

May 13, 2008

America has more of its people in prison than any other developed nation in the world - more than two million people. The vast majority – 95% of the men and women in our prisons – will eventually return to the community. That means every year more than 650,000 offenders are released from state and federal prisons to return to civilian life.

Having paid their debt to society, these men and women deserve a second chance. Their families, spouses and children deserve a second chance. A second chance means an opportunity to turn a life around - a chance to break the grip drugs; a chance to support a family, to pay taxes and to be self-sufficient.

Unfortunately, few of those who return to their communities are prepared for their release or receive any supportive services. When the prison door swings open an ex-offender may receive a bus ticket and spending money for a day or two. Many leave prison to return to the same environment which saw them offend in the first place.

Upon release, offenders often face additional barriers to reentry: serious physical and mental health problems; no place to stay; and, lack the education or experience needed to gain and hold a job. As a result two out of three will be rearrested for new crimes within the first three years after their release. Youthful offenders are even more likely to re-offend.

One third of all correction departments provide no services to released offenders, and most departments do not offer a transitional program, placing a heavy burden on families and communities. Considering the cost of incarceration – as much as \$40,000 a year – as well as the social and economic costs of crime to the community, it only makes sense to ensure that ex-offenders successfully reenter our communities and reduce recidivism.

The Second Chance Act of 2007 will help to provide that opportunity. The legislation was signed into law last month after strong bipartisan support in Congress. The Second Chance Act will provide transitional assistance to help ex-offenders cope with the challenges of reentry. It will reduce recidivism. It will help reunite families and protect communities. It will enhance public safety and save taxpayer dollars. It is the humane thing to do. It is the responsible thing to do. It is the right thing to do.

No single piece of legislation is going to solve the reentry crisis we are facing, but the Second Chance Act is a good start. I hope that with the passage of this bill we will begin a new era in criminal justice.

Thank you very much.

Very truly yours,
S/
G. K. Butterfield
Member of Congress

Second Chance Act of 2007

Fact Sheet

Community Safety Through Recidivism Prevention or the Second Chance Act of 2007, H. R. 1593, will take effect on October 8th, 2008. It outlines dozens of opportunities for adult and juvenile offenders to get help to stem the tide of re-incarceration by making it easier for them to reintegrate into society. It includes:

- Educational, literacy, vocational programs inside correctional facilities as well as job placement services to facilitate re-entry into the community.
- Substance abuse treatment and services, including outpatient as well as residential services and recovery programs.
- Coordinated supervision and comprehensive services for offenders upon release from prison, jail, or a juvenile facility, including housing and mental and physical health care in order to facilitate re-entry into the community. This includes veteran-specific services for eligible veterans.
- Family development services with an emphasis on encouraging offenders to develop safe, healthy, and responsible family relationships and parent-child relationships; and by involving the entire family unit in comprehensive reentry services.
- The involvement of prison, jail, or juvenile facility mentors in the reentry process and enabling those mentors to remain in contact with offenders while in custody and after reentry into the community.

Section-by-Section Summary

Title I: Amendments Related To The Omnibus Crime Control And Safe Streets Act of 1968 - Subtitle A: Improvements to Existing Programs - (Sec. 101) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize, rewrite, and expand provisions for adult and juvenile offender state and local reentry demonstration projects to provide expanded services to offenders and their families for reentry into society.

Provisions related to grant applications, requirements, priorities in awarding grants, and reentry plan performance measurements. Requires grant recipients to: (1) develop comprehensive strategic reentry plans containing measurable annual and five-year performance outcomes; and (2) establish or empower reentry task forces to promote lower recidivism.

Authorizes the Attorney General to provide for the establishment of a National Adult and Juvenile Offender Reentry Resource Center to collect data and assist grantees in carrying out offender reentry programs.

Authorizes appropriations for FY2009-FY2010.

(Sec. 102) Requires states receiving funds under the Residential Substance Abuse Treatment program to provide aftercare services, including case management services and other support services. Requires the Attorney General to conduct a study on the use and effectiveness of funds used for aftercare services.

(Sec. 103) Revises the definition of "violent offender" for purposes of the drug court grant program to include an offender who has been convicted of an offense punishable by a prison term of more than one year. Requires grantees to adopt such revised definition within three years after the enactment of this Act. Requires the Secretary of Health and Human Services to revise regulations to incorporate the revised definition.

(Sec. 104) Authorizes the use of violent offender truth-in-sentencing grant funds under the Violent Crime Control and Law Enforcement Act of 1994 for offender reentry demonstration projects.

Subtitle B: New and Innovative Programs To Improve Offender Reentry Services - (Sec. 111) Authorizes the Attorney General to award grants up to \$500,000 to establish state, local, and tribal reentry courts to monitor offenders and provide them with access to comprehensive reentry services and programs, including programs for drug and alcohol testing and assessment for treatment. Requires grantees to report annually to the Attorney General on the activities of reentry courts.

(Sec. 112) Authorizes the Attorney General to make grants to state, tribal, and local prosecutors for drug treatment programs that are alternatives to imprisonment.

(Sec. 113) Authorizes the Attorney General to make grants for family substance abuse treatment alternatives to incarceration for nonviolent parent drug offenders and for prison-based family treatment programs for incarcerated parents of minor children.

(Sec. 114) Authorizes the Attorney General to carry out a grant program to evaluate methods to improve academic and vocational education for offenders in prison, jails, and juvenile facilities.

(Sec. 115) Directs the Attorney General to make grants for providing technology career training to prisoners.

Authorizes appropriations for FY2009-FY2010.

Title II: Enhanced Drug Treatment And Mentoring Grant Programs - Subtitle A: Drug Treatment - (Sec. 201) Authorizes the Attorney General to make grants to: (1) improve drug treatment for federal inmates; and (2) reduce the use of alcohol and other drugs by long-term substance abusers while incarcerated or during periods of parole or court supervision. Requires the Attorney General to submit to Congress: (1) an interim report by September 30, 2009, on the best practices for substance abuse treatment in prisons and treatment of long-term substance abusers; and (2) a final report by September 30, 2010, on funded programs.

Authorizes appropriations for FY2009-FY2010.

Subtitle B: Mentoring - (Sec. 211) Requires the Attorney General to make grants to nonprofit organizations for providing mentoring and other transitional services for reintegrating offenders into the community.

(Sec. 212) Authorizes the Secretary of Labor to make grants to nonprofit organizations to provide mentoring, job training and placement services, and other services to assist certain non-violent offenders in obtaining and retaining employment.

Authorizes appropriations for FY2009-FY2010.

(Sec. 213) Requires the Director of the Bureau of Prisons to: (1) adopt and implement a policy allowing the continuation of mentoring services to offenders after their release from prison; and (2) report to Congress by September 30, 2009, on the implementation of such policy.

(Sec. 214) Requires the Director to discontinue the Standardized Chapel Library project or any other project that limits prisoner access to reading and other educational material.

Subtitle C: Administration of Justice Reforms - Chapter 1: Improving Federal Offender Reentry - (Sec. 231) Requires the Attorney General, in coordination with the Director of the Bureau of Prisons, to establish a federal prisoner reentry initiative to prepare prisoners for release and successful reintegration into the community.

Requires the Director to assist prisoners in obtaining identification documents (e.g., birth certificates and social security cards) prior to release from prison.

Directs the Attorney General to modify the policies and procedures of the Department of Justice (DOJ) for transition of offenders into the community.

Expands the duties of the Director to include reentry planning procedures to provide federal prisoners with information on health and nutrition, employment, literacy and education, and other matters to assist in reentry into the community. Requires the Director to report to the Judiciary Committees of Congress annually on: (1) the progress of the Bureau of Prisons in responding to the reentry needs and deficits of inmates; and (2) recidivism reduction. Requires the adoption of performance measures and goals for reentry and recidivism reduction programs of the Bureau of Prisons.

Requires the Attorney General to: (1) take steps to educate employers on initiatives for hiring former federal, state, or local prisoners; and (2) conduct a pilot program for removing nonviolent elderly offenders (not less than age 65) from prison and placing them on home detention.

Requires the Bureau of Prisons to ensure prisoners in community confinement facilities continued access to medical care.

Authorizes the Director of the Administrative Office of the U.S. Courts, in consultation with the Attorney General, to establish the Federal Remote Satellite Tracking and Reentry Training (ReStart) program to promote the effective reentry into the community of high risk individuals (i.e., individuals who violated terms of release or are at a high risk of recidivism). Authorizes appropriations for FY2009-FY2010.

(Sec. 232) Requires the Attorney General to report to Congress on DOJ practices and policies for the use of physical restraints on pregnant female prisoners.

Chapter 2: Reentry Research - (Sec. 241) Authorizes the National Institute of Justice and the Bureau of Justice Standards to conduct research on juvenile and adult offender reentry.

(Sec. 242) Authorizes the Attorney General to award grants to study parole and post-supervision revocation data and community safety issues.

(Sec. 243) Authorizes the Attorney General to collect data and develop best practices for coordinating the efforts of state correctional departments and child protection agencies to ensure the safety and support of children of incarcerated parents and the support of relationships between incarcerated parents and their children. Expresses the sense of Congress that states and other entities should use the best practices developed by the Attorney General to protect children of incarcerated parents.

(Sec. 244) Authorizes the Attorney General to make grants to public and private research entities to evaluate the effectiveness of depot naltrexone for the treatment of heroin addiction.

(Sec. 245) Authorizes appropriations for FY2009-FY2010.

Chapter 3: Correctional Reforms to Existing Law - (Sec. 251) Amends federal criminal code prerelease provisions to expand the authority of the Director of the Bureau of Prisons to place prisoners in a community corrections facility. Requires the Director to report to the Judiciary Committees of Congress on the use of community corrections facilities and issue regulations on placement of offenders in such facilities.

Prohibits courts from entering orders requiring that a sentence of imprisonment be served in a community corrections facility.

(Sec. 252) Redefines "residential substance abuse treatment" for offenders to allow: (1) an extended treatment period; and (2) the use of pharmacotherapies.

(Sec. 253) Expands the authority of the Director of the Administrative Office of the U.S. Courts to contract for reentry services for offenders.

Chapter 4: Miscellaneous Provisions - (Sec. 261) Amends the Prison Rape Elimination Act of 2003 to extend the date for the report of the National Prison Rape Elimination Commission on the impacts of prison rape, thus extending the Commission's termination date.