

H.R. 1593/S. 1060, THE SECOND CHANCE ACT REENTRY LEGISLATION

The Second Chance Act, legislation that seeks to help States and localities better address the needs of individuals reentering the community from the criminal justice system, was reintroduced in the House of Representatives on March 20th and in the Senate on March 30th. Representative Danny Davis (D-IL) 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. On March 28th, the full House Judiciary Committee approved H.R. 1593 following a mark-up (review) of the legislation led by Second Chance Act sponsors Committee Chairman John Conyers (D-MI) and Ranking Member Lamar Smith (R-TX).

The centerpiece of the Second Chance Act is the reauthorization of a Department of Justice grant program for people returning to the community from incarceration. Both the House and Senate versions of the Second Chance Act would provide 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. The House version of the Second Chance Act would authorize \$65 million in appropriations for these grants each year for the next two fiscal years and the Senate bill would authorize \$50 million for each of the next two fiscal years. Under both bills, the grants could be used for a wide range of services, including:

- 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
- Expanding addiction treatment centers that offer family-based comprehensive treatment services for parents and their children as a complete family unit
- Providing or facilitating health care services, including substance abuse screening, treatment, and aftercare; infectious disease screening and treatment; and screening, assessment and aftercare for mental health services, to reentering individuals
- Assessing the literacy, educational, and vocational needs of people in the criminal justice system, and identifying and providing services appropriate to meet those needs, including follow-up assessments and long-term services
- Providing structured post-release housing and transitional housing, including group homes for individuals in recovery from substance use disorders
- Providing individuals with education, job training, English as a second language programs, and work experience programs

Additional key provisions of both versions of the Second Chance Act include:

- Authorizing a 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; \$5 million would be authorized for this program for each of two fiscal years

- Authorizing the Attorney General to make grants to States, local units of government and Indian tribes to establish technology careers training programs within prisons, jails and juvenile facilities; \$5 million would be authorized for this program for each of two fiscal years
- Authorizing a grant program to State and local prosecutors to develop and implement qualified drug treatment programs as alternatives to incarceration for individuals convicted of non-violent offenses
- Authorizing two grant programs 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; \$10 million would be authorized for each of these grant programs for each of the 2008 and 2009 fiscal years
- Authorizing a grant program through the Department of Justice, in collaboration with the National Institute on Drug Abuse (NIDA) and the Substance Abuse and Mental Health Services Administration (SAMHSA), to States, localities, Indian tribes, and public and private organizations to establish pharmacological addiction treatment services as part of available drug treatment programs offered to people in prisons or jails; and a separate grant program through DOJ's National Institute of Justice, in consultation with NIDA, to evaluate the effectiveness of depot naltrexone for the treatment of heroin addiction; \$10 million would be authorized for each of the 2008 and 2009 fiscal years for these two programs
- Authorize a grant program to "eligible partnerships" to create demonstration programs to reduce the use of alcohol and other drugs in prison or jail by people who were long-term users and to provide drug addiction treatment and recovery support services in the community; \$5 million would be authorized for the 2008 and 2009 fiscal years

The Senate version of the Second Chance Act would also amend the Workplace and Community Transition Training for Incarcerated Youth Offenders Act program by increasing the eligibility age from 25 to 35 years and by requiring the Secretary of Education to establish a grant program to help State correctional education agencies to improve educational services to incarcerated youth. This grant program would seek to assist and encourage incarcerated youth to acquire functional literacy, life, and job skills through the pursuit of a postsecondary education certificate, or an associate or bachelor's degree while in prison; and employment counseling and other related services which during incarceration and for up to a year following release. Individuals eligible for this program would include incarcerated youth up to age 35 who are eligible for release or parole within five years. S. 1060 would authorize that \$30 million be appropriated for this grant program for each of the next two fiscal years.

In addition, the Senate version of the Second Chance Act would require the Attorney General, in consultation with the Secretary of Labor, to take the necessary steps to implement programs to educate employers and the one-stop partners and one-stop operators under the Workforce Investment Act system about incentives, including the Federal bonding program and tax credits, for hiring formerly incarcerated people. The Senate bill also would authorize a grant program through the Department of Justice to improve academic and vocational education programs for people incarcerated in adult and juvenile facilities; \$10 million would be authorized for this program for two years.

*For more information regarding advocacy efforts on the Second Chance Act please contact Alexa Eggleston, aeeggleston@lac-dc.org or Gabrielle de la Gueronniere, gdelagueronniere@lac-dc.org in Legal Action Center's Washington DC office.
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