

Calendar No. 108

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

To reauthorize the Second Chance Act of 2007.

IN THE SENATE OF THE UNITED STATES

JUNE 20 (legislative day, JUNE 16), 2011

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

JULY 21, 2011

Reported by Mr. LEAHY, with an amendment

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

A BILL

To reauthorize the Second Chance Act of 2007.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Second Chance Reau-
5 thorization Act of 2011”.

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

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

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

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

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

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

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

21 “(e) PLANNING GRANTS.—

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

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

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

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

8 “(C) the activities proposed;

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

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

14 “(2) APPLICATION.—

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

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

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

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

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

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

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

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

1 “(f) IMPLEMENTATION GRANTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 “(B) include—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (4) in subsection (h)—

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

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

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

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

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

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

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

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

7 (6) in subsection (j)—

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

11 (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (8) in subsection (l)—

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

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

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

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

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

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

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

20 and

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

22 and

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

24 “(p) DEFINITIONS.—In this section—

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

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

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

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

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

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

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

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

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

25 “~~In this part:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 **“SEC. 2902. GRANT AUTHORITY.**

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

7 “(b) ALLOWABLE USES.—

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

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

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

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

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

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

10 “(c) APPLICATIONS.—

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

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

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

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

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

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

6 “(D) certify that—

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

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

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

18 **“SEC. 2903. FEDERAL SHARE.**

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

22 “(b) **IN-KIND CONTRIBUTIONS.**—

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

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

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

9 **“SEC. 2904. GEOGRAPHIC DISTRIBUTION.**

10 “The Attorney General shall ensure that, to the ex-
11 tent practicable, the distribution of grants under this part
12 is equitable and includes States, local governments, terri-
13 tories, Indian tribes, or nonprofit agencies—

14 “(1) in each State; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (A) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (b) **FEDERAL PRISONER REENTRY INITIATIVE.**—
6 Section 231 of the Second Chance Act of 2007 (42 U.S.C.
7 17541) is amended—

8 (1) in subsection (g)—

9 (A) in paragraph (3), by striking “carried
10 out during fiscal years 2009 and 2010” and in-
11 sserting “carried out during fiscal years 2012
12 through 2016”; and

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

15 (2) by striking subsection (h);

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

18 (4) in subsection (h), as so redesignated, by
19 striking “2009 and 2010” and inserting “2012
20 through 2016”.

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

24 (1) in paragraph (5), in the second sentence, by
25 inserting “, and number of prisoners not being place

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 **SECTION 1. SHORT TITLE.**

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

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

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

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

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

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

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

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

22 “(e) *PLANNING GRANTS.—*

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

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

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

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

8 *“(C) the activities proposed;*

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

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

14 *“(2) APPLICATION.—*

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

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

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

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

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

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

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

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

1 “(f) *IMPLEMENTATION GRANTS.*—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 *“(B) include—*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (4) *in subsection (h)—*

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

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

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

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

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

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

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

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

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

1 (6) in subsection (j)—

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

5 (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (8) in subsection (l)—

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

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

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

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

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

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

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

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

12 and

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

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

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

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

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

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

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

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

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

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

13 **“SEC. 2901. DEFINITIONS.**

14 *“In this part:*

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

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

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

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

25 “(ii) an offense involving rape;

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

2 “(iv) a drug offense involving a deadly

3 weapon.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 *“(i) housing assistance;*

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

10 **“SEC. 2902. GRANT AUTHORITY.**

11 “(a) *IN GENERAL.*—*The Attorney General may make*

12 *grants to States, local governments, territories, Indian*

13 *tribes, nonprofit agencies, or any combination thereof, to*

14 *develop, implement, or expand programs that provide alter-*

15 *natives to incarceration, in accordance with this part.*

16 “(b) *ALLOWABLE USES.*—

17 “(1) *IN GENERAL.*—*A grant under this part may*

18 *be used for the expenses of a law enforcement or pros-*

19 *ecution drug treatment alternatives to prison or jail*

20 *program, a problem-solving court, including a reentry*

21 *court, or a probation with enforcement program in-*

22 *cluding for—*

23 “(A) *salaries, personnel costs, equipment*

24 *costs, and other costs directly related to the oper-*

25 *ation or evaluation of the program;*

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

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

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

20 “(c) APPLICATIONS.—

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

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

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

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

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

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

16 “(D) *certify that—*

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

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

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

4 **“SEC. 2903. FEDERAL SHARE.**

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

8 “(b) *IN-KIND CONTRIBUTIONS.*—

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

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

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

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

25 “(1) in each State; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (A) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (f) *NONPROFIT ORGANIZATION REQUIREMENTS.*—

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

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

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

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

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

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

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

4 (1) *in subsection (g)—*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 *and*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 “(ii) *the number of volunteers that pro-*
12 *vided recidivism reduction programming;*
13 *and*

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

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

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

22 **SEC. 5. GAO STUDY AND REPORT.**

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

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

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

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

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

14 (2) recommendations on—

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

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

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S. 1231

A BILL

To reauthorize the Second Chance Act of 2007.

JULY 21, 2011

Reported with an amendment