

112TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To reauthorize the Second Chance Act of 2007.

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IN THE SENATE OF THE UNITED STATES

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

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## 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  
9 PROJECTS.—Section 2976 of title I of the Omnibus Crime  
10 Control and Safe Streets Act of 1968 (42 U.S.C. 3797w)  
11 is amended—

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

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

11           (2) by striking subsections (d), (e), and (f) and  
12 inserting the following:

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

18           “(e) PLANNING GRANTS.—

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

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

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

5           “(C) the activities proposed;

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

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

11          “(2) APPLICATION.—

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

18                   “(i) enable the grantee to target the  
19                   intended offender population; and

20                   “(ii) serve as a baseline for purposes  
21                   of the evaluation.

22          “(B) PROCEDURE.—The Attorney General  
23          shall develop a procedure to evaluate the quali-  
24          fications of a local evaluator described in sub-  
25          paragraph (A).

1           “(3) MAXIMUM TOTAL GRANTS AND MINIMUM  
2 ALLOCATION.—

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

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

18           “(4) PERIOD OF GRANT.—A planning grant  
19 made under this subsection shall be for a period of  
20 1 year, beginning on the first day of the month in  
21 which the planning grant is made.

22           “(f) IMPLEMENTATION GRANTS.—

23           “(1) APPLICATIONS.—An eligible entity desiring  
24 an implementation grant under this subsection shall

1 submit to the Attorney General an application  
2 that—

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

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

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

21 “(D) describes how the project could be  
22 broadly replicated if demonstrated to be effec-  
23 tive.

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  
5                   executive officer of the State, unit of local gov-  
6                   ernment, territory, or Indian tribe applying for  
7                   a grant under this subsection;

8                   “(B) provides extensive discussion of the  
9                   role of State corrections departments, commu-  
10                  nity corrections agencies, juvenile justice sys-  
11                  tems, or local jail systems in ensuring success-  
12                  ful reentry 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  
17                  employment services, and with local law en-  
18                  forcement 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, ter-  
24                  ritorial, 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 Attor-  
12 ney 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 pris-  
25 ons, 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 transition housing, and community release;

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

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

1           ices, or any other service or support need-  
2           ed for reentry;

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

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

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

21          “(G) target offenders with histories of  
22          homelessness, substance abuse, or mental ill-  
23          ness, including a prerelease assessment of the  
24          housing status of the offender and behavioral  
25          health needs of the offender with clear coordi-

1 nation with mental health, substance abuse, or  
2 homelessness services systems to achieve stable  
3 and permanent housing outcomes with appro-  
4 priate support service.

5 “(4) AMOUNT.—The amount of a grant made  
6 under this subsection may not be more than  
7 \$925,000.

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

11 “(A) beginning on the date on which the  
12 planning grant awarded under subsection (e)  
13 concludes; or

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

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

21 (4) in subsection (h)—

22 (A) by redesignating paragraphs (2) and  
23 (3) as paragraphs (3) and (4), respectively; and

24 (B) by striking paragraph (1) and insert-  
25 ing the following:

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

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

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

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

18           “(2) LOCAL EVALUATOR.—A partnership with a  
19 local evaluator described in subsection (e)(2) shall  
20 require the local evaluator to use the baseline data  
21 and target population characteristics developed  
22 under a subsection (e) planning grant to derive a  
23 feasible and meaningful target goal for recidivism re-  
24 duction during the 3-year period beginning on the  
25 date of implementation of the program.”;

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

3 (6) in subsection (j)—

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

7 (B) in paragraph (2)—

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

10 (ii) by striking subparagraphs (F),  
11 (G), and (H), and inserting the following:

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

14 “(G) increased number of staff trained to  
15 administer reentry services;

16 “(H) increased proportion of individuals  
17 served by the program among those eligible to  
18 receive services;

19 “(I) increased number of individuals re-  
20 ceiving risk screening needs assessment, and  
21 case planning services;

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

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

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

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

9           “(N) reduction in drug and alcohol use;  
10 and

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

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

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

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

23           (8) in subsection (l)—

24           (A) in paragraph (2), by inserting “begin-  
25 ning on the date on which the most recent im-

1           plementation grant is made to the grantee  
2           under subsection (f)” after “2-year period”;  
3           and

4                   (B) in paragraph (4), by striking “over a  
5           2-year period” and inserting “during the 2-year  
6           period described in paragraph (2)”;

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

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

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

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

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

14           and

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

16           and

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

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

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

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

24                   “(B) has served a term of imprisonment  
25           for not less than 6 months in a Federal or

1 State prison or correctional facility as a result  
2 of the conviction described in subparagraph (A);  
3 and

4 “(C) has been determined to be factually  
5 innocent of the offense described in subpara-  
6 graph (A); and

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

8 (b) COST-EFFECTIVE ALTERNATIVES TO INCARCER-  
9 ATION PROGRAM.—

10 (1) AUTHORIZATION.—Title I of the Omnibus  
11 Crime Control and Safe Streets Act of 1968 (42  
12 U.S.C. 3711 et seq.) is amended by striking part CC  
13 (42 U.S.C. 3797q et seq.) and inserting the fol-  
14 lowing:

15 **“PART CC—COST EFFECTIVE ALTERNATIVES TO**  
16 **INCARCERATION PROGRAM**

17 **“SEC. 2901. DEFINITIONS.**

18 “In this part:

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

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

24 “(B) does not have 1 or more prior convic-  
25 tions for a felony crime of violence involving the

1 use or attempted use of force against a person  
2 with the intent to cause death or serious bodily  
3 harm.

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 At-  
11 torney General;

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

18 “(C) notifies eligible offenders of the rules  
19 of the probation demonstration program, and  
20 consequences 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 restitu-  
3 tion;

4 “(F) responds to violations of the other  
5 rules and probation terms with immediate ar-  
6 rest of the violating eligible offender, and swift  
7 and certain modification of the conditions of  
8 probation, including imposition of short jail  
9 stays (which may gradually become longer with  
10 each additional violation and modification);

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

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

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

21 “(J) establishes procedures to terminate  
22 program participation by, and initiate revoca-  
23 tion to a term of incarceration for, eligible of-  
24 fenders who habitually fail to abide by program  
25 rules and pose a threat to public safety.

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

6                   “(A) is administered by a prosecutor or  
7                   law enforcement officer of a State, Indian tribe,  
8                   or 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  
15                  other health services;

16                  “(C) requires an eligible offender to receive  
17                  the consent of the prosecutor or law enforce-  
18                  ment officer involved to participate in the pro-  
19                  gram;

20                  “(D) in the case of an eligible offender  
21                  who is sentenced to participate in the program,  
22                  requires the offender to serve a sentence of im-  
23                  prisonment with respect to the crime involved if  
24                  the prosecutor or law enforcement officer, in  
25                  conjunction with the treatment provider, deter-

1 mines that the eligible offender has not success-  
2 fully completed the relevant substance abuse  
3 treatment program described in subparagraph  
4 (B);

5 “(E) provides for the dismissal of the  
6 criminal charges that lead to the participation  
7 of an eligible offender in the program if the eli-  
8 gible offender is determined to have successfully  
9 completed the program;

10 “(F) requires each substance abuse pro-  
11 vider treating an eligible offender under the  
12 program to—

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

19 “(ii) notify the prosecutor or law en-  
20 forcement officer involved and the appro-  
21 priate court if the eligible offender ab-  
22 sconds from the facility of the treatment  
23 provider or otherwise violates the terms  
24 and conditions of the program, consistent

1 with Federal and State confidentiality re-  
2 quirements; and

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

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

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

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

18 “(A) monitors juvenile and adult eligible  
19 offenders reentering the community;

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

24 “(i) drug and alcohol testing and as-  
25 sessment for treatment;

1                   “(ii) assessment for substance abuse  
2                   from a substance abuse professional who is  
3                   approved by the State or Indian tribe and  
4                   licensed by the appropriate entity to pro-  
5                   vide alcohol and drug addiction treatment,  
6                   as appropriate;

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

11                  “(iv) health (including mental health)  
12                  services and assessment;

13                  “(v) aftercare and case management  
14                  services that—

15                         “(I) facilitate access to clinical  
16                         care and related health services; and

17                         “(II) coordinate with such clin-  
18                         ical care and related health services;  
19                         and

20                         “(vi) any other services needed for re-  
21                         entry;

22                         “(C) convenes community impact panels,  
23                         victim impact panels, or victim impact edu-  
24                         cational classes;

1           “(D) provides and coordinates the delivery  
2 of community services to juvenile and adult eli-  
3 gible offenders, including—

4                   “(i) housing assistance;

5                   “(ii) education;

6                   “(iii) job training;

7                   “(iv) conflict resolution skills training;

8                   “(v) batterer intervention programs;

9                   and

10                   “(vi) other appropriate social services;

11                   and

12           “(E) establishes and implements graduated  
13 sanctions and incentives.

14 **“SEC. 2902. GRANT AUTHORITY.**

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

20           “(b) ALLOWABLE USES.—

21                   “(1) IN GENERAL.—A grant under this part  
22 may be used for the expenses of a law enforcement  
23 or prosecution drug treatment alternatives to prison  
24 program, a problem-solving court, including a re-

1 entry court, or a probation with enforcement pro-  
2 gram including for—

3 “(A) salaries, personnel costs, equipment  
4 costs, and other costs directly related to the op-  
5 eration or evaluation of the program;

6 “(B) payments for providers that are ap-  
7 proved by the State or Indian tribe and li-  
8 censed, if necessary, to provide needed treat-  
9 ment or education to eligible offenders partici-  
10 pating in the program, including aftercare su-  
11 pervision, mental health services, substance  
12 abuse services, vocational training, education,  
13 and job placement; and

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

20 “(2) SUPPLEMENT AND NOT SUPPLANT.—  
21 Grants made under this part shall be used to supple-  
22 ment, and not supplant, non-Federal funds that  
23 would otherwise be available for programs described  
24 in this part.

25 “(c) APPLICATIONS.—

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

7           “(2) APPLICATION CONTENTS.—An application  
8           submitted under paragraph (1) shall—

9                   “(A) describe the program to be assisted  
10                  under this part and the need for the program  
11                  to serve eligible offenders;

12                   “(B) describe a long-term strategy and de-  
13                  tailed implementation plan for the program, in-  
14                  cluding how the applicant plans to pay for the  
15                  program after the Federal funding is discon-  
16                  tinued;

17                   “(C) identify the governmental and com-  
18                  munity agencies the activities of which shall be  
19                  coordinated under the project;

20                   “(D) certify that—

21                           “(i) all agencies affected by the pro-  
22                           gram, including community corrections and  
23                           parole entities, have been appropriately  
24                           consulted in the development of the pro-  
25                           gram; and

1                   “(ii) there will be appropriate coordi-  
2                   nation with all such agencies in the imple-  
3                   mentation of the program; and

4                   “(E) describe the methodology and out-  
5                   come measures that will be used to evaluate the  
6                   program.

7   **“SEC. 2903. FEDERAL SHARE.**

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

11                  “(b) IN-KIND CONTRIBUTIONS.—

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

18                   “(2) MAXIMUM PERCENTAGE.—Not more than  
19                   75 percent of the amount provided by a recipient of  
20                   a grant under this part to meet the matching re-  
21                   quirement under subsection (a) may be provided  
22                   through in-kind contributions under paragraph (1).

23   **“SEC. 2904. GEOGRAPHIC DISTRIBUTION.**

24                   “The Attorney General shall ensure that, to the ex-  
25                   tent practicable, the distribution of grants under this part

1 is equitable and includes States, local governments, terri-  
2 tories, Indian tribes, or nonprofit agencies—

3 “(1) in each State; and

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

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

7 “Each entity receiving a grant under this section  
8 shall submit to the Attorney General, for each fiscal year  
9 in which funds received under the grant are expended, a  
10 report, at such time and in such manner as the Attorney  
11 General may reasonably require, that contains—

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

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

17 “(3) such other information as the Attorney  
18 General may require.

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

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

23 “(1) providing education, training, and tech-  
24 nical assistance for States, Indian tribes, territories,  
25 local governments, service providers, and nonprofit

1 organizations relating to problem-solving courts, law  
2 enforcement drug treatment alternative to prison  
3 programs, and probation with enforcement pro-  
4 grams;

5 “(2) collecting data and best practices from  
6 grantees and other agencies and organizations;

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

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

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

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

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

22 “(1) \$10,000,000 for fiscal year 2012;

23 “(2) \$12,000,000 for fiscal year 2013;

24 “(3) \$14,000,000 for fiscal year 2014;

25 “(4) \$16,000,000 for fiscal year 2015; and

1           “(5) \$20,000,000 for fiscal year 2016.

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

4           “(1) not more than 2 percent may be used by  
5 the Attorney General for salaries and administrative  
6 expenses; and

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

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

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

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

19           (A) in section 1001(a) (42 U.S.C.  
20 3793(a)), by striking paragraph (26); and

21           (B) by striking section 2978 (42 U.S.C.  
22 3797w-2).

23           (3) SAVINGS CLAUSE.—A grant made under  
24 section 2978 or part CC of title I of the Omnibus  
25 Crime Control and Safe Streets Act of 1968 (42

1 U.S.C. 3797w-2 and 3797q et seq.) before the date  
2 of enactment of this Act shall remain in full force  
3 and effect under the terms, and for the duration, of  
4 the grant.

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

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

12 (2) by striking section 2926(a) (42 U.S.C.  
13 3797s-5(a)), and inserting the following:

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

16 “(1) \$8,000,000 for fiscal year 2012; and

17 “(2) \$10,000,000 for each of fiscal years 2013,  
18 2014, 2015, and 2016.”.

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

24 (1) by redesignating part KK (42 U.S.C.  
25 3793ee et seq.) as part LL;

1           (2) by redesignating the second part designated  
2           as part JJ, as added by the Second Chance Act of  
3           2007 (Public Law 110–199; 122 Stat. 677), relating  
4           to grants to evaluate and improve educational meth-  
5           ods, as part KK;

6           (3) by redesignating the second section des-  
7           ignated as section 3001 and section 3002 (42 U.S.C.  
8           3797dd and 3797dd–1), as added by the Second  
9           Chance Act of 2007 (Public Law 110–199; 122  
10          Stat. 677), relating to grants to evaluate and im-  
11          prove educational methods, as sections 3005 and  
12          3006, respectively;

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

14                (A) in subsection (a)—

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

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

19                   and

20                   (iii) by adding at the end the fol-  
21                   lowing:

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

1 (B) by redesignating subsection (c) as sub-  
2 section (d); and

3 (C) by inserting after subsection (b), the  
4 following:

5 “(c) BEST PRACTICES.—Not later than 180 days  
6 after the date of enactment of the Second Chance Reau-  
7 thorization Act of 2011, the Attorney General shall iden-  
8 tify and publish best practices relating to academic and  
9 vocational education for offenders in prisons, jails, and ju-  
10 venile facilities. The best practices shall consider the eval-  
11 uations performed and recommendations made under  
12 grants made under subsection (a) before the date of enact-  
13 ment of the Second Chance Reauthorization Act of 2011”;  
14 and

15 (5) in section 3006, as so redesignated, by  
16 striking “to carry” and all that follows through  
17 “2010” and inserting “for each of fiscal years 2012,  
18 2013, 2014, 2015, and 2016 for grants for purposes  
19 described in section 3005(a)(4)”.

20 (e) TECHNOLOGY CAREERS TRAINING DEMONSTRA-  
21 TION GRANTS.—Section 115 of the Second Chance Act of  
22 2007 (42 U.S.C. 17511) is amended—

23 (1) in subsection (a), by striking “and Indian”  
24 and inserting “nonprofit organizations, and Indian”;  
25 and

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

3           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
4 are authorized to be appropriated to carry out this sec-  
5 tion—

6           “(1) \$7,000,000 for each of fiscal years 2012  
7 and 2013; and

8           “(2) \$10,000,000 for each of fiscal years 2014,  
9 2015, and 2016.”.

10          (f) OFFENDER REENTRY SUBSTANCE ABUSE AND  
11 CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section  
12 201(f)(1) of the Second Chance Act of 2007 (42 U.S.C.  
13 17521(f)(1)) is amended to read as follows:

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

17          (g) MENTORING GRANTS TO NONPROFIT ORGANIZA-  
18 TIONS.—Section 211 of the Second Chance Act of 2007  
19 (42 U.S.C. 17531) is amended—

20           (1) by redesignating subsection (f) as sub-  
21 section (g);

22           (2) by inserting after subsection (e) the fol-  
23 lowing:

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

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

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

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

10           (3) in subsection (g), as redesignated, by strik-  
11 ing “this section” and all that follows and inserting  
12 the 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 GRANTEEES.**

19           (a) DEFINITION.—In this section, the term “unre-  
20 solved 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  
23 that is not closed or resolved during a 1-year period begin-  
24 ning on the date of an initial notification of the finding  
25 or recommendation.

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  
4 not less than 5 percent of all grantees that are awarded  
5 funding 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  
10 Control and Safe Streets Act of 1968 (42 U.S.C.  
11 3797q 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  
16 Control and Safe Streets Act of 1968 (42 U.S.C.  
17 3797dd 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  
22 found to have an unresolved audit finding under an audit  
23 conducted under subsection (b) may not receive grant  
24 funds under the grant programs described in paragraphs

1 (1) through (5) of subsection (b) in the fiscal year fol-  
2 lowing the fiscal year to which the finding relates.

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

9 **SEC. 4. FEDERAL REENTRY IMPROVEMENTS.**

10 (a) RESPONSIBLE REINTEGRATION OF OFFEND-  
11 ERS.—Section 212 of the Second Chance Act of 2007 (42  
12 U.S.C. 17532) is repealed.

13 (b) FEDERAL PRISONER REENTRY INITIATIVE.—  
14 Section 231 of the Second Chance Act of 2007 (42 U.S.C.  
15 17541) is amended—

16 (1) in subsection (g)—

17 (A) in paragraph (3), by striking “carried  
18 out during fiscal years 2009 and 2010” and in-  
19 serting “carried out during fiscal years 2012  
20 through 2016”; and

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

23 (2) by striking subsection (h);

24 (3) by redesignating subsection (i) as subsection  
25 (h); and

1           (4) in subsection (h), as so redesignated, by  
2           striking “2009 and 2010” and inserting “2012  
3           through 2016”.

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

7           (1) in paragraph (5), in the second sentence, by  
8           inserting “, and number of prisoners not being place  
9           in community corrections facilities for each reason  
10          set forth” before “, and any other information”; and

11          (2) in paragraph (6), by striking “the Second  
12          Chance Act of 2007” and inserting “the Second  
13          Chance Reauthorization Act of 2011”.

14          (d) TERMINATION OF STUDY ON EFFECTIVENESS OF  
15          DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section  
16          244 of the Second Chance Act of 2007 (42 U.S.C. 17554)  
17          is repealed.

18          (e) AUTHORIZATION OF APPROPRIATIONS FOR RE-  
19          SEARCH.—Section 245 of the Second Chance Act of 2007  
20          (42 U.S.C. 17555) is amended—

21                 (1) by striking “243, and 244” and inserting  
22                 “and 243”; and

23                 (2) by striking “2009 and 2010” and inserting  
24                 “2012, 2013, 2014, 2015, and 2016”.

1 (f) FEDERAL PRISONER RECIDIVISM REDUCTION  
2 PROGRAMMING ENHANCEMENT.—

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

5 (A) by redesignating subsection (g) as sub-  
6 section (h); and

7 (B) by inserting after subsection (f) the  
8 following:

9 “(g) INCENTIVE FOR PRISONERS’ PARTICIPATION IN  
10 REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—  
11 VISM.—

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

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

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

24 “(i) for which the prisoner is eligible;  
25 and

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

3                   “(2) ELIGIBILITY TO EARN ADDITIONAL CRED-  
4                   IT.—Any prisoner who, in the judgment of the Di-  
5                   rector of the Bureau of Prisons, successfully partici-  
6                   pates in a program that has been demonstrated to  
7                   reduce recidivism, is eligible to earn additional credit  
8                   toward satisfaction of the sentence being served by  
9                   the prisoner.

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

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

20                         “(A) IN GENERAL.—A prisoner may ac-  
21                         crue credit toward service of the sentence of the  
22                         prisoner under this subsection if—

23                                 “(i) the credit accrued under this sub-  
24                                 section is combined with reductions in the  
25                                 period of time the prisoner remains in cus-



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