

President Bush Signs the Second Chance Act Reentry Legislation into Law; Next Steps Focus on Securing Funding for Programs Authorized by the Bill

On April 9th, President Bush signed into law the Second Chance Act, legislation that will help States and localities better address the needs of individuals reentering the community from the criminal justice system. The Second Chance Act, now Public Law 110-199, was approved by the U.S. House of Representatives in November of last year by a bi-partisan 347 to 62 vote. The U.S. Senate passed the legislation in March by unanimous consent. Chief sponsors Congressmen Danny Davis (D-IL), Chris Cannon (R-UT) and 14 additional bi-partisan Members introduced the House version of the Second Chance Act, H.R. 1593; and Senators Joe Biden (D-DE), Arlen Specter (R-PA), Sam Brownback (R-KS), and Patrick Leahy (D-VT) introduced S. 1060, the Senate version of the Second Chance Act.

The Second Chance Act authorizes \$320 million in grant programs for the next two fiscal years. However, no funds have been allocated for the programs authorized in the Second Chance Act. Funding must be secured through the annual appropriations process currently underway in Congress.

The centerpiece of the Second Chance Act is the reauthorization of a Department of Justice (DOJ) grant program for people returning to the community from incarceration. The Second Chance Act authorizes \$55 million for grants to States and local areas to create or strengthen the systems that help adults and youth transition into the community when they are released from incarceration by providing drug and mental health treatment, job training and education opportunities, housing and other necessary services. Grants could be used for various services, including:

- Providing individuals with educational, literacy, vocational and job placement services
- Providing a full continuum of addiction treatment services including outpatient, comprehensive residential services, and recovery services to people reentering the community from prison, jail or a juvenile facility
- Providing mental and physical health care services and housing to reentering individuals

The Second Chance Act also authorizes a number of grant programs that seek to improve services for formerly incarcerated people:

Provisions Aimed at Improving Employment and Educational Services:

- A DOJ grant program to States, local governments, Indian tribes and other public and private entities to evaluate methods to improve academic and vocational education for people in prison, jails and juvenile facilities; best practices for such educational programs would then be recommended to the Attorney General and improvements could be made with grant funds

- A DOJ grant program to States, local units of government, territories and Indian tribes to establish technology career training programs within prisons, jails and juvenile facilities; grant funds could be used to train individuals for technology-based jobs and careers during the three-year period before release from incarceration

Provisions Seeking to Strengthen Drug and Alcohol Addiction Treatment Services:

- A DOJ grant program to State, local and Tribal prosecutors to develop and implement qualified drug treatment programs as alternatives to incarceration for individuals convicted of non-violent offenses
- A grant program to States, units of local government, territories and Indian tribes to improve the provision of drug treatment to people in prisons, jails and juvenile facilities and to reduce the use of alcohol and other drugs by individuals with long-term addiction histories
- A grant program through DOJ's National Institute of Justice, in consultation with the National Institute on Drug Abuse (NIDA), to public and private research entities to evaluate the effectiveness of depot naltrexone for the treatment of heroin addiction
- A grant program to States, localities and Indian tribes to 1) develop, implement or expand comprehensive family-based addiction treatment programs as alternatives to incarceration for parents convicted of non-violent offenses and 2) to provide prison-based family treatment programs for incarcerated parents

Provisions to Strengthen Services to Help Individuals Successfully Reenter the Community:

- A grant program to nonprofit organizations and Indian tribes to provide mentoring and other transitional services essential to reintegrating formerly incarcerated people into the community
- A DOJ grant program to State, Tribal and local courts, and state agencies, municipalities, public agencies, nonprofit organizations, territories and Indian Tribes for reentry courts
- A DOJ program, in coordination with the Director of the Bureau of Prisons (BOP), to establish a reentry initiative for individuals incarcerated in Federal prisons; subject to availability of appropriations, BOP would assess an individual's skill level, generate a plan for the individual's skill development and provide incentives for the individual's participation in skills development programs; incarcerated individuals would also receive assistance in obtaining identification prior to release and developing a release plan; the Attorney General, in consultation with the Secretary of Labor, would be required to take such steps as are necessary to educate employers and the Workforce Investment Act's one-stop partners and operators about incentives for hiring formerly incarcerated people

The full text of PL 110-199 can be found at: <http://thomas.loc.gov>.