13,000 individuals and that processes over 100,000 per year;
- The array of innovative community correction programs in Minnesota's 31 Community Correction Act Counties that integrate the delivery of adult and juvenile correctional services at the local level including Hennepin's County Sentencing to Service Homes program that trains state prisoners to build homes;
- The correctional and community-based partnership in Davidson County, Tennessee that provides a continuum of jail-based and community-based services including mentors to individuals within seven months of release;
- Family Justice's efforts in New York City, New Jersey, and other jurisdictions to team up with correctional agencies to incorporate family members in the reentry planning processes;
- The job opportunities and training provided by such organizations as CEO in New York City and Pioneer Human Services in Seattle to employ individuals exiting local and state correctional systems into real jobs;
- The integration of work, treatment, and case management services provided by such community-based programs as the Safer Foundation in Illinois, the Talbert House in Cincinnati, Ohio, Community Resources for Justice in Boston, Massachusetts, the 6th Judicial District's Residential community Corrections/Work Release program in Cedar Rapids, Iowa; and Volunteer of America's programs in New Jersey and Minnesota.

Again, this is hardly an exhaustive list: there are dozens of other reentry programs at all levels of government involving an array of community and government agency partners, and providing different combinations of services, which are promising and deserving of recognition. The needs of the population of individuals returning from jails and prisons are extensive, and jurisdictions need to employ a variety of combinations of reentry programs and strategies to address them.

CONCLUSION

Prisoner reentry represents effective corrections and smart public policy. It recognizes the reality that hundreds of thousands of individuals leave state and federal prisons and that upwards of nine million individuals leave jails each year and return to communities and neighborhoods. It better prepares them and their communities for release, and in the long run, will result in reduced crime and recidivism, and other positive social outcomes for former incarcerants such as increased employment, decreased use of shelter beds, improved mental and somatic health care, and increased parental and civic involvement. Within correctional facilities, prisoner reentry programs can improve safety and order by engaging inmates in productive activities and focusing their attention on equipping themselves for their lives post-release. Such programs contribute to an institutional culture of respect and order and promote better inmate management and control.

The Second Chance Act will spur more jurisdictions to adopt and enlarge prisoner reentry programs, and to continue developing applied research that will guide the development of more effective programs and systems. Passage of this act would continue the important role of federal leadership in encouraging local and state collaborations of government and community stakeholders to responsibly address the challenges of re-integrating large numbers of individuals returning from correctional supervision. Given the magnitude of the costs of corrections in the country, it represents a modest but critical effort that will be leveraged many times over by local sources, and one that potentially can yield an extraordinary high rate of return on investment for our nation's communities.

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Mr. SCOTT. Thank you.

And we apologize. You were supposed to have gotten a yellow light. And we figured out how to work the machine now. Everybody else will get a yellow light, which means the time is about to run out. You will get a little better warning than you did.

Dr. Peters?

TESTIMONY OF ROGER H. PETERS, Ph.D., CHAIRMAN AND PROFESSOR, DEPARTMENT OF MENTAL HEALTH LAW AND POLICY, UNIVERSITY OF SOUTH FLORIDA, TAMPA, FL

Mr. PETERS. Thank you, Chairman Scott and Ranking Member Forbes, and thank you, Members of the Subcommittee, for this op-

portunity to testify on the Second Chance Act of 2007 and to participate in this important hearing.

I have studied drug addiction and treatment in the criminal justice system over the past 20 years. And during this time, I think we have made great strides in developing effective treatments to break the harmful cycle of drug abuse and crime.

Drug abuse is a major burden to our society. The estimated annual cost of drug-related crime are $107 billion. We know that substance abuse is closely linked to crime with over half of all violent crime, property crime and child abuse and neglect cases are related to drug use.

Of the nearly 7 million adults in the criminal justice system, the majority have drug disorders. Most of these individuals have never participated in a comprehensive drug treatment program. We also know that incarceration without treatment is ineffective and is also a costly solution to this problem that we have.

Drug and alcohol disorders do not resolve simply through forced abstinence in jails and prisons. Within the first year of release, 85 percent of offenders with drug disorders return to substance abuse. And within 3 years, two-thirds are re-arrested.

Research conducted by NIDA and NIJ demonstrates that substance abuse treatment within the criminal justice system reduces recidivism, drug use, family violence, unemployment and welfare dependence. These findings are not only robust, but they are consistent and compelling.

Substance abuse treatment reduced drug use by about half, reduces crime by up to 80 percent, reduces arrests up to 64 percent and increases employment by 40 percent. Treatment is also effective across different criminal justice settings, including prisons, jails, work release center, day reporting centers and drug courts. The effectiveness of drug treatment is not diminished when it is leveraged through legal mandate.

The most effective correctional programs are those that combine drug treatment in jails and prisons with treatment for at least 3 months following re-entry to the community. A NIDA study found that those participating in the prison treatment followed by treatment in a community work release center were seven times more likely to be free of drugs after 3 years than those who received no treatment, and were more than twice as likely to remain arrest free.

Treatment in the criminal justice system is not only effective, but it also saves money. Cost savings related to treatment in reducing drug-related crime amount to $4 to $7 for every dollar spent. Despite the effectiveness of the drug treatment, only 10 percent to 12 percent of offenders receive any form of treatment—a small fraction of those who need it. Often these services are not comprehensive in scope.

One of the most significant treatment gaps is community re-entry services following release from jail or prison—a particularly vulnerable time when offenders are exposed to high risk for relapse and re-arrest. Fewer than half of jails and prisons in the U.S. now offer any type of re-entry services. This may be the single most important gap that we face in services within the criminal justice system.

Through research, we now have a better understanding of the key elements of effective treatment in the justice system. Drug addiction is a chronic and relapsing disorder of the brain that progresses over an extended period of time. And it is characterized by compulsive behavior. As a result, comprehensive treatment services are needed over a sustained period to interrupt the harmful cycle of drug use and crime.

Like other chronic health disorders that are relapsing, such as asthma, diabetes and hypertension, drug addition requires ongoing attention but can be effectively treated and managed over time. According to NIDA's recently published Principles of Drug Abuse Treatment for Criminal Justice Populations, the most effective drug treatments are those that combine behavioral and pharmacological approaches and also include re-entry services. The Second Chance Act of 2007 provides an important step toward enhancing correctional treatment of re-entry services and breaking the harmful cycle of drug abuse and crime.

Also needed to achieve the goals of the Second Chance Act are to provide stable sources of funding and support for treatment and re-entry services throughout the criminal justice system; incentives to create State coordinating councils to help plan, develop and implement statewide offender treatment and re-entry systems; continued cooperation and partnerships between the Justice Department and SAMSA to expand and improve the continuum of correctional treatment and re-entry services. Finally, support for additional research to examine effective offender treatment is of critical importance, if we are going to continue building on the success stories discussed here today.

In closing, drug abuse disorders are widespread in our society and particularly effect those involved in the justice system. We know that there is a strong connection between drug abuse and crime and of the harmful cycle that leads from drug abuse to crime and to incarceration. We also know that drug treatment and re-entry services can be highly effective in breaking this cycle, particularly if these services are comprehensive and coordinated across different points in the justice system. Yet, drug treatment now is provided to only a small fraction of offenders who need these services.

For all of these reasons, your efforts to enact the Second Chance Act of 2007 make good sense from both a policy and a human perspective.

Thank you for allowing me to share this information with you. And I will be happy to answer any questions later that you have.

[The prepared statement of Mr. Peters follows:]

PREPARED STATEMENT OF ROGER H. PETERS

U.S. House of Representatives

Subcommittee on Crime, Terrorism, and Homeland Security

Committee on the Judiciary

United States House of Representatives

"Second Chance Act of 2007"

March 20, 2007

Testimony of Roger H. Peters, Ph.D.
Chair and Professor
Department of Mental Health Law and Policy,
Louis de la Parte Florida Mental Health Institute,
University of South Florida
Tampa, Florida

Thank you for the opportunity to testify on the "Second Chance Act of 2007", and to participate in this important hearing. My name is Roger H. Peters. I serve as Chair and Professor in the Department of Mental Health Law and Policy at the University of South Florida, Louis de la Parte Florida Mental Health Institute in Tampa, Florida. I recently served as Chair and co-editor (with Dr. Harry Wexler) of SAMHSA's Center for Substance Abuse Treatment (CSAT) Treatment Improvement Protocol (TIP) #44 on "Substance Abuse Treatment for Adults in the Criminal Justice System", published in 2005. As a psychologist and scientist working in criminal justice settings over the past 20 years to examine effective treatment approaches for drug abusing offenders, I know that we have learned much about the importance of drug treatment in helping offenders recover from this devastating disorder. In the area of research, with the help of the National Institute on Drug Abuse (NIDA) we have made great strides in measuring the importance of treatment in breaking the cycle of drug abuse and criminal behavior. Great leadership has also been provided by CSAT and the Center for Mental Health Services (CMHS) at SAMHSA, and by the U.S Department of Justice in encouraging implementation of evidence-based treatment for offenders, including groundbreaking initiatives to expand the use of drug courts, jail diversion programs, jail and prison-based treatment, and reentry services. I am pleased to be here this afternoon to provide an overview of our current scientific base for understanding effective drug abuse treatment approaches in the criminal justice system.

The Impact of Untreated Drug Disorders in the Criminal Justice System

Drug abuse is a major burden to society, with the annual economic costs estimated to exceed half a trillion dollars in the United States, including health, crime-related costs, and losses in employment productivity. The estimated costs to society of drug-related crime are $107 billion annually. Substance abuse significantly increases the likelihood of criminal behavior. Drug use is directly linked to over half of all violent crimes, 60-80% of child abuse and neglect cases, and 50-70% of property crimes. One of the largest burdens to our society from untreated drug disorders is in the criminal justice system, where prison and jail populations have grown tremendously over the past two decades as a result of an influx of drug-involved offenders. There are now almost 7 million adults in the criminal justice system, including over 2 million persons incarcerated in jails and prisons. Over half of these individuals have significant substance abuse problems, although most have never participated in a comprehensive treatment program.

The costs associated with expanding jails and prison systems to house those with drug addiction are enormous - the average cost of incarceration in jail or prison is from $20,000-23,000 per year. Almost 80% of correctional costs are linked to substance abuse, representing approximately 10 times the amount that states currently spend on substance abuse treatment, prevention, and research. If uninterrupted, the cycle of drug abuse and crime jeopardizes our public health and public safety and places a significant strain on an already over-burdened criminal justice system. By reducing substance abuse among those who are involved with the justice system, we can reduce crime and improve the health, safety, and well-being of the individual, and of communities and society as a whole.

Why Treatment Should be Provided to Offenders with Drug Disorders

For those involved in the criminal justice system, 70% have used drugs regularly in the past. Lifetime rates of alcohol and drug disorders are markedly higher for offenders than for the general population. Rates of mental disorders, HIV/AIDS, hepatitis, and tuberculosis are also significantly higher among offenders. Many offenders have not previously received adequate treatment for substance abuse, mental health, dental, or other health care problems, and a significant number have acute and severe health care needs. As a result, involvement in the criminal justice system provides a critically important opportunity to address these health care issues through treatment services that promote significant lifestyle change and that encourage abstinence, gainful employment, and successful reentry to society.

We also know that drug and alcohol disorders do not resolve simply through forced abstinence in jails and prisons. Within 3 years after release from prison, two-thirds of all offenders are rearrested, including those with drug problems. Within the first year of release, 85% of offenders with prior drug disorders return to drug use, and 95% return to drug use within three years. Research shows that these disorders are chronic, relapsing disorders of the brain that feature progression over an extended period of time, and are characterized by compulsive behavior. As a result, these disorders require involvement in treatment that addresses underlying issues, causes, and factors that sustain the pattern of drug use. Because drug addiction interferes with neurophysiological pathways that mediate punishment and reward and that can exert control over one's behavior, the drug addicted individual will compulsively seek drugs despite the threat of severe punishment (e.g., incarceration), at the expense of natural rewards, such as those from involvement with family and friends. Comprehensive drug abuse treatment provided in the justice system therefore offers an effective approach to interrupt the harmful cycle of drug use and crime.

In recent years there has been an emerging gap between the need for substance abuse treatment in the criminal justice system and the scope of services provided. In fact, our nation's criminal justice system is now treating only a small fraction of those who need substance abuse services. Less than 6% of state and federal prison budgets are currently spent on substance abuse treatment, and only 10-12% of offenders receive any form of substance abuse treatment. Just over half of state prisons, and a third of jails provide any type of substance abuse treatment. The rate of offender participation in treatment has actually declined in recent years, from 25% to 10%. A striking finding of a recent national survey was that only 4% of jail inmates received any type of treatment services during their current incarceration, and less than 2% received counseling services. Where services are provided, they are often not comprehensive in scope, and may not be provided in treatment units that are isolated from the general inmate population. One of the most significant gaps in services occurs following release from jail or prison, or reentry to the community – a particularly vulnerable time when offenders are exposed to various risks for relapse, and stress associated with reengagement with family, and full-time work.

An increasing proportion of offenders have other health disorders, in addition to their alcohol and drug disorders. For example, up to 15% of offenders have major mental disorders, and 45-75% have significant mental problems, according to a recent national study conducted by the U.S. Department of Justice. Among offenders who have mental disorders, 75% have co-occurring drug disorders. These individuals cycle rapidly through the criminal justice system and account for a disproportionately large share of local and state expenditures on crisis services, hospitalization, and detention. Other major health disorders are also found in disproportionate rates among offenders. Approximately 25% of all HIV/AIDS cases, 33% of all hepatitis cases, and 40% of tuberculosis cases in this country will pass through a correctional facility in a given year. Involvement in the justice system provides a significant opportunity to intervene with drug disorders and other major co-occurring health disorders.

How Effective is Substance Abuse Treatment within the Criminal Justice System?

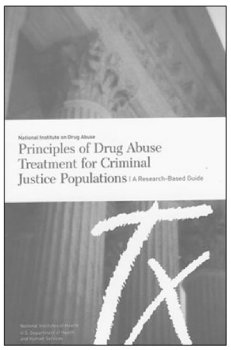
Research findings from NIDA and the National Institute of Justice (NIJ) provide strong and compelling evidence for the effectiveness of substance abuse treatment within the criminal justice system. Treatment has been found to consistently reduce criminal recidivism, drug use, family violence, unemployment, and welfare dependence among criminal justice populations. Substance abuse treatment reduces drug use by about half, reduces crime by up to 80%, reduces arrests up to 64%, and increases employment by 40%. Treatment is also effective across different criminal justice settings, including prisons, jails, work release centers, day reporting centers, and drug courts. Effectiveness of treatment is not diminished when individuals receive these services as a requirement of court supervision - in fact, judicial leverage tends to enhance retention in treatment, and outcomes are about the same as for those who enter treatment without these stipulations. There also appears to be a dose-related response to substance abuse treatment, with a minimum threshold of three months of participation in treatment required to achieve positive outcomes, and 6-12 months to achieve lasting reductions in drug use and crime. Longer treatment duration appears to improve outcomes for individuals in prison, jail, and community corrections settings.

Treatment in the criminal justice system works, and also saves money. Cost savings are realized in areas of law enforcement, court processing, demand for jail and prison space, consequences to crime victims, and work productivity. For examples, annual cost savings are estimated at $156,000 to $1.4 million per jail treatment program. Cost savings specifically related to drug-related crime that are attributable to substance abuse treatment amount to $4 to $7 per dollar spent. In general, substance abuse treatment returns from $7 to $23 for every dollar spent.

Which Treatment Approaches are Effective with Offenders?

Through the efforts of NIDA, the Office of Justice Programs (OJP), the Bureau of Justice Assistance (BJA), CSAT, and CMHS, efforts are well underway to integrate substance abuse treatment into the criminal justice system and to improve outcomes for offenders.

One example of efforts to improve services for offenders is the comprehensive set of studies conducted through NIDA's Criminal Justice Drug Abuse Treatment Studies (CJ-DATS) initiative, undertaken in collaboration with Federal, state, and local criminal justice partners. Through CSAT's Criminal Justice Discretionary Grant Program, OJP's Drug Court Discretionary Grant Program, and, before it was eliminated, OJP's Drug Courts Program Office, additional opportunities have been provided to develop and evaluate comprehensive treatment programs for drug-involved offenders.



Efforts are also underway to identify and operationalize key scientific findings about principles of effective treatment in the criminal justice system. CSAT has published a series of Treatment Improvement Protocols (TIPS) that have been widely used by correctional professionals to implement evidence-based approaches to substance abuse treatment. NIDA's recently published "Principles of Drug Abuse Treatment for Criminal Justice Populations" outlines a set of organizing principles for drug treatment in the criminal justice system, and recognizes that effective treatment is customized to address a variety of needs and that recovery is a long-term process that often requires multiple treatment episodes. Key principles of treatment for criminal justice populations include the following:

- Recovery requires treatment involvement over a sustained period of time, and exposure to treatment in sequential stages of the criminal justice system (e.g., court and pre-trial services, community corrections, jail, prison).

- Treatment in jail and prison provides an important platform for recovery, and is significantly strengthened by reentry services that provide continuing involvement in treatment, vocational services, and with other community supports.

- To produce lasting behavior change, the intensity and type of treatment should be adjusted to address the level of addiction severity, impairment, and the extent of co-occurring disorders.

- Treatment should be responsive to age, gender, ethnicity and culture, stage of recovery, and level of supervision needed.

- Treatment should target factors related to criminal behavior, including "criminal thinking" patterns that support substance abuse and other aspects of a criminal lifestyle.

- A balance of incentives and sanctions are needed to encourage prosocial behavior and treatment participation.

- Integrated treatment is needed for offenders with co-occurring mental disorders, which includes drug treatment, psychiatric treatment, and specialized treatment and supervision approaches.

- Medications are an effective component of treatment for many drug abusing offenders to help normalize brain function (e.g., by stabilizing drug cravings), and are also of vital importance for individuals with co-occurring mental disorders.

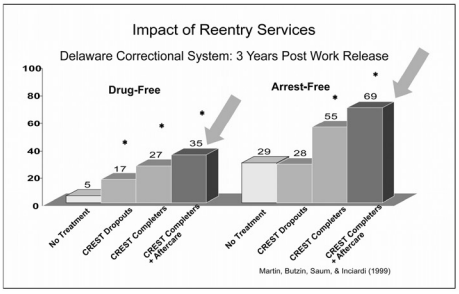
- Services should be designed to prevent and treat serious, chronic medical conditions such as HIV/AIDS, hepatitis B and C, and tuberculosis.

A growing body of research indicates that the most effective drug treatments combine behavioral and pharmacological approaches, and facilitate sustained involvement over an extended period of time to address the chronic, relapsing nature of drug disorders. Behavioral therapies include cognitive behavioral interventions, relapse prevention, contingency management, and motivational enhancement. Key medications that have been found to be effective for use in substance abuse treatment include buprenorphine, disulfiram (antabuse), methadone, and naltrexone. We also have identified approaches that are ineffective for use with drug abusing offenders, including boot camps, intensive supervision, regular supervision, and drug education programs that do not include an emphasis on skills development and involvement in drug treatment.

Drug treatment for offenders should be aligned with the need to provide long-term services to address the chronic nature of addiction. Like other chronic and relapsing health disorders such as asthma, diabetes, and hypertension, drug addiction requires ongoing attention, and can be effectively treated and managed over time, particularly if treatment modalities align with specialized needs of offenders and address the chronic, complex, and relapse-prone nature of the disorder. Thus, effective treatment services in the criminal justice system should provide a range of interventions that address needs of offenders who are at different stages in the recovery process, and who have different levels of impairment.

Why are Reentry Services of Critical Importance for Drug-Involved Offenders?

One of the key obstacles to effective substance abuse treatment services in criminal justice settings is the absence of coordinated reentry to the community. For example, less than half of jail and prisons provide reentry services for offenders who are in need of substance abuse services. The absence of reentry services is directly related to higher arrest and relapse rates following



return to the community. The most effective correctional programs are those that combine treatment in the institution with treatment for at least three months following release to the community. This is illustrated by findings from a NIDA study conducted in Delaware (see diagram), in which those who participated in prison-based treatment followed by treatment in a community work release center were seven times more likely to be free of drugs after 3 years than those who received no treatment. Nearly 70 percent of those in the comprehensive treatment (prison and reentry services) group remained arrest-free after 3 years, in contrast to only 30 percent of those who did not receive treatment. Significant reductions in criminal recidivism have been observed over a 5 year follow-up period for those involved in comprehensive prison and reentry services. Research indicates that involvement in reentry services leads to improved outcomes for those released from both prison and jail.

A potential barrier to implementing effective reentry services is that many offenders are released from custody with no further criminal justice supervision (e.g., probation or parole), and are unlikely to enter and remain in treatment under these conditions. One solution is to provide early release from correctional facilities with treatment involvement required as a condition of probation or parole supervision. Another strategy is to provide "split sentences" to those in need of treatment, so that part of the sentence can be served in jail or prison, with community supervision and legally mandated treatment to follow. Case management services, such as those provided by Treatment Accountability for Safer Communities (TASC) can provide an important bridge to assist in successful reintegration of drug-involved offenders to the community. These services are often initiated while the person is still in jail or prison, with community treatment staff and/or case managers visiting the institution to begin planning for involvement in ongoing treatment, peer support programs, transitional housing, vocational and educational services, and continuation of medications and other health care needs.

Continuing to Build Effective Treatment Solutions in the Criminal Justice System

There is a growing recognition that treatment for drug abusing offenders is effective, and contributes to the public health and public safety interests of our society. Our understanding that "criminal justice treatment works" has been advanced by NIDA's strategic portfolio of research studies in this area, and by the development of community justice partnerships, as embodied by the emergence of almost 1,900 drug courts across the country. However, this knowledge alone will not help to build and sustain the infrastructure necessary to expand the scope of drug treatment services in the criminal justice system. The proposed "Second Chance Act of 2007" legislation provides an important step towards extending the impact of correctional treatment and reentry services, and breaking the harmful cycle of drug abuse and crime. The legislation supports an evidence-based continuum of treatment that spans institutional and community settings, and that will likely reduce crime and drug use, and promote gainful employment and successful reintegration to society.

Several other key steps are needed to build infrastructure support to achieve the goals established by the "Second Chance Act of 2007". These include the following:

- Providing stable sources of funding and support for treatment and reentry services throughout the criminal justice system. Programs such as the Criminal Justice Discretionary Grant Programs and the Residential Substance Abuse Treatment for State Prisoners (RSAT) Formula Grant Program are of vital importance in encouraging states to expand correctional treatment and reentry services.

- Incentives should be provided (e.g., through federal grant programs) to support state coordinating councils to plan, develop, and implement state-wide strategies for identifying gaps in treatment services within the criminal justice system, linking drug treatment resources, and promoting evidence-based practices and assessment of performance outcomes at the program and system levels.

- An orchestrated system of screening, assessment, referral, and tracking of drug abusing offenders is needed to insure effective deployment of treatment resources in the criminal justice system.

- Continued cooperation and partnerships should be encouraged between the U.S. Department of Justice, Office of Justice Programs and HHS/SAMHSA in crafting solutions to expand the continuum of correctional treatment and reentry services. For example, concurrent funding could be directed to the Department of Justice to promote reentry-based services, and to SAMHSA to support expansion of correctional treatment services.

- Support for ongoing scientific research to examine the effectiveness of treatment services in the criminal justice system, such as the exemplary portfolio of studies developed through NIDA's Criminal Justice Drug Abuse Treatment Studies (CJ-DATS) program.

Conclusion

In closing, drug abuse disorders are widespread in our society, and particularly affect those involved in the criminal justice system. We know that there is a strong connection between drug abuse and crime, and of the harmful cycle between chronic drug use, crime, and incarceration. We also know that substance abuse treatment and reentry services can be highly effective in breaking this cycle, particularly if these services are provided in a comprehensive and coordinated manner across different points in the criminal justice system, and with supervision to provide appropriate incentives and sanctions to encourage successful involvement in treatment. Yet we are now providing drug treatment to only a fraction of those in the criminal justice system who need these services. For all of these reasons, your efforts to enact the "Second Chance Act of 2007" make good sense from both a policy and human perspective. At the personal level, this legislation is likely to help reclaim many lives that would otherwise be compromised by addiction. At a broader level, this legislation will promote both public health and public

safety, and the successful reintegration within our communities of those whose lives would otherwise be ravaged by addiction.

Thank you for allowing me to share this information with you. I will be happy to answer any questions that you may have.

Mr. SCOTT. Thank you. Thank you very much.

We have been joined at one time or another by Mr. Nadler from New York, Mr. Chabot from Ohio, Mr. Lungren from California.

Mr. Lufburrow?

TESTIMONY OF STEVE LUFBURROW, PRESIDENT AND CEO, GOODWILL INDUSTRIES OF HOUSTON, HOUSTON, TX

Mr. LUFBURROW. Mr. Chairman and Members of the Subcommittee, my name is Steve Lufburrow, and I am the president and CEO of Goodwill Industries of Houston. And I really am pleased to testify today in support of the Second Chance Act.

The need to help hundreds of thousands of incarcerated individuals in this country re-integrate into society has reached epidemic proportions. The critical underlying factor in any re-integration plan for the community is public safety.

The Second Chance Act would lead our Nation in the right direction, as we discussed earlier, through the integration of the four major areas: drug treatment and mental health; job training; mentoring; and family strengthening. Inmates exiting the Nations jails and prisons need all of these vital services.

Goodwill Industries is a network of 186 community-based independent member organizations in the United States, Canada and then 15 other countries. Each organization serves people with disabilities, low-wage workers and other jobseekers by providing education and career services as well as job placement opportunities and post-employment support. Our goal is to help people overcome their barriers to employment and become independent taxpaying members of our communities.

In 2005, more than 846,000 people benefited from Goodwill's career services. Goodwill Industries reported $2.65 billion in revenues and channels 83 percent of the revenues directly into the programs and services. Goodwill Industries has unique experience as a service provider in areas impacting prisoner re-entry.

Even before the re-integration program reached epidemic proportions, local Goodwill agencies throughout the country had been working with this population in both jails and prisons and when inmates are released. Since our agencies are community-based, we are able to work directly with the probation officers, the courts, the jails, the prisons and other partners in the community. In 2005, 97 local Goodwill agencies helped more than 45,000 current and former prisoners.

The challenges in helping this population are tremendous. And legislation, such as the Second Chance Act, recognizes the need for comprehensive and integrated services. According to the Thurgood Marshall School of Law in Houston, between one-third and one-half of ex-offenders are caught committing new crimes within 3 years of their release. But in a 2004 study of the Urban Institute showed that inmates who are involved in work programs while incarcerated are approximately 20 percent less likely to re-offend upon release.

In the State of Texas, we have 19 local Goodwill agencies. Our clients are primarily those with the most severe barriers to obtain employment, such as people with disabilities and welfare recipients. However, more individuals who seek our services have some

prior criminal background. And we believe this is due to the growing rate of incarceration in this country.

For example, of the 26,043 persons served by my friends and our friends at the San Antonio Goodwill last year, 10,945 were ex-offenders. That is nearly half of their entire client population. And out of all of our agencies in Texas, 14,308 ex-offenders were served. And that is startling to me.

There exists a lack of comprehensive and coordinated services for ex-offenders from local, State and Federal authorities. And we are pleased that this legislation includes a role for nonprofit service providers. For years, our nationwide network has been providing juvenile and adult ex-offenders.

And funding for prisoner re-entry is critical and often lacking in not for profits; because at Goodwill, we support many of our programs through the revenue provided by sales of donated clothes and household goods in our retail stores. The Second Chance Act, though, would help reduce recidivism by allocating the necessary funds to support those comprehensive services that have been identified as reducing recidivism.

Many of the clients served by local Goodwill agencies have some type of criminal background on their record. And some estimates indicated as many 30 percent to 50 percent of the individuals served by local Goodwill agencies have a prior conviction. As a human service organization, Goodwill Industries understands that for ex-offenders to re-enter society, they must have the following: safe housing; substance abuse treatment; services for physical and mental illness; training, education and jobs; occupational skills training; and job retention services.

I have included for the record a more extensive list of our programs and services. We believe that the Second Chance Act is urgently needed. Until the necessary steps are taken to help former prisoners obtain and retain jobs, the downward spiral of recidivism will continue.

By keeping former prisoners from returning to a life of crime and being incarcerated, we increase public safety, reduce correction cost. And the Second Chance Act furthers us toward these goals and saves taxpayers dollars.

Thank you very much.

[The prepared statement of Mr. Lufburrow follows:]

PREPARED STATEMENT OF STEVE LUFBURROW

Mr. Chairman and members of the Subcommittee, my name is Steve Lufburrow, and I am the President and CEO of Goodwill Industries of Houston. I am pleased to testify today in support of the Second Chance Act.

The need to help the hundreds of thousands of incarcerated individuals in this country reintegrate into society has reached epidemic proportions. The critical underlying factor in any reintegration plan for the community is public safety.

The Second Chance Act would lead our nation in the right direction through the integration of four major areas: drug treatment and mental health, job training, mentoring, and family strengthening. Inmates exiting the nation's jails and prisons need all of these vital services.

Goodwill Industries is a network of 186 community-based, independent member organizations in the United States, Canada, and 15 other countries. Each organization serves people with disabilities, low-wage workers and other job seekers by providing education and career services, as well as job placement opportunities and post-employment support.

Our goal is to help people overcome barriers to employment and become independent, tax-paying members of their communities. In 2005, more than 846,000 people benefited from Goodwill's career services. Goodwill Industries reported $2.65 billion in revenues, and channels 83 percent of its revenues directly into its programs and services.

Goodwill Industries has unique experience as a service provider in areas impacting prisoner re-entry. Even before the reintegration problem reached epidemic proportions, local Goodwill agencies throughout the country have been working with this population in both jails and prisons and when inmates are released. Since our agencies are community-based, we are able to work directly with probation officers, the courts, jails, prisons, and other partners in the community.

In 2005, 97 local Goodwill agencies helped more than 45,000 current and former prisoners. The challenges in helping this population are tremendous, and legislation such as the Second Chance Act recognizes the need for comprehensive and integrated services.

According to the Thurgood Marshall School of Law in Texas, between one-third and one-half of all ex-offenders are caught committing new crimes within three years of their release. But a 2004 study by the Urban Institute showed that inmates who are involved in work programs while incarcerated are approximately 20 percent less likely to re-offend upon release. By conducting pre-release assessments to evaluate educational and vocational needs and facilitating collaboration with nonprofits and other groups to promote employment, including transitional jobs and time-limited subsidized work experience, the Second Chance Act would significantly aid in increasing ex-offender employment opportunities.

In the state of Texas, we have 19 local Goodwill agencies. Our clients are primarily those with the most severe barriers to obtaining employment, such as individuals with disabilities and welfare recipients. However, more individuals who seek our services have some prior criminal background. We believe this is due to the growing rate of incarceration in this country.

For example, of the 26,043 persons served by San Antonio Goodwill last year, 10,945 were ex-offenders. That's nearly half of their entire client population. Out of all of our agencies in Texas, 14,308 offenders/ex-offenders were served. This is startling.

There exists a lack of comprehensive and coordinated services for ex-offenders from local, state, and federal authorities. With nearly 650,000 individuals released from jails and prison each year, we are reaching a national crisis in serving this group and helping them to reintegrate into society. We believe that passage of the Second Chance Act is a step in the right direction and long overdue. We support the integration of the workforce development system with housing, health services, education, mental health, and drug and alcohol treatment. Because of this crisis, many of our local agencies across the country are beginning prisoner re-entry programs.

We are pleased that the legislation includes a role for nonprofit service providers. The Second Chance Act would support the development of healthy child-parent relationships through implementing programs in correctional agencies to include the collection of information regarding any dependent children.

According to the Commission on Safety and Abuse in America's Prisons, the most accurate indicator of a successful return to society is the inmate's connection to family. Children of incarcerated parents are six times more likely than other youth to land in prison at some point in their own lives. Over 1.5 million children have at least one parent in prison.

Goodwill agencies understand that reconnecting to one's family can be immensely effective in ending the cycle of recidivism. Through an ongoing partnership with the Annie E. Casey Foundation, local Goodwill agencies across the U.S. assist in supporting strong family relationships.

For years, our nationwide network has been providing juvenile and adult services to ex-offenders. Some of our programs receive state or foundation support. The Second Chance Act would provide support for family strengthening programs like the one we operate at Goodwill Industries.

Funding for prisoner re-entry is critical and often lacking for nonprofits. At Goodwill Industries, we support many of our programs through the revenue provided by sales of donated clothing and household goods in our retail stores. Currently, adequate funding does not exist for prisoner re-entry programs. Much of the funding in the corrections system is spent on housing inmates, and not on comprehensive services that would actually help prepare them for release and ultimately lead to a decrease in the nation's recidivism rate. The Second Chance Act would help reduce recidivism by allocating the necessary funds to support those comprehensive services that have been identified as reducing recidivism.

The legislation would also help reduce state corrections' costs. A significant portion of state budgets are dedicated to correction-related expenses. The average cost to house a federal inmate is over $25,000 a year. The average cost on the state level in 2000 was only slightly less—$21,170 yearly. While the costs to taxpayers soared from $9 billion per year on corrections in 1982 to $60 billion two decades later, recidivism has not improved over the last 30 years. Given the current cost spent on corrections, even a modest reduction in the rate of recidivism would yield substantial economic benefits.

Many of the clients served by local Goodwill agencies have some type of criminal background on their records, and some estimates indicate as many as 30–50 percent of the individuals served by local Goodwill agencies have a prior conviction. As a human service organization, Goodwill Industries understands that for ex-offenders to re-enter society, they must have the following:

- Safe housing
- Substance abuse treatment
- Services for physical and mental illness
- Training, education, and jobs
- Occupational skills training
- Job retention services

Many of our agencies are involved in providing such services, which we believe are critical in reducing the nation's rate of recidivism. We have two local agencies—Goodwill Industries of New York and New Jersey and Goodwill Industries of San Antonio—that received the Prisoner Reentry Initiative grant from the U.S. Department of Labor. We support the expansion of this program and the authorization of new funding for job training programs operated by nonprofits.

Goodwill Industries of San Antonio leads a collaboration of faith and community-based providers in an efficient, seamless service continuum for non-violent offenders. The agency's "Learn While You Earn" project features transitional employment, job retention support and continuous case management, in addition to job placement, housing assistance, counseling, and alcohol and drug treatment. In each of these service areas, the agency partners with other providers.

Goodwill Industries of New York and New Jersey began Project Caring Community in 2003 to help female ex-offenders successfully transition to community life after their release from prison. This agency provides wrap around case management services and medical assistance. The program also provides counseling by trained psychologists to deal with psychiatric, substance abuse, housing, education, social, personal and family related issues. This program serves women at several women's prisons in upstate New York. I have included for the record a more extensive list of our programs and services.

Our local agencies specialize in vocational screening, pre-employment and soft skills training, transitional work experience, placement and retention services. The successful reintegration of individuals coming out of our nation's prisons depends upon community and family support, and placement into employment—this ultimately will help us to reach our goal of improving public safety.

We believe that the Second Chance Act is urgently needed. Until the necessary steps are taken to help former prisoners obtain and retain jobs, the downward spiral of recidivism will continue. By keeping former prisoners from returning to a life of crime and being incarcerated, we increase public safety and reduce corrections' costs. The Second Chance furthers us toward these goals.

Thank you.

Mr. SCOTT. Thank you very much.

Mr. Cowley?

TESTIMONY OF JACK G. COWLEY, NATIONAL DIRECTOR, ALPHA FOR PRISONS AND RE-ENTRY, WICHITA FALLS, TX

Mr. COWLEY. Thank you, Mr. Chairman, Members of the Committee.

I was raised in a prison town and went to school with kids whose dads worked in prison in Oklahoma, the Oklahoma State Reformatory. And I was hired in 1970 by the LEAA, a grant from the Federal Government, as the first inmate relief counselor in Oklahoma. It was a pretty disappointing job. But I have stayed with correc-

tions ever since and was a warden for many years; continued to work in the field.

I am probably in a prison perhaps once a month. I know inmates. I know wardens. I know correctional officers. I know the victims. And the system is in dire need of hope—dire need of hope.

They do have models that work. Wardens, quite frankly, have long given up on re-entry. And they don't really even think about what they do in terms of recidivism rates. They just try to keep the toilets flushing and the chicken from being bloody when it comes off the stove.

I was talking with a warden Friday, as he said, at the worst prison in Texas—a 3,330 long-term prison for young offenders—were opening what I will refer to you in a moment as "God pods" there. And he said, "Jack, I am running a 34 percent vacancy rate. All I can do is just try to survive."

In 1997, in the State of Texas, under the leadership of Prison Fellowship and then-Governor Bush, we started what was called the Interchange Freedom Initiative, which was an intensive in-prison pre-release program of at least 18 months, in which volunteers came into the prison, made relationships with inmates, and began to mentor them upon their release.

In fact, I got the rule changed in Texas, whereby inmates could be released from that prison directly into the arms of their mentor rather than traveling all the way to Huntsville to be released and having to take a bus home. Many of them don't make it.

That program was studied by Byron Johnson and found that what they call a 50 percent recidivism rate in Texas, which is really closer to 70 percent—although the sample was fairly small, the recidivism rate for those inmates that completed and graduated from that program was only 8 percent. It is almost too good.

Since then, with Alpha, what I do is invest in faith-based and community organizations in a collaborative way and provide wardens the opportunity to offer us a unit within the prison where inmates can be housed separately. Then we provide programming up until the time they are released. Then that work continues after they go home, and it is working. We will build so far—although the numbers are growing—was probably close to 2,000 inmates a year. More States are getting excited about what we are offering, because it involves faith-based and community organizations in a collaborative with the State. We now can tell wardens something works.

I was at a grand opening Friday of a long-term God pod in Rosharon, Texas. And when the warden paints the dorms and puts in new flower beds and gets things ready, you know that he is dedicated to seeing changes in his prison.

Now, a lot of that work is being done. And quite frankly, it will be done without the Second Chance Act. It won't be done on the level that it needs to be. I mean, we have heard 650,000 inmates go home a year. The Second Chance Act will certainly give us an opportunity to add capacity.

But you have started something, quite frankly, that you need to finish. You see, without hope—and I am not talking just about inmates and their families and victims, but the system. We got this bill now. We say we are going to do all this wonderful stuff, and

if it isn't done, the message is going to go out to the States—to wardens, and the jail administrators, and to inmates—well, if those guys really don't care, then why should we bother anymore? And I am telling you that is what is going to happen.

The Second Chance Act is much more than money. As much as it is needed, the Second Chance Act is a shot in the arm for the system—not just "second chance" for inmates, but it is a "second chance" for correctional administrators, a "second chance" for victims. So, we urge its passing. We know the model that works, and we are just waiting for the resources to build capacity.

Thank you for the opportunity to share that with you.

[The prepared statement of Mr. Cowley follows:]

PREPARED STATEMENT OF JACK G. COWLEY

Thank you for offering me this time to speak with you concerning a subject, which has for years been debated from the halls of Congress to barber chairs in every corner of our country. Crime and Punishment and in particular recidivism rates of those inmates who are released from our prisons. I literally do mean "for years" as I was first employed in 1970 as the first Inmate Release Counselor in the State of Oklahoma prison system with a Federal Grant to assist with the reduction of recidivism. I therefore can speak to you today as a person who for the past thirty-seven years has spent as much time in the company of inmates as I have with my own children, of the continued failure of our criminal justice system to protect the safety of our country's citizens.

I don't believe that I need to go into the numbers, which represent that failure. You have heard that testimony from others. The mere fact that this hearing is taking place indicates your awareness of the problem—a problem by the way, which grows worse as the years go by. While crime rates have remained somewhat stable over the past years, our correctional facilities are bursting at the seams and more are being built every year. We can no longer afford to maintain business as usual inside the walls.

As a warden for over twenty-five years, I saw first hand on the faces of inmates about to be released the sincerity in commitment to remain crime free. As a director of programs for a non-profit out patient clinic dealing with ex-offenders who were struggling to remain crime free, I can attest to the fact that they really did not want to return to prison. My Dad would say, "Anyone can stay out of prison that really wants to." We like to think in this country that anyone can be what who want to be. Our country in fact was founded on that principal. Yet, after all of

these years of working in and believing in our system of justice, I have come to the conclusion that wanting something to be so, doesn't always make it so. There are some people who must be helped, who must be nurtured into being what they want to be. With a recidivism rate over fifty percent, it is obvious that help has not been forthcoming.

I can tell you without hesitation that until recently the vast majority of wardens and directors of corrections were deliberately indifferent in terms of the successful reintegration of inmates back into society. We would all say that the programs of academic education, counseling and job readiness opportunities were offered inside our prisons for exactly that purpose. We would say that upon release parole officers were assigned to parolees to assist in reintegration. The inference was of course that the system was doing all that could be done to provide inmates with the tools of success and therefore the failure to remain crime free was due solely to the desire of the ex-offender. I can tell you that parole systems are now for the most part, given the hike in the recidivism rate, geared solely toward the surveillance of parolees and not toward their reintegration back into their communities.

It was in part this philosophy, which gave rise to "Lock'em up and Throw Away the Key" that prisons came to be constructed at a staggering rate all over the country. We couldn't get tough enough on crime. As warden I had one public official who said, "let them carry rocks from one side of the prison yard to the other ten hours per day, feed them dog food and I bet that they won't come back in." The reality (and I believe we all know this now) is that you can't build our way out of the problems we face in our prisons. Being tough on crime is not making those at whom we are angry, hurt; it is providing them an environment in which to change and the tools with which to do so while incarcerated. It is conscientious assistance upon release with becoming tax-paying/crime free citizens. Toughness on crime is effective

public policy, which promotes public safety. You see the Second Chance Act is not a rehabilitation tool. It has nothing to do with being soft on crime. It is in fact a bill that promotes public safety as it will assuredly reduce the number of future crime victims.

We now have a model for effective reintegration, which cannot be denied. Intensive pre-release programs in which offenders who have volunteered are housed within the prison on specific living units, participating together in programs led by local volunteers willing to continue the

solid relationships formed during the offenders' incarceration, upon release. The inmates' families are asked to participate in support programs held in the community. Housing and job opportunities are provided through collaborations of faithbased and community organizations. The recidivism rate according to the study conducted by Dr. Byron Johnson was significantly reduced for those inmates who completed the program. The Second Chance Act will send a message to not only those state and federal employees that Congress is serious about making the system work effectively, it will also encourage the development of local collaborations of support upon which rest the foundation recidivism reduction.

Let me conclude my comments by saying at the heart of making the system work effectively and thereby reducing the rate at which ex-offenders are returned to prison, someone must be held accountable for reducing the current rate of recidivism. In other words, if wardens, parole supervisors and directors of corrections were held accountable for the reduction in recidivism rates, the criminal justice system would change over night. By placing that requirement on the annual evaluations of federal and state corrections employees, the methods by which business is conducted inside our prisons and parole offices would dramatically change. No more business as usual. In other words, those individuals who choose to work in corrections and who fail to correct must be held accountable.

Passage of this bill will signal to those inside the criminal justice system and those "outside" of it who are considering becoming partners, that there is hope. Much needed resources would become available to those correctional administrators willing to make changes necessary to overcome the lasting pains of incarceration. The pain of the offender most assuredly will become the community's pain if not healed. Remember the vast majority of those who are in our prisons are simply people at whom we are angry and not of whom we are afraid. We now have a proven effective model with which to work. We can reach these people, these offenders, these neighbors and now it is a matter of holding the system accountable for putting it into practice.

Mr. SCOTT. Thank you very much.

Mr. McDonald?

TESTIMONY OF GEORGE T. McDONALD, PRESIDENT, DOE FUND, INC., NEW YORK, NY

Mr. MCDONALD. Thank you, Mr. Chairman and fellow Members of the Committee. It is an honor for me to be here and have my second chance to testify before Congress.

I certainly support the Second Change Act of re-integration the formerly incarcerated individuals into the workforce and the mainstream of society.

In the early 1980's, I started working with homeless men and women in New York City. I spent literally 700 nights in a row feeding thousands of individuals who lived in, around and under Grand Center Terminal. I got to know them, often becoming their friend.

From them, I learned the conventional solutions are insufficient in comprehensively and permanently addressing their needs. Shelters provided a place to sleep for the night. And a sandwich quelled their hunger for the moment. But what they really wanted was a room and a job to pay for it.

The Ready, Willing and Able program answered that need. It was built on a promise, a contract really, between my organization, the Doe Fund, and those homeless men, that if they gave up drugs and went to work, this program would be there to support and

open doors for them. Ready, Willing and Able, or as we call it RWA, started as an innovative approach to solving a seemingly intractable problem that today has become the most visible, effective, respected solution to homelessness in the Nation.

We serve over 1,000 people a day in three States. As a part of our community improvement street-cleaning project, we send men in blue—and that is what we call them, because of the bright blue uniforms they wear with the American flag on their sleeve—out to clean over 150 miles of New York City streets. Seven days a week, 365 days a year, the sweeping, bagging of garbage, graffiti removal, snow shoveling and other street sanitation services we perform have improved the quality of life in our city and made our participants beloved and sought after additions to every neighborhood.

Because they do this hard and humble work with diligence and good cheer, they have won the support of over 45,000 individuals that not only send us financial contributions, but notes explaining how much they have come to rely on our participants. And believe it or not, feel safer because of their presence.

Several years ago, we recognized that society was facing a crisis larger and certainly costlier than homelessness, one that threatens public safety, burdens taxpayers and results in countless human lives being wasted: criminal recidivism. As you have said here, Mr. Chairman, 650,000 people are released from jails and prisons cross the country each year. More than two-thirds go back within 3 years.

Knowing that 70 percent of the men we already successfully serve in RWA had an average of three felony convictions each, and that the chief factor influencing recidivism was quality employment, we saw an opportunity to adapt our model to serve those exiting prison and solve another critical societal problem.

In 2001, the Department of Justice became our partner in these efforts. They funded the launch of a pilot program serving parolees who had already had housing, but were in need of educational; vocational; substance abuse; social services; and most importantly, paid work that RWA offered. Beginning with 30 men, the program has grown to serve over 200, who all put on that bright blue uniform and go out every day to clean our city. In an unassuming and humble way, they accomplish the monumental task of reversing prejudices and changing the perception of formerly incarcerated people.

In 2006, building on our success in reducing recidivism by helping parolees rejoin the workforce, the New Jersey and New York congressional delegations secured additional funding through the Department of Justice for us to expand by adding a residential component. Today RWA Stuyvesant located in Bedford Stuyvesant, Brooklyn seizes on the critical moment when an inmate is about to be released and is looking to make a positive change in his life. Recruitment begins literally before the fellow's release and offers him a chance to walk out of the prison door onto one of our vans that will transport him to his new transitional home and work.

For 9 to 12 months, he lives in a safe, drug-free, shared apartment. He is paid above the minimum wage to work in our community improvement projects, receives the comprehensive social services, reports to a parole officer assigned specifically to participants

in our Stuyvesant program. Immediately, he becomes a productive, law-abiding member of the community, and an example of what is possible when opportunity is provided and seized.

Jose Carrera was 19 years old when he was sentenced under the New York Rockefeller Drug Laws. He was 39 when he came out. While inside, he stabbed another inmate and spent a total of 5 years in solitary confinement. There in the box, as they call it, he had an awakening and decided to change his life.

Upon release, he came to our program, put on that blue uniform and pushed a bucket for a year. He remembers the things that kept him motivated when he thought about giving up were the paycheck and the passers-by who patted him on the back and thanked him for the job he was doing. He was used to inspiring fear, but never smiles of gratitude.

The greatest sense of gratitude for his transformation comes from his two children. In the past, his son was told you are no good. You will be just like your father. Today, Jose Jr. sees his father as a role model and appreciates being compared to him. Jose graduated from our program with a job as a dialysis technician. He likes to say that while he once stabbed people to hurt them, today he does it to save their lives.

There are thousands of stories like Jose's. And through the help of this bill and the Doe Fund's criminal justice programs and the rest of the folks here, there can and will be many more. We have found the way to replace the revolving door of criminal recidivism with the best front door in America, one that formerly incarcerated persons can walk through with little more than a desire to work hard and rebuild his life, and walk back out a year later with his sobriety, a permanent job and his own apartment.

As I sit here addressing this Subcommittee of the United States Congress, I can't help but think what could be more fundamentally American than extending the opportunity of hard work and personal responsibility to people striving to become taxpaying, law-abiding citizens. This is an important piece of legislation to provide that opportunity.

Thank you for having me here today.

[The prepared statement of Mr. McDonald follows:]

PREPARED STATEMENT OF GEORGE T. MCDONALD

Mr. Chairman, Members of the Subcommittee, thank you for the opportunity to testify before you today on a matter of significant importance to our Nation. As Founder and President of The Doe Fund, the New York based non-profit that operates the *Ready, Willing & Able* residential paid work program, I have had the privilege of watching thousands of men break lifelong patterns of crime, homelessness and substance abuse to become productive, law-abiding, tax-paying citizens and fathers to their children.

In the early 1980's, when I first started working with people our society had given up on—homeless, drug-addicted ex-offenders—I heard from their mouths that what they really wanted was a hand-up, not a handout. They wanted the opportunity to go to work, to lift themselves out of poverty, to escape destructive cycles and to rejoin mainstream society. When I handed them a sandwich they thanked me, but asked for something more—something I heard over and over again—"A room and a job to pay for it. A room and a job to pay for it."

The *Ready, Willing & Able* program fulfills that request. It was the first program of its kind to go beyond immediate emergency needs...to believe in the potential of even the most downtrodden among us to seize an opportunity and succeed.

I recruited the first *Ready, Willing & Able* program participants from the floor of Grand Central Terminal. That is where they had landed after cycling in and out

of homeless shelters and prisons. Together we entered into a contract in which they promised to give up drugs and go to work and The Doe Fund, in return, promised that *Ready, Willing & Able* (RWA) would be there to support and open doors for them.

From that first handful of men and our first facility in Bedford-Stuyvesant, Brooklyn we have grown to serve over 1,000 people a day, in six facilities and three states. Our participants come to us, no longer off the floor of Grand Central Terminal, but often straight from our prisons. They represent the largest and costliest crisis—both financially and in wasted human lives—our society has yet to face—criminal recidivism.

Each year, 660,000 individuals are released from prison. Two-thirds go back within three years. Studies have shown over and over again that the chief factor influencing their recidivism is the ability to find quality employment. It is therefore no surprise that *Ready, Willing & Able*'s work-based approach has had such extraordinary success in helping this population permanently escape the revolving door of incarceration.

As part of our renowned and highly visible community improvement street cleaning project, we put the "Men in Blue" (as we call them because of the bright blue uniforms they wear) to work cleaning over 150 miles of city streets every day. They earn above minimum wage and immediately begin to develop the work ethic and dignity that comes from an honest day's work.

The sweeping, bagging of garbage, graffiti removal, snow shoveling and other street sanitation services they perform have improved the quality of life in the cities where we operate and made our participants beloved and sought after additions to every neighborhood. Because they do this hard and humble work with diligence and good cheer, they have won the support of more than 45,000 individuals who not only send financial contributions, but notes explaining how much they have come to rely on our participants and—believe it or not—feel safer because of their presence. After 9 months in our program we help them find full-time private sector jobs and get ready to exchange their blue uniforms for suits and ties, chef's hats and doorman uniforms.

When in 2001, Kings County (New York) District Attorney Charles Hynes asked us to launch a pilot "day" program serving parolees who had housing, but needed the educational, vocational, substance abuse and, most importantly, paid work that RWA offered, we didn't hesitate.

Beginning with 30 men, our day program has grown to serve over 200. All put on our signature bright blue uniforms and go out every day to clean our city. In an unassuming and humble way, they accomplish the monumental task of reversing prejudices and changing the perception of formerly incarcerated people.

Last year, building on our extraordinary success in reducing recidivism by helping parolees rejoin the workforce, we secured additional funding through the Department of Justice to help us expand our program to serve parolees by adding a residential component to the services we were already providing. Today, RWA-Stuyvesant, located in Bedford-Stuyvesant, Brooklyn, is one of the most comprehensive residential, work-based models serving this population. It focuses on the critical moment when an inmate is about to be released and is looking to make a positive change in his life. Recruitment begins before he is even released and literally offers him a chance to walk out the prison door and onto one of our vans that will transport him to his new transitional home.

For 9–12 months he lives in a safe, drug-free shared apartment, is paid above minimum wage to work in our community improvement project, receives comprehensive social, services and reports to a Parole Officer assigned specifically to participants in RWA-Stuyvesant. Immediately, he becomes a productive, law-abiding member of the community and an example of what is possible when meaningful opportunity is provided and seized.

Last year, I was asked by Chauncey Parker, then Director of the New York State Division of Criminal Justice Services, to assemble a committee to formulate recommendations that would enhance employment opportunities for job seekers with criminal records. I had the honor of working, for over a year, with brilliant and dedicated experts to create *The Independent Committee on Reentry and Employment's Report and Recommendations to New York State on Enhancing Employment Opportunities for Formerly Incarcerated People.* I am proud of the recommendations we put forth in this report and could include findings and statistics from it in this testimony, but instead, I would like to share the stories of some of our program graduates with you.

Anthony Malpica came to *Ready, Willing & Able* with over 50 convictions for Breaking and Entering. During his three decade long addiction to heroin he had known two homes: a prison cell and a cardboard box in an abandoned lot in Spanish

Harlem that he called "Cardboard Co-op City." Upon his last release, he heard about RWA at a Narcotics Anonymous meeting. Putting on our blue uniform and sweeping the streets of New York was Anthony's first legitimate job at the age of 45. When it came time for him to look for permanent employment, he applied for a job as—of all things—a locksmith apprentice. As he says, "I had broken many locks to rob, but I had never imagined myself fixing them." Today, Anthony has been drug-free for 8 years. He is married and lives in his own home. He is no longer a locksmith apprentice, but a certified, bonded locksmith.

José Carrero was 19 when he was sentenced under New York's Rockefeller Drug laws. He was 39 when he came out. While inside, he stabbed another inmate and spent a total of 5 years in solitary confinement. There, "in the box" as inmates call it, he had an awakening and decided to change his life.

Upon release, he came to our program, put on a blue uniform and pushed a bucket for a year. He remembers that the things that kept him motivated, when he thought about giving up, were the paycheck and the passersby who patted him on the back and thanked him for the job he was doing. He was used to inspiring fear in people, but never smiles or gratitude.

The greatest sense of gratitude for his transformation, however, comes from his two children. In the past, his son was told, "You're no good. You will be just like your father." Today José, Jr. sees his father as a role model and appreciates being compared to him.

José graduated from our program with a job as a dialysis technician. He likes to say that while he once stabbed people to hurt them, today he does it to save their lives.

There are thousands of success stories like Anthony's and José's, and through the help of programs like The Doe Fund's there can be more. Enacting this bill is a start toward assembling the formula—of which work opportunities are the key—to ensuring their success and that of the thousands of formerly incarcerated individuals who seek to re-enter society and the workforce.

Ready, Willing & Able has found the way to replace the revolving door of criminal recidivism with the best front door in America—one that a formerly incarcerated person can walk through with little more than the desire to work hard and rebuild his life and walk out of, a year later, with his sobriety, a permanent job and his own apartment.

In my testimony to this Subcommittee of the United States Congress , I cannot help but think—"what could be more fundamentally American than enacting legislation like this that will extend the opportunity of hard work and personal responsibility to people striving to become tax-paying, law abiding citizens?"

Mr. SCOTT. Thank you. Thank you, Mr. McDonald.

I now will proceed to questions under the 5-minute rule. I will begin recognizing myself for 5 minutes and start with Dr. Peters.

How important is mental health services to rehabilitation?

Mr. PETERS. Thank you, Mr. Chairman. Important point; mental health is a critical issue for our inmates. I think you heard several of the panelists discuss that already this afternoon. We know that 15 percent of our offenders have major mental health disorders in this country.

In some cases, people talk about our correctional system now as the public safety net of last resort for our society. Unfortunately, these systems are not funded to provide intensive services in many cases, nor are they staffed to do that.

So, it is really an important task for us to be able to identify those people and get them out of the system if possible as early as possible; and in the process at the point of entry to jail, for example, if those people don't present a public safety risk, to be placed in jail diversion programs with court monitoring, supervision and treatment services.

Of course, for those people in jails and in prisons, they need to receive their medication and get treatment services that they need, and then be able to receive the same type of re-entry services that we are talking about here today for this population, who are at

very extremely high risk of relapse and recidivism, and re-entry to hospitalization crisis stabilization units and other, kind of, key services in our society that cost huge amounts of money.

So, a very important group that we need to target for resources and for re-entry services as well.

Mr. SCOTT. Thank you.

Chief LoBuglio, you mentioned the important of having re-entry programs in jails. With jail overcrowding and the short period of time that people are going to be in a local jail, how effective can re-entry programs be in the local jails?

Mr. LOBUGLIO. They can be very effective. And there are numerous opportunities to intervene in creative ways to work with the jail population. In the jail population—again the 9 million individuals coming and going from the jail system annually—some will be staying for short periods of time, others will be staying for years.

A re-entry plan for each individual is going to be unique. It is going to be tailored based on their needs and how long they are going to be with us for those in Montgomery County we find that in our jail-based program we are able to provide a one-stop career center for those who are sentenced for 90 days or less.

There are other re-entry services that can be provided it for individuals that are there for shorter periods of time. In Allegheny County in Pittsburgh, there is a forensic mental health program that provides mental health services to individuals have who have been locked up for just 2 hours. They come in and they make sure that there is continuity of care.

So, there are many models of re-entry. That is, I think, a theme of this legislation and the experience over the last 8 years. Not every re-entry program is going to serve every type of individual. But don't forsake jails. There is much that can be done in jails to promote re-entry, and there are many examples across this country. I can cite those for you, Mr. Chairman.

Mr. SCOTT. Thank you.

Mr. Cowley, you represent several faith-based organizations. Do they need to discriminate in employment with Federal money in order to be effective?

Mr. COWLEY. No.

Mr. SCOTT. As a former warden, did you have second chance programs in your prisons?

Mr. COWLEY. No.

Mr. SCOTT. You didn't have any second chance programs in your prisons when you were a warden?

Mr. COWLEY. And very few do today. We talk about reducing the custody level, and that in turn means re-entry for most systems. But interventions are not that meaningful. We are strictly talking bed custody.

So, when they talk about going to a halfway house, they are still—we offer things, but we say, okay, it is just—an inmate to get it if he wants to get it. It has to be more involved——

Mr. SCOTT. What kind of programs do you think would be popular for inmates? What kind of programs would they be most likely to actually participate in?

Mr. COWLEY. Inmates know what is good for them if given the environment in which to change. Job readiness—most of them, if

they are given this opportunity, want to know how to be better dads, because they know that statistically, just being in prison, their kids are at a higher risk. Most want to know how to fill out a resume.

I had one guy that was in for 14 years. The day he got out, he said, "Jack, will you teach me how to eat?" They don't get to use forks and knives, Mr. Chairman. He wanted to know just how to eat. So, we did pretty good when he cut his meat, but then he didn't know what to do with the fork when he reached for his glass, so he just stuck it in the top of his steak which, you know—those are the kinds of things they want to know.

Mr. SCOTT. Thank you very much.

Mr. Forbes?

Mr. FORBES. Thank you, Mr. Chairman.

Mr. Chairman, first of all, without objection, I would like to introduce for the record a letter from 15 faith-based organizations that approve of this legislation as it is currently written.

Mr. SCOTT. Thank you. Without objection.

Mr. GOHMERT. Could I reserve objection? Is that the one with the top 10 names on it? We had an issue last year where some of the faith-based groups that we checked with were not familiar with the particular thing their name was——

Mr. FORBES. Mr. Chairman, I will debate this later if he has an objection. If he could voice his objection, and then we will deal with it as we get through the—rather than use my time on this one.

Mr. SCOTT. Well, we will start your time over, but there is a motion made to introduce the letter for the record. Is there objection?

Mr. GOHMERT. Well, if I could reserve objection——

Mr. SCOTT. The right to object has been reserved. We will start the time now.

Mr. FORBES. Thank you, Mr. Chairman.

I want to thank all of you witnesses for being here and for the programs that you are involved in.

Mr. Lufburrow—I hope I am pronouncing that correctly—I know that Goodwill does a lot of programs in this area. Can you tell us what success rate that you have had?

Also, how does family-based treatment address the needs of children participating in the program? What is the broad picture of the children affected by parental incarceration, substance abuse?

If you can be as brief as possible, because I want ask a few questions of some of the other witnesses.

Mr. LUFBURROW. Sure. Let me try to answer those.

The family side for the children, obviously, they have a rough run when they have someone, a parent, incarcerated. So, when we can work with the parent and get their self-esteem built up, it sure helps and rubs off on those kids. We are more working with the parent side as they are incarcerated.

The first question again, sir?

Mr. FORBES. The first question is, what success rate has Goodwill had?

Mr. LUFBURROW. Well, when we work with folks who have been incarcerated, you know, we will see not as much as I would like to see. But if we could get it to 50, I am happy. We work with so many other populations as well, which we are a little higher with.

That is why we are pushing for this to pass through, because we don't have the dollars to make these programs official. So, we have to do it in other ways.

Mr. FORBES. Okay.

Dr. Peters, one of the things we are always looking at is effectiveness and how we measure effectiveness of programs. Can you tell us the difference between a short-term, let's say 30-day, drug program that we try to put on somebody and a more comprehensive program that you talked about, the difference in effectiveness between those two kinds of programs?

Mr. PETERS. Absolutely, yes. We know that treatment to be effective needs to be approximately 90 days for offenders and for others that have chronic problems like this. We also know that longer-term programs such as 6-to 12-month programs are those that create long-term sustained outcomes, and those are the programs that we look at.

And you see some of the figures cited in the testimony, where you have 27 percent who are re-arrested over the course of 3 years of follow-up after intensive treatment in prison and outside of prison, compared to in the range of 75 who don't receive treatment in those settings. So, you have a fairly persuasive 50 percent reduction in recidivism based on those long-term programs.

You still see marked gains, though, in those intermediate range programs over 90 days. But it looks like that is the threshold, sir, that we need to reach for. And you can still achieve some significant gains in reductions in recidivism and substance abuse. But again, those don't typically lead to sustained changed in behaviors over time.

Mr. FORBES. Good.

Mr. Cowley, I know you have seen it from both sides. You have seen it as a warden. You have also worked with several faith-based organizations. Based on the organizations that you have worked with, do they approve of this bill and its current structure as it is written?

Mr. COWLEY. The ones that know about it do. And the ones that don't know about it do as well. I can tell you faith-based groups and community organizations, not only are they aware of the debate in many cases, but they are looking for the opportunity to be involved. And with wardens and other Federal organizations that would receive the grant money, these people would line up, definitely.

Mr. FORBES. Well, thank you.

And, Mr. LoBuglio, if I could, first of all, you have a model program; done a great job with that in Montgomery County. But again, one of the things we are always looking at is measuring effectiveness and what measures should we use to evaluate re-entry programs. Because it is one of the things we are always looking at here, is recidivism.

You know, I mean, is re-arrested or re-incarceration the only valuable measure? Or, if not, what other things?

Mr. LOBUGLIO. There are other measures.

We have been around for 30 years. We have had 11,000 people go through our program. In 2006, our performance measures that we track and measure the quality of our program with include the

statistic that 99 percent of those who were with us in our work release program left with housing. Ninety percent left with employment. All of them left with community referrals and contacts and working with family. We recorded $200,000 that was provided by inmates for family support. We generated $400,000 in program fees to support our programs.

There are many performance measures that can be used to measure the effectiveness of programs. Recidivism is an interesting figure. It is a figure that, for some programs it is appropriate; for other programs, it is probably beyond their ability. The factors that go into an individual recidivating including, one, their motivation. It also includes other exogenous factors, such as police policies, prosecutorial policies, probation and parole policies. Those are beyond the control of specific programs.

That said, the research is clear that quality programs implemented with integrity can reduce recidivism over the long term. I think the findings of the Serious and Violent Offender Re Initiative, where we had 69 program sites, that are being evaluated give us pause to remind ourselves of the capacity that we still need to build within the system to make re-entry a reality.

Mr. FORBES. Good.

My time is up, but thank you all so much for your testimony.

Mr. SCOTT. Chairman Conyers?

Mr. CONYERS. Thank you, Mr. Chairman. What an exercise of great magnitude this has been. My feeling for hope has increased.

When I look at a bill with Randy Scott on it, Coble, Cannon—yes, Cannon—not Bobby Scott. You are usual. I am calling off some names for a special reason—Forbes, Sensenbrenner, Chabot, let's see, Coble. But I don't see Judge Gohmert on here. And that saddens me deeply.

We are going to be working on this—because as I look out in the audience, I see Charlie Sullivan of CURE and many other organizational representatives that have been in this for years and years, with Chairman Scott during the large work.

The subject matter that I want to raise with you, and maybe I should be doing this with the Chairman and the Ranking Member, is the things that I keep hearing that are still going on in prisons.

And I am going to ask Mr. Cowley to lead this off.

But the only time I heard the subject of rape in prisons brought forward is by the former attorney general of California that sits on this Committee. And to me, this plus the coercion and violence and gang control that occupies too many prisons that I hear about that make them so dysfunctional that this probably requires a whole consideration of itself.

I don't want to get it superimposed upon a perfectly great reentry plan. Elijah Cummings, our colleague from Maryland, asks me every day to make sure he is on this bill, because I think, as this leadership shows, we have got a real head of steam moving forward with a lot of control.

But with those problems in the prison and the lack of vote for prisoners coming out, which I know is frequently a State determination, when a person comes out, you are whole, except one thing buddy. We don't need you to vote. We accept you back into

society, but, no, no vote. And yet there are places where votes take place inside of prisons.

So, what I want to ask of Jack Cowley and George McDonald, all of you, how are we going to put our arms around this problem, which is really what shapes a lot of attitudes? And conduct when you get out is what happened to you when you were on the inside.

How do we match the heads and tails of this incredibly difficult societal problem, Mr. Cowley?

Mr. COWLEY. Well, we can change it overnight.

Mr. CONYERS. Well, I have been waiting 40 years for this moment.

Mr. COWLEY. Well, and I am here to tell you. All we have to do is hold wardens, directors of corrections and parole chiefs responsible for recidivism rates.

As an old Government employee, I was fondly aware of my annual evaluation. And not anywhere was there an expectation that those inmates that went through my prison stayed out when they got out—nowhere. It is not discussed. I can tell you it is not any employment training on correctional officers or wardens that the inmates in their prisons remain free.

So, if we say to wardens, directors of corrections across this country, that you will be responsible; because see, now we have models that work. Before, we didn't. Now, we do. And we say to them, "If you cannot reduce recidivism significantly for those inmates that go through your system, then you won't have a job come next year." I tell you it will change literally overnight. The way we do business will not be the same.

Mr. CONYERS. Well, I hope you will become a candidate for the Federal corrections chief——

Mr. COWLEY. Well, I don't know. Thank you.

Mr. CONYERS [continuing]. When it opens up, which I hope will be soon.

Mr. SCOTT. Thank you, Mr. Conyers. Your time has expired.

Mr. Gohmert?

Mr. GOHMERT. Thank you, Mr. Chairman.

I would like to point out I agree with you, Mr. Cowley. Accountability is a good thing.

I mean, all five of you have now said this is an extremely important piece of legislation. And I got to tell you, when I first heard last year that we were bringing up a second chance act, I was excited, because we have got to do a better job of training and rehabilitating people while they are in prison. It is an embarrassment to this country, and it should be to every State, that we do not do a better job of that.

The thing is, we got the bill. The first bill was a 40-page bill. And it had things in it that concerned me greatly that went far beyond the scope of what was imagined. And I was told well, it is being redrafted, not to worry. The day of the markup, it turned out, we had a 90-page bill that nobody had seen. And we were expected to vote on it that day. A few of us raised enough Cain. It was put off. And later, a 60-page bill emerged for our markup.

The latest bill I have gotten is 107-page bill. So, have you each read all 107 pages of this bill? Is that correct?

Mr. COWLEY. No, I haven't.

Mr. GOHMERT. Okay. So, when you say this is an extremely important piece of legislation, you are not sure what all is in there, correct?

Mr. COWLEY. I am sure of those things that will make a difference.

Mr. GOHMERT. Well now, Mr. Cowley, you just said that the way we could change this overnight was if we held some people accountable.

Mr. COWLEY. Right.

Mr. GOHMERT. And I have not found anything in the 107 pages that holds anybody accountable. It just spend $360-something million over 2 years, plus another provision that says all such sums as may be necessary. So, I am not sure how big that goes.

In the previous bill we took up last year, there was nothing about preschool nurseries in the prisons, things like this, transportation. These are all new things that have been added that I am finding in the new bill.

So, it goes way beyond the scope of what I had originally thought was there. There was one provision I saw that, as I understood it, said medical care as long as needed. And I don't find too many people that ever quit needing medical care in their lifetime. So, there are some things, it seems to me, that need to be worked out.

But I needed to ask you, Mr. Cowley, about one other question you answered. And I am not sure if you understood the ramifications of what you had said. You were asked by our Chairman if these faith-based groups need to discriminate in order to be effective. And you answered no, they don't. And let me make sure if we are on the same page here.

Traditionally in the United States—and the Supreme Court has upheld this—a Christian group was allowed to hire Christians and could discriminate to the point that, if you were an atheist and you thought that Christianity was just a bunch of baloney, then the Christian group didn't have to hire you in their charge; because it would create some problems.

An issue has come up in the last session where we debated this last summer that gee, why couldn't a Christian group hire an atheist to do this kind of work? They should have to discriminate.

And it was my contention, and I think previously the Supreme Court's and most Christian groups', that there should be that uniformity of belief. If you are a Mormon group, you shouldn't be forced to hire somebody that thinks Mormons are crazy. If you are a Jewish group, you should have to hire somebody that things all Jewish people should be killed.

I mean, there should be some discrimination allowed in order to be faith-based, or it isn't a faith-based group anymore. You understand where I am coming from?

Mr. COWLEY. I understand.

Mr. GOHMERT. So, in the faith-based groups with which you have dealt, have you run into any faith-based groups who did not hired people that believed in the same faith that they did?

Mr. COWLEY. Right. They do. And in those cases, it seems to me that has been worked out. There have been Federal grants gone to faith-based groups.

Mr. GOHMERT. Well, you mentioned that they would line up.

Mr. COWLEY. Right.

Mr. GOHMERT. I tried to have language installed last year that would say simply an organization or group cannot be discriminated against simply because it is faith-based. And that was fought.

Mr. COWLEY. I think we have grown up since then, Congressman. Faith-based groups—either they will take it as it comes. And if they want to be involved and take the money——

Mr. GOHMERT. And my time is running out, let me ask you very quickly.

Mr. COWLEY [continuing]. That is very possible.

Mr. GOHMERT. Have you not run into any sheriffs or any wardens who said I am afraid of lawsuits by the ACLU, so I don't want to hire a group that is faith-based because it is faith-based?

Mr. COWLEY. That is happening.

Mr. GOHMERT. It has. Yes.

Mr. COWLEY. And that is why we need the Second Chance Act in order to alleviate that.

Mr. GOHMERT. But it does not protect faith-based in the Act.

Mr. COWLEY. It doesn't need to. It doesn't need to. That is what I am saying.

Mr. GOHMERT. My time has expired.

Thank you, Mr. Chairman.

Mr. SCOTT. The gentleman's time has expired.

Mr. Forbes?

Mr. FORBES. Yes, sir. Mr. Chairman, I would repeat my request to have the letter from the 15 faith-based organizations admitted to the record.

Mr. SCOTT. The gentleman asks for a regular order on the unanimous consent request, which means that you either press the objection or withdraw it.

Mr. GOHMERT. Well obviously, I have been here and haven't had a chance to check with all these groups. But I got burned on it once. And I don't mean to be a jerk. But I got burned. Some of the groups didn't know what they were asked to sign onto, and their name was typed.

And I just was hoping for the opportunity to check on that. If I could have 24 hours, I would—if you want to press it, then I would object. If not, if I could have time to check on it——

Mr. SCOTT. Objection was heard.

Mr. FORBES. Mr. Chairman, I move that the letter be admitted to the record.

Mr. SCOTT. There is a motion made that the letter be placed in the record.

All in favor of the motion, say, "Aye."

All opposed?

Mr. GOHMERT. I abstain, because I don't have enough information at this time.

Mr. SCOTT. The motion is agreed to. The letter is placed in the record.

And we will make sure that Mr. Gohmert gets a copy, so if he subsequently wants to make a comment, he certainly will be able to.

Gentlelady from Texas, Mr. Jackson Lee.

Ms. JACKSON LEE. I thank the Chairman and the Ranking Member for yielding to me.

And I certainly thank Mr. Davis of Illinois and Ms. Tubbs Jones of Ohio. I know that they have been working on this issue for a very long time, as many of us who have constituencies who have negatively been impacted by stark and sometimes unreasonable incarceration principles and laws.

And I think, Warden, you know that in your new life, that probably there were good reasons for some of those incarcerated you may have come in contact with, short of individuals perpetrating heinous crimes and on death row short of being found innocent, that could have benefited from a number of alternatives, even before they were incarcerated.

Right now, in the State of Texas, we are dealing with two, I think, horrific collapses, or calamities, as it relates to incarcerated facilities.

One, our local jail has been found, over the past 10 years, to have had 117 deaths, individuals who went in and—you know, local jails are basically holding places. Sometimes you serve a 6-month sentence. But basically, you are being held on your way somewhere else or waiting for trial—crises where we have had individuals fallen ill and those who are responsible then say, "What do you want me to do? Get a BandAid? Someone is laying in a pool of blood."

Then we have had the Texas Youth Commission that now is renowned for sexually abused incarcerated youth. That says to me that the whole system needs overhauling, and people have not listened. But I think it is a good step that we are making today dealing with the question of the idea of the next step.

So, I know the witnesses have answered questions. I welcome Steve Lufburrow, because he is an institution in our community. His family is an institution. He has always been on the forward side of things.

And so, let me just pose to Warden Cowley the idea of a second chance bill. Can it be the wave of the future, one, in terms of maybe even how we look at potential incarcerated persons before they go in and how we look at them coming out? The question to you.

To Mr. Lufburrow, how do we impact State systems? We are dealing with a Federal bill. But how do we impact State systems and get them to understand that a goodwill program is a valuable program and a good alternative to having someone incarcerated for 20, 30, 40 years, certainly if they have perpetrated a non-violent act.

And I believe I am looking at—I have had for a number of years a bill dealing with the early release of older non-violent offenders. I see this section. I assume it is taken from my bill. I hope that is the case. I had asked about this to the staff of this Committee. And I see it here in this bill. So, maybe I will get an explanation about it as to relate to whether or not it is the good time early release language or not.

But I do want to try and find out about the value of individuals who have been in this incarcerated condition, and they are older. They may be aging and get, if you will, sick. And what is the pur-

pose of keeping them incarcerated? What about these programs being useful for them.

So, let me just yield, because I see the light. And I see Mr.—is it Roger? If you would be kind enough to answer. Yes, Roger Peters, Ph.D.

Mr. Cowley?

Mr. COWLEY. Whether or not the bill could be the wave of the future, again cheerleading is a valuable tool, particularly in corrections, the criminal justice system, where we have been bombarded for years and years literally about get tough, get tougher. And when you say that, means the life isn't valued. Let's just lock them up and throw them away the key. The heck with them.

And wardens know. Wardens know their inmates to a great degree, even in larger prisons. They know who is worthy and who isn't. And yet we look at them all the same anymore. So, this gives us an—it is the wave of the future, because it sends the clear message that there is an opportunity for a second chance.

We had a collaborator meeting. In Dallas, TX, we are starting a God pod at the Hutchins State Jail. And we had over 35 faith-based and community organizations show up to get involved. The warden came and welcomed them. And that is the wave of the future.

Ms. JACKSON LEE. Thank you.

Mr. Lufburrow?

Mr. LUFBURROW. Thank you very much for your comments also. And thank you for having me here today.

How do we impact State systems? Collaboration is the key. We didn't used to have collaboration as much in the agencies throughout the States. And now we are all a lot more open to it.

And we are working with all the different agencies. For instance, in Texas, we have 18 different Goodwills that spread a whole lot of our Texas territory. And we are all working with other organizations—State, local, you name it—trying to work together for good, trying to make a change in people's lives.

And the lack of funding is an issue, even on the State level. And it is something that we need to continue to address. But, I tell you, our hearts are pretty big in these worlds of not-for-profits. We do seem to care a lot about the people that we work with. And we are compassionate about the problems, because we do see it on a day-to-day level. But the funding to make it happen is important to us.

And we can't all be good at all things. And so we have had to decide at Goodwill across the State and across the country, what are we really good at? We are really good at providing job opportunities, training and placement into the competitive business world. Then we need to work with the folks that are really great with the housing side, and the drug abuse and the alcohol treatment side.

And I think the collaboration answers your question. I went around a long way. But I wanted to get that in. So, collaboration, I hope, is the answer that you were looking for. And certainly, I will stand behind.

Ms. JACKSON LEE. Dr. Peters?

Mr. PETERS. If I understand your question, Representative Jackson Lee, it is about the elderly?

Ms. JACKSON LEE. Yes.

Mr. PETERS. About their amenability to treatment and what we need——

Ms. JACKSON LEE. And their amenability to an early release—having individuals incarcerated for ever and ever and ever, is it good that non-violent offenders would have that option to be released?

Mr. PETERS. I think it is a very important area. As we all know, the tremendous number of the elderly are now in jails and prisons, particularly prisons, spending time in larger proportion that every before. They pose slightly different substance abuse problems and issues than other offenders too. And because of that, we need some unique solutions. They are more likely to use alcohol and prescription medications rather than methamphetamine, cocaine, some of the other drugs of abuse that we are used to with our traditional offenders.

And because of that, I think we need specialized treatment approaches. And SAMSA has developed those. In fact, there are treatment manuals now for the elderly with substance abuse. It recognized some of these other specialized needs of the elderly, including depression, for example, and other mental health needs that are sometimes, kind of, under the radar that are silent that we don't pick very often and don't get attention, because they are not vocal and don't come to the forefront with these other problems.

So, there are some interventions that are available, but we need to develop more of those. And certainly research is needed by NIDA and other agencies to examine the impact of those interventions.

I think you have raised an important point. We have a lot of people aging in our prisons right now. What can we do with them? And how does re-entry fit with that? I think that we talked about today some of the those solutions that can be effective for this group which are, for example, in-prison treatment plus work release and re-entry services.

Pre-release services that we talked about today can be particularly useful for the elderly, which in many ways are a lower risk category for acting out and recidivism than are other populations and are quite good candidates for these release programs that couple in-prison treatment with treatment after release from custody.

So, that is a really good group and I think a very good set of candidates for the programs that are described in this bill, and that we will be able to examine those carefully down the road.

Ms. JACKSON LEE. Thank you.

Mr. PETERS. Thank you.

Ms. JACKSON LEE. And I thank the Chairman very much.

Mr. SCOTT. Thank you.

Mr. Coble?

Mr. COBLE. Mr. Chairman, let the record show that during the time I served as Chairman of this Subcommittee, not once did the microphones fail.

But I will say to Chairman Scott, he and I worked very diligently last session on this, along with others as you mentioned, Mr. Chairman, Congressman Cannon among others. This is an important piece of legislation. Obviously, you gentleman continue to work diligently as well.

Mr. McDonald, you have had extensive experience in this matter with former prisoners. Let me ask you this. Should we focus more on treatment while prisoners are incarcerated or after they have been released and acclimating back into society? Or are they both about equal?

Mr. MCDONALD. Congressman, I have been sitting here wishing somebody would ask me that question. So, thank you very much.

My experience is with post-release, well, we go into a prison right before somebody is going to be released on parole. We don't work in the prison. So, I don't have any expertise. I haven't ever been a warden. Thank the Lord and I haven't ever been an inmate.

But I can tell you that, out of the people that we see in New York City, 77 percent are African-American, 70 percent haven't graduated from high school, 88 percent have a long substantial history of substance abuse, and 78 percent have been formerly incarcerated. Now, those are the people that are coming through the front door of our intake homeless shelter. Seventy-eight percent have been formerly incarcerated.

So, I am here to tell you that the hardest thing in the world to do, or the hardest thing for us to do, is to get a man a job after he has come out of prison. And you can't do that for him when he is in prison. You have to do it when he gets out of prison in some manner, shape or form.

Mr. COBLE. Thank you.

Mr. MCDONALD. But it is an economic opportunity for him to take responsibility for himself and work. And there are so many barriers that are created for this fellow to get on the right road that, you know, we welcome this Act.

Mr. COBLE. I thank you for that, Mr. McDonald.

Mr. Cowley, you mentioned the "lock them up and throw away the key" philosophy. And many people continue to embrace that. At one time I embraced it.

Mr. COWLEY. Sure.

Mr. COBLE. But I was younger and less wise—not to say that I am wise now, but I am wiser now than I was then. Prison overcrowding plagues us. Recidivism plagues us. Those two issues have caused me to change my thinking about that.

Mr. COWLEY. Good.

Mr. COBLE. And I no longer embrace that theory.

Now, in your testimony, Mr. Cowley, you mentioned the 34 percent vacancy rate. I am not sure what that means.

Mr. COWLEY. No, I was talking about the employees. He had a 34 percent vacancy rate in his employees. He was down 34 percent of his staff.

Mr. COBLE. Oh.

Mr. COWLEY. That is what I was referring to.

Mr. COBLE. Okay. I didn't follow that.

Mr. LoBuglio, my State, North Carolina, has embraced the re-entry approach. But I am convinced that more can be done with Federal support in large part through funding. Which grants or Federal funds are used by your office? And what funding, is it your belief, is most needed to improve your services?

Mr. LOBUGLIO. We don't use Federal grants in the re-entry programs in Montgomery County. The Federal money that is out there

for re-entry is the Serious and Violent Offender Re-Entry Initiative. And that funding has been directed to Baltimore programs.

In terms of your latter question, how can the Federal money be used? It can aid those jurisdictions that do need assistance in spurring the development of re-entry programs. I think it can also be used to get collaborators to the table who aren't there now. And those stakeholders include both social service agencies, the faith-based organizations, and law enforcement agencies who can gather around the table and talk about re-entry.

I think the experience of the previous $100 million that was spent under the Serious and Violent Offender Re-entry Initiative is very helpful for us as we consider this legislation. That legislation has sponsored a number of very exciting collaboratives.

And some of the findings now from the natonal evaluation being done by the Research Triangle Institute in North Carolina and The Urban Institute are promising. They have conducted already over 3,000 interviews with individuals while they are incarcerated and post-release. They are finding that most of those collaborations and most of those programs are continuing, even as the grant funds stop.

Mr. COBLE. Mr. Chairman, as you and Mr. Forbes know, I am not one who advocates hurling Federal money at every problem that surfaces. But I think this is one situation where it is justified.

And I thank you, Mr. Chairman.

And thank you, gentlemen, for being with us.

Mr. SCOTT. Thank you. Thank you, Mr. Coble.

And when we "throw money" at this situation, we end up saving more money, having money thrown back on us if we make those important investments.

I thank you.

Representative Forbes, do you have a final comment?

Mr. FORBES. Yes, Mr. Chairman.

First of all, once again, I would like to thank all the witnesses.

But the Chairman raised some good points earlier when he talked about prison rape and some of the conditions in the prisons. And now only has Mr. Lungren worked hard on that, but so has Frank Wolf and several other Members.

And one of the things Chairman Scott and I have talked about recently is we are not quite as optimistic, Mr. Cowley, as you are that we can change it overnight. But at least we can bump it in the right direction.

So, we actually plan to make some trips around the country and visit our prisons and talk to some of the inmates and see what we can do to alleviate some of these situations.

We won't change the whole system. That is not going to happen. But we can make some big differences. So, we think that is going to happen. And we have agreed to do that.

Mr. SCOTT. Thank you.

And I want to thank the witnesses for their testimony today.

Members may have additional written questions for our witnesses. I would ask them to forward them to you. And if we can get responses as quickly as possible, we can make them part of the record.

And, without objection, the hearing record will remain open for
1 week for submission of additional materials.

And, without objection, the Committee is now adjourned.

[Whereupon, the Subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

CBC

Congressional Black Caucus

OF THE 110TH UNITED STATES CONGRESS

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Yvette Clarke, NY – '07
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Hank Johnson, GA – '07

Change Course, Cor,..ont Crises, Continue the Legacy

August 1, 2007

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232 Capitol
Washington, DC 20515

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
H 107 Capitol
Washington, DC 20515

Speaker Pelosi and Majority Leader Hoyer:

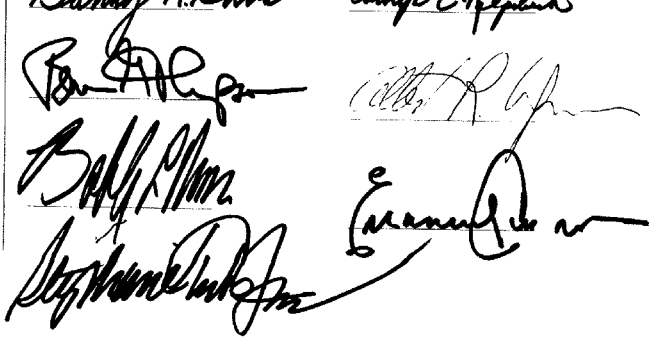
The Congressional Black Caucus take this opportunity to communicate to you our strong support for and desire to have moved as expeditiously as possible, 'The Second Chance Act'.

'Second Chance' deals with one of the most pernicious problems in African American life, the large and inordinate number of individuals who are incarcerated and need assistance to return to normal life. It provides resources for substance abuse treatment, transitional housing, job training and agency coordination.

This has been a bipartisan effect with anticipation of passage on the suspension calendar; unfortunately, a core group of republican members have been able to slow down the process even though the bill has passed out of the Judiciary Committee. We had hoped to pass this legislation by the August recess; obviously this is not going to happen. However, we urge that you move to ready this legislation for floor action in early September.

We appreciate your leadership and thank you very much.

Sincerely,



CBC

Hank Johnson

Wm Lacy Clay

Charles B Rangel

John Lewis

Barbara Lee

Corrine Brown

John Conyers

Diane E. Watson

Danny K. Davis

Gwen Moore

Eleanor H Norton

Maxine Waters

John Tierney

Jim McGovern

PAGE 2

CBC

Thanks ever so much.

Goodwill Industries International, Inc.

Prisoner Re-entry Programs

Member	Program
Goodwill Industries of the Chesapeake Inc.	The agency runs a program called Supporting Ex-Offenders in Employment Training and Transitional Services (SEETTS), to serve formerly incarcerated individuals. The program consists of seven weeks of job readiness training and job preparation and placement. The community component serves men and women who are on parole supervision or probation regardless of previous program involvement.
Goodwill of New York and New Jersey	The agency began Project Caring Community in June 2003 to help female ex-offenders successfully transition to community life after their release from prison. Goodwill provides wrap around case management services and medical assistance. The program also provides counseling by trained psychologists to deal with psychiatric, substance abuse, housing, education, social, personal and family related issues. This program serves women at several Women's prisons in upstate New York including Bedford Hills Prison and Taconic Prison.
Goodwill-Suncoast of St. Petersburg, Florida	Goodwill-Suncoast has been in the delivery of service business, including residential services since 1968. The agency is a part of the Pinellas County Ex-Offender Re-Entry Coalition. The agency is also involved with The Community Partnership Program and Intensive Day/Night Treatment Program, both of which are designed to treat substance abuse in ex-offenders.
Goodwill Industries of Northern Michigan	The agency manages the Transitional Offender Program Services (TOPS) program, a local, collaborative effort that provides resources in the areas of housing and case management for local community corrections and the Michigan Prisoner Re-entry Initiative (MPRI). Through TOPS, Goodwill provides support and assistance to the disadvantaged population as these individuals make the transition from incarceration to reintegration into the community.
Goodwill Industries of San Antonio	The agency leads a collaboration of faith and community-based providers in an efficient, seamless service continuum for non-violent offenders. The agency's "Learn While You Earn" project features transitional employment, job retention support and continuous case management, in addition to job placement, housing assistance, counseling, and alcohol and drug treatment. In each of these service areas, the agency partners with other providers.
Goodwill Industries of San Francisco, San Mateo and Marin Counties	The agency manages the Back on Track program, a joint effort between the San Francisco District Attorney's Office, Goodwill, and numerous government and nonprofit partners. This effort is unique in that it targets first time low-level non-violent drug sellers, a group that typically receives harsh sentences. The agency also runs the Women's Reentry Program, which is a collaboration with the San Francisco Sheriff's Department sisters program that provides pre-release services to women in the San Francisco County Jail.
Rappahannok Goodwill	The agency currently runs an Adult Anger Management course conducted in the Rappahannock Regional Jail.
Tacoma Goodwill Industries	The agency receives grants money from the Washington state Offender Employment Services office and the Community Foundation of Southwest Washington to provide job preparation services for ex-offenders.
MERS/Goodwill Industries	The agency runs Project Connect that provides prisoner reentry services to individuals transitioning from state correctional facilities into the St. Louis area. MERS Goodwill is the lead agency of a coalition involving 11 organizations that provide career and employment services, personal and family counseling, referrals for housing assistance, substance abuse treatment, mentoring, and health services.
Goodwill of Detroit	The agency coordinates the New Start Employment Project. The program uses Job Readiness Training, Paid Transitional Work Experience, Basic Academic and Remedial Upgrade to assist ex-offenders in a successful return to the community reducing the potential for recidivism.
Goodwill of Spokane	The agency is involved in a project funded by the Department of Corrections, called the Going Home Project. This program serves seriously violent offenders who are most likely to re-offend and return to the penitentiary within 30-90 days of release. Goodwill of Spokane also runs the Community Gateway program, which found employment for over 250 ex-offenders last year.

Goodwill Industries Inland Northwest	The agency offers employment resources to individuals with a criminal history who have been released from custody within the past year. Services include resume writing, counseling in how to address one's conviction history, interview skills and job development. Goodwill Industries relies on employer incentives, including the Federal Bonding Program (bonds are purchased by the state of Washington) and the Work Opportunity Tax Credit. Clients are followed for a one-year period, including re-employment, if necessary, as well as upgrading job levels.
Goodwill Industries of Pittsburgh	The agency and its affiliate unit, Goodwill Residential Services, Inc., a Community Corrections Center. The center is a 30-bed residential program serving male, non-violent offenders over the age of 18. The Center is currently contracted with the Allegheny County Department of Justice. Its goal is to assist offenders in reintegration into the community prior to release. The facility utilizes a 24-hour monitoring system that provides offenders the opportunities of work and responsibility.
Gulfstream Goodwill Industries Inc.	This agency manages two major programs for Ex-offenders. The Serious & Violent Offenders Re-entry Incentive (SVORI) stems from a partnership created in 2004 between the Department of Corrections, state and local agencies and community faith-based organizations. It targets inmates between the ages of 18 and 35 who will be released and living in Palm Beach County. The Weed & Seed Re-entry Program, began in May of 2006 is a collaboration between Gulfstream Goodwill and the three local Weed & Seed programs of Palm Beach County (Delray, West Palm Beach and Riviera Beach). It targets non-violent offenders returning to the above communities and assists them in becoming productive citizens, reducing the chances of re-offending.
Goodwill of Middle TN	The agency runs the Community Corrections Employability Skills program that helps ex-offenders transition back into the workplace. Participants are referred from Muskegon County probation/parole officers. Following a comprehensive assessment, participants attend employability skills-building classes and are assisted with job search activities. Once employment is secured, Goodwill follows up with both the program participant and the employer at 30, 60, and 90-day intervals to support job retention. The State of Michigan Department of Corrections, Office of Community Corrections, and the County of Muskegon fund the program.
Goodwill Industries of Greater Cleveland, Inc.	The agency has a Post-Release Service Center that offers individualized services to help clients overcome personal barriers to employment, including assistance with substance abuse, anger management, financial management, job seeking, clothing, housing, and food.
Goodwill Industries of the Columbia Willamette	The agency provides direct placement services and Job Seeking Skills (JSS) training to women upon their release from the Coffee Creek Women's Correctional Institution in Oregon.
Goodwill Industries of Dallas Inc.	The agency has a program for adjudicated youth through the Dallas County Juvenile Department.

Researchers have developed a set of statistical tools to facilitate systematic reviews of the evidence. The set of procedures is called "meta-analysis," and we employ that methodology in this study.[5] In the Technical Appendix to this report (beginning on page 9) we list the specific coding rules and statistical formulas we use to conduct the analysis—technical readers can find a full description of our methods and detailed results.

Findings

The findings from our systematic review of the adult corrections evaluation literature are summarized on Exhibit 1.[6] We show the expected percentage change in recidivism rates for many types of evaluated adult corrections programs. A zero percent change means that, based on our review, a program does not achieve a statistically significant change in recidivism rates compared with treatment as usual.

We found a number of adult corrections programs that have a demonstrated ability to achieve reductions in recidivism rates. We also found other approaches that do not reduce recidivism. Thus, the first basic lesson from our evidence-based review is that some adult corrections programs work and some do not. A direct implication from these mixed findings is that a corrections policy that reduces recidivism will be one that focuses resources on effective evidence-based programming and avoids ineffective approaches.

As an example of the information on Exhibit 1, we analyzed the findings.

Exhibit 1

Adult Corrections: What Works?

Estimated Percentage Change in Recidivism Rates
(and the number of studies on which the estimate is based)

Example of how to read the table: an analysis of 56 adult drug court evaluations indicates that drug courts achieve, on average, a statistically significant 10.7 percent reduction in the recidivism rates of program participants compared with a treatment-as-usual group.

Programs for Drug-Involved Offenders		
Adult drug courts	-10.7%	(56)
In-prison "therapeutic communities" with community aftercare	-6.9%	(6)
In-prison "therapeutic communities" without community aftercare	-5.3%	(7)
Cognitive-behavioral drug treatment in prison	-6.8%	(8)
Drug treatment in the community	-12.4%	(5)
Drug treatment in jail	-6.0%	(9)
Programs for Offenders With Co-Occurring Disorders		
Jail diversion (pre- and post-booking programs)	0.0%	(11)
Programs for the General Offender Population		
General and specific cognitive-behavioral treatment programs	-8.2%	(25)
Programs for Domestic Violence Offenders		
Education/cognitive-behavioral treatment	0.0%	(9)
Programs for Sex Offenders		
Psychotherapy for sex offenders	0.0%	(3)
Cognitive-behavioral treatment in prison	-14.9%	(5)
Cognitive-behavioral treatment in the community	-31.2%	(6)
Behavioral therapy for sex offenders	0.0%	(2)
Intermediate Sanctions		
Intensive supervision: surveillance-oriented programs	0.0%	(24)
Intensive supervision: treatment-oriented programs	-21.9%	(10)
Adult boot camps	0.0%	(22)
Electronic monitoring	0.0%	(12)
Restorative justice programs for lower-risk adult offenders	0.0%	(6)
Work and Education Programs for the General Offender Population		
Correctional industries programs in prison	-7.8%	(4)
Basic adult education programs in prison	-5.1%	(7)
Employment training and job assistance in the community	-4.8%	(16)
Vocational education in prison	-12.6%	(3)
Program Areas in Need of Additional Research & Development		
(The following types of programs require additional research before it can be concluded that they do or do not reduce adult recidivism rates)		
Case management in the community for drug offenders	0.0%	(12)
"Therapeutic community" programs for mentally ill offenders	-27.4%	(2)
Faith-based programs	0.0%	(5)
Domestic violence courts	0.0%	(2)
Intensive supervision of sex offenders in the community	0.0%	(4)
Mixed treatment of sex offenders in the community	0.0%	(2)
Medical treatment of sex offenders	0.0%	(1)
COSA (Faith-based supervision of sex offenders)	-31.6%	(1)
Regular parole supervision vs. no parole supervision	0.0%	(1)
Day fines (compared to standard probation)	0.0%	(1)
Work release programs	-5.6%	(4)

[5] We follow the meta-analytic methods described in: M. W. Lipsey and D. Wilson (2001). *Practical meta-analysis.* Thousand Oaks: Sage Publications.
[6] Technical meta-analytical results are presented in Exhibit 2.

The Functional Family Therapy (FFT) program follows a specific training manual and approach. These types of programs are more capable of being reproduced in the field when appropriate quality control is assured. Several of these programs have been listed as "Blueprint" programs by the Center for the Study and Prevention of Violence at the University of Colorado.[19]

The FFT program, which has been implemented in Washington, involves an FFT-trained therapist working for about three months with a youth in the juvenile justice system and his or her family. The goal is to increase the likelihood that the youth will stay out of future trouble. We located and meta-analyzed seven rigorous evaluations of this program—one conducted in Washington—and find that the average FFT program with quality control can be expected to reduce a juvenile's recidivism rates by 15.9 percent. Our analysis indicates that, without the program, a youth has a 70 percent chance of recidivating for another felony or misdemeanor conviction after a 13-year follow-up. If the youth participates in FFT, then we would expect the recidivism rate to drop to 59 percent—a 15.9 percent reduction.

A third example is a prevention program called Nurse Family Partnership (NFP), a program that has also been implemented in Washington. This program provides intensive visitation by nurses to low-income, at-risk women bearing their first child; the nurses continue to visit the home for two years after birth. Thus far, there is evidence that NFP reduces the crime outcomes of the mothers and, many years later, the children born to the mothers. Both of these effects are included in our analysis of the program. Our analysis of the NFP studies indicates that the program has a large effect on the future criminality of the mothers who participate in the program, reducing crime outcomes by 56 percent. NFP also reduces the future crime levels of the youth by 16 percent compared to similar youth who did not participate in the NFP program.

What Are the Benefits and Costs of Each Option?

While our first research question deals with what works, our second question concerns economics. Exhibit 4 also contains our estimates of the benefits and costs of many of the program categories we analyze. Within three broad groupings—programs for adult offenders, programs for juvenile offenders, and prevention programs—we rank many of the options by our assessment of each program's "bottom line" economics for reducing crime.

Prisons, Police, and Programs

Broadly speaking, there are three types of public policies that focus directly on reducing crime: the level of imprisonment of different types of offenders, the level and type of policing, and a wide array of rehabilitative and preventive programs. There are, of course, many private factors that influence crime rates, but most well-researched public policies can be grouped into one of these three categories.

For this study of "what works" to reduce crime, we analyze two of these three types of public policies: prison and programs. We do not include research on evidence-based policing strategies, since it is beyond the scope of the project directed by the 2005 Washington Legislature. We do recommend that evidence-based policing strategies be included in a subsequent version of this study.

Exhibit 4 in this document lists our findings to date for evidence-based rehabilitative and prevention programs. In this study, we also estimate the effect that prison incarceration rates have on crime rates and criminal justice system costs. These estimates are needed to forecast the long-run effect that different combinations of incarceration rates and effective programs can have on the future need for prison construction, criminal justice system costs, and crime rates.

To gauge the effect prison has on crime rates, we updated our econometric study on how state incarceration rates affect county crime rates in Washington.[a] We estimated a fixed-effects model with county-level panel data from 1982 to 2004 (N=897, 39 counties for 23 years), controlling for changes in police levels, local jail rates, the economy, age and ethnic demographics, population density, crime reporting rates, and county fixed effects. We found that a 10 percent increase (or decrease) in the incarceration rate leads to a statistically significant 3.3 percent decrease (or increase) in crime rates. The crime-prison relationship is best estimated with a log-log functional form implying diminishing returns as the incarceration rate is increased. Our estimated elasticity is consistent with other well-researched studies.[b]

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[a] Steve Aos. (2003). *The Criminal Justice System in Washington State: Incarceration Rates, Taxpayer Costs, Crime Rates, and Prison Economics.* Olympia: Washington State Institute for Public Policy. Our estimate includes an approximate adjustment to correct for the simultaneity bias encountered in estimates of the effect of incarceration on crime.

[b] William Spelman, (2002). What Recent Studies Do (and Don't) Tell Us about Imprisonment and Crime, in *Crime and Justice: A Review of Research*, Volume 27, ed. Michael Tonry, Chicago: University of Chicago Press, p. 422.

Exhibit 4

Reducing Crime With Evidence-Based Options: What Works, and Benefits & Costs

Washington State Institute for Public Policy Estimates as of October, 2006 Notes: "n.e" [illegible] Prevention program costs are partial [illegible]	Effect on Crime Outcomes [illegible]	Benefits and Costs (Per Participant, Net Present Value, 2006 Dollars) Benefits to Crime Victims [illegible]	Benefits to Taxpayers [illegible]	Costs [illegible]	Benefits (total) Minus Costs [illegible]
Programs for People in the Adult Offender System					
Vocational education in prison	-9.0% (4)	$8,114	$6,806	$1,182	$13,738
Intensive supervision: treatment-oriented programs	-16.7% (11)	$9,318	$9,369	$7,124	$11,563
General education in prison (basic education or post-secondary)	-7.0% (17)	$6,325	$5,306	$962	$10,669
Cognitive-behavioral therapy in prison or community	-6.3% (25)	$5,658	$4,746	$105	$10,299
Drug treatment in community	-9.3% (6)	$5,133	$5,495	$574	$10,054
Correctional industries in prison	-5.9% (4)	$5,360	$4,496	$417	$9,439
Drug treatment in prison (therapeutic communities or outpatient)	-5.7% (20)	$5,133	$4,306	$1,604	$7,835
Adult drug courts	-8.0% (57)	$4,395	$4,705	$4,333	$4,767
Employment and job training in the community	-4.3% (16)	$2,373	$2,386	$400	$4,359
Electronic monitoring to offset jail time	0% (9)	$0	$0	-$870	$870
Sex offender treatment in prison with aftercare	-7.0% (6)	$6,442	$2,885	$12,585	-$3,258
Intensive supervision: surveillance-oriented programs	0% (23)	$0	$0	$3,747	-$3,747
Washington's Dangerously Mentally Ill Offender program	-20.0% (1)	$18,020	$15,116	n/e	n/e
Drug treatment in jail	-4.5% (9)	$2,481	$2,656	n/e	n/e
Adult boot camps	0% (22)	$0	$0	n/e	n/e
Domestic violence education/cognitive-behavioral treatment	0% (9)	$0	$0	n/e	n/e
Jail diversion for mentally ill offenders	0% (11)	$0	$0	n/e	n/e
Life Skills education programs for adults	0% (4)	$0	$0	n/e	n/e
Programs for Youth in the Juvenile Offender System					
Multidimensional Treatment Foster Care (v. regular group care)	-22.0% (3)	$51,828	$32,915	$6,945	$77,798
Adolescent Diversion Project (for lower risk offenders)	-19.9% (6)	$24,328	$18,208	$1,913	$40,623
Family Integrated Transitions	-13.0% (1)	$30,708	$19,502	$9,665	$40,545
Functional Family Therapy on probation	-15.9% (7)	$19,529	$14,617	$2,325	$31,821
Multisystemic Therapy	-10.5% (10)	$12,855	$9,622	$4,264	$18,213
Aggression Replacement Training	-7.3% (4)	$8,897	$6,659	$897	$14,660
Teen courts	-11.1% (5)	$5,907	$4,238	$936	$9,208
Juvenile boot camp to offset institution time	0% (14)	$0	$0	-$8,077	$8,077
Juvenile sex offender treatment	-10.2% (5)	$32,515	$8,377	$33,064	$7,829
Restorative justice for low-risk offenders	-8.7% (21)	$4,628	$3,320	$880	$7,067
Interagency coordination programs	-2.5% (15)	$3,084	$2,308	$205	$5,186
Juvenile drug courts	-3.5% (15)	$4,232	$3,167	$2,777	$4,622
Regular surveillance-oriented parole (v. no parole supervision)	0% (2)	$0	$0	$1,201	-$1,201
Juvenile intensive probation supervision programs	0% (3)	$0	$0	$1,598	-$1,598
Juvenile wilderness challenge	0% (9)	$0	$0	$3,085	-$3,085
Juvenile intensive parole supervision	0% (10)	$0	$0	$6,460	-$6,460
Scared Straight	+6.8% (10)	-$8,355	-$6,253	$58	-$14,667
Counseling/psychotherapy for juvenile offenders	-18.9% (6)	$23,126	$17,309	n/e	n/e
Juvenile education programs	-17.5% (3)	$41,181	$26,153	n/e	n/e
Other family-based therapy programs	-12.2% (12)	$15,006	$11,231	n/e	n/e
Team Child	-10.9% (2)	$5,759	$4,131	n/e	n/e
Juvenile behavior modification	-8.2% (4)	$19,271	$12,238	n/e	n/e
Life skills education programs for juvenile offenders	-2.7% (3)	$6,441	$4,091	n/e	n/e
Diversion progs. with services (v. regular juvenile court)	-2.7% (20)	$1,441	$1,034	n/e	n/e
Juvenile cognitive-behavioral treatment	-2.5% (8)	$3,123	$2,337	n/e	n/e
Court supervision vs. simple release without services	0% (8)	$0	$0	n/e	n/e
Diversion programs with services (v. simple release)	0% (7)	$0	$0	n/e	n/e
Juvenile intensive probation (as alternative to incarceration)	0% (5)	$0	$0	n/e	n/e
Guided Group Interaction	0% (4)	$0	$0	n/e	n/e
Prevention Programs (crime reduction effects only)					
Nurse Family Partnership-Mothers	-56.2% (1)	$11,531	$8,161	$5,409	$14,283
Nurse Family Partnership-Children	-16.4% (1)	$8,632	$4,922	$733	$12,822
Pre-K education for low income 3 & 4 year olds	-14.2% (8)	$8,145	$4,644	$593	$12,196
Seattle Social Development Project	-18.6% (1)	$1,605	$4,341	n/e	n/e
High school graduation	-10.4% (1)	$1,738	$2,851	n/e	n/e
Guiding Good Choices	-9.1% (1)	$570	$2,092	n/e	n/e
Parent-Child Interaction Therapy	-3.7% (1)	$268	$784	n/e	n/e
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House Judiciary Committee
Subcommittee on Crime, Terrorism and Homeland Security
Hearing on the Second Chance Act of 2007
March 20, 2007

Written Testimony of ARAMARK

ARAMARK is pleased to submit written testimony in support of the Second Chance Act of 2007. ARAMARK is committed to the communities in which we live and work by connecting our diverse expertise, resources, and time to help families in need.

ARAMARK is an $11.6 billion world leader in professional services, headquartered in the United States, and is the 19th largest employer on the FORTUNE 500. We provide award-winning food services, facilities management, and uniforms for hospitals, universities, schools, stadiums, and businesses, as well as more than 600 correctional facilities in North America through our business unit, ARAMARK Correctional Services (ACS).

ACS is the oldest and largest provider of managed service solutions in correctional, public safety, and community service institutions. ACS prepares 394,000,000 meals annually and offers state, county, and city correctional facilities a single source provider for food service management, commissary services, laundry management, facilities management, and community-based Meals on Wheels programs. ACS currently provides food services for state Department of Corrections facilities in Florida, Indiana, Kansas, Kentucky, New Mexico, as well as parts of Alabama, Illinois, Nebraska, Texas, and West Virginia.

Inmate to Workmate Program

We understand that the sooner an inmate is able to secure employment upon release, the chances for their recidivism considerably decrease. Given dwindling program funding, however, correctional facilities are finding it financially difficult to provide offenders with life skills and vocational training.

Capitalizing on the fact that ARAMARK typically manages inmate kitchen employees in the institutions we serve, coupled with our desire to contribute to the local communities in which we operate, in 1999 ACS developed a unique inmate culinary training program called Inmate to Workmate™. Inmate-to Workmate provides inmate workers with the skills and support that can lead to a more successful transition when they re-enter the community. The 90-day training program offers vocational training, as well as classroom instruction, in food handling, food preparation, personal hygiene, menu planning, putting together recipes, meal presentation, serving the meal, and customer service. The program is taught by ARAMARK employees working at the correctional facility and by guest chefs who are employed at other accounts operated by ARAMARK. All participants must be non-violent offenders. The classes can accommodate between 70 and 100 inmates, and the teacher-student ratio is kept small (1 to a maximum of 14). Even though the inmates are taught cutting techniques, there is a high-security applied to the handling of knives and other tools that could be used as weapons such as tethering and shadow boards.

At the close of the training period, participants must take a test, sanctioned by the National Restaurant Association (NRA), certifying satisfactory completion of its nationally recognized ServeSafe program. Upon graduation from the program, successful inmate participants receive NRA certification and are eligible to apply for back-of-the-house positions at restaurants when they leave prison. Companies that hire them are eligible to receive Work Opportunity Tax Credits. There are many state tax credits for hiring former inmates as well.

The Inmate to Workmate program is currently operating at 33 correctional facilities where the food service is managed by ARAMARK Correctional Services. It has received national attention (Nations Restaurant News, Corrections Forum Magazine) and is touted by law enforcement officers as positively affecting recidivism rates.

Inmate to Workmate puts into action the Second Chance Act's goal of improving public safety by providing inmates the opportunity to learn a job skill while incarcerated. Giving an inmate the knowledge that they have a skill that will sustain them and provide for their families when they are released contributes positively to the inmate's disposition while incarcerated. The program gives inmates a new attitude, and they carry that enthusiasm from the kitchen back to the housing units, to the other inmates, and into the outside world when they are released. The program provides benefits to inmates, the correctional facility, and the local community by increasing the number of trained workers with industry-recognized certification, lowering recidivism rates, and improving inmate morale.

The Inmate to Workmate program could qualify as an educational method for inmates in alignment with Section 116 of the Second Chance Act: Grant Program to Evaluate Educational Methods at Prisons, Jails, and Juvenile Facilities.

ARAMARK also employs some of the individuals who have graduated from the Inmate to Workmate program. While they cannot work within our Correctional Services business unit, we hire them to work within other business units, such as Business & Industry and Sports & Entertainment. For example, in Illinois, ARAMARK has hired more than 35 former inmates, and in Texas, ARAMARK hires approximately 200 former inmates per year.

Section 236 of the Second Chance Act, Encouragement of Employment of Former Prisoners (Section 4367), would require the Attorney General, in consultation with the Secretary of Labor, to implement programs to increase the hiring of prisoners. ARAMARK is a National Business Partner with the U.S. Department of Labor and is integrally involved with workforce initiatives across the country. We could support this section by helping to ensure inmates are ready to work through the Inmate to Workmate program and by hiring some of them, as well as by helping to educate other employers about the benefits of hiring former prisoners.

We applaud you for introducing the Second Chance Act of 2007. We support your efforts and are happy to help in any way we can. We would be pleased to provide you with further information or to take you on a tour of one of our corrections facilities utilizing the Inmate to Workmate program.

March 15, 2007

Dear Representatives,

On behalf of a number of denominations and faith-based organizations, we urge you to co-sponsor the bipartisan *Second Chance Act of 2007* and seek its passage early this year.

The *Second Chance Act* is a direct response to President Bush's call for action when he said, "(w)e know from long experience that if they can't find work, or a home, or help, they are much more likely to commit crime and return to prison....America is the land of second chance, and when the gates of the prison open, the path ahead should lead to a better life." This important legislation is an important first step in addressing many issues facing more than 600,000 men and women who re-enter society each year from federal and state prisons, as well as the thousands more who re-enter from local jails everyday. We believe that our treatment of the least fortunate in this world is a critical part of our faith.

Unfortunately, our returning inmates are most decidedly the least fortunate in our society. Too few of those who return to our communities from prison or jail are prepared for their release or receive any supportive services beyond a bus ticket and a few days' spending money. One-third of all corrections departments provide no services whatsoever to prisoners upon release. In addition, many of those leaving jail and prison suffer from chronic health problems, have no housing, little education or job training, and generally lack the supportive services needed for a successful re-entry. As a result, sixty-seven percent of persons released from state prisons were arrested for new crimes within the first three years after release, according to a 2002 study by the Justice Department.

We believe the *Second Chance Act of 2007* is a significant first step toward creating a more just criminal justice system and safer communities. This legislation will help to reduce recidivism rates, establish safer communities, and build stronger families by:

- Providing resources that can be used by states, local governments and non-profit organizations to provide support services such as job counseling, housing assistance, substance abuse treatment/mental health services to persons re-entering society from prisons and jails,
- Providing support to non-profit organizations for mentoring adult offenders or providing transitional services for re-integration into the community,
- Creating a federal interagency taskforce to identify programs and resources on re-entry, and finding ways to better collaborate; develop interagency initiatives and a national re-entry research agenda; review and report to Congress on the federal barriers that exist to successful re-entry with recommendations,
- Establishing a national resource center for states, local governments, service providers, faith-based organizations, and corrections and community

organizations to collect and disseminate best practices and provide training and support around re-entry,

- Providing resources to states and local governments that may be used to expand family-based treatment centers that offer services for parents and their children as a complete family unit, and
- Providing support to states and local governments to develop or adopt procedures to ensure that dangerous felons are not released from prison prematurely.

We urge you to become a cosponsor of the Second Chance Act and fully support moving forward this important widely-supported legislation to enactment early in 2007.

Sincerely,

Gary L. Bauer
President
American Values

Phil Jones
Director
Brethren Witness/Washington Office

Charles Sullivan
Executive Director
International Citizens United for Rehabilitation of Errants (CURE)

Joseph K. Grieboski
President
Institute on Religion and Public Policy

Pat Nolan
President
Justice Fellowship

Sr. Gayle Lwanga
National Coordinator
National Advocacy Center of the Sisters of the Good Shepherd

National Alliance of Faith and Justice

Richard Cizik
Vice President for Governmental Affairs
National Association of Evangelicals

Elenora Giddings Ivory
Director
Presbyterian Church (USA), Washington Office