

The Second Chance Act of 2005

To reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

Sec. 1: Short Title

The Second Chance Act of 2005: Community Safety through Recidivism Prevention

Sec. 2: Findings

Sec. 3: Reauthorization of Adult and Juvenile Offender State and Local Reentry Demonstration Projects

- (1) Reauthorizes the Adult and Juvenile Offender State and Local Reentry Demonstration Program. Permissible activities under the program focus on housing, jobs, substance abuse treatment, mental health treatment, systems change and services for families and children of incarcerated parents.
- (2) Priority for award of demonstration grants will be given to applications that reflect support of the chief executive officer of the state/entity in coordination with a state-level council on reentry, local government or Indian tribe, provide evidence of collaboration with state and local government agencies overseeing health, housing, employment services and local law enforcement; explain partnerships with community-based and faith-based organizations; provide consultation with crime victims; and provide analysis and identification of regulatory and statutory hurdles to a prisoner's reintegration into the community.
- (3) Each applicant shall develop a comprehensive strategic reentry plan that contains annual and 5- to 10-year performance outcomes.
- (4) Each applicant shall identify specific performance outcomes related to the long-term goals of increasing public safety and reducing recidivism.
- (5) Establishes a Center to collect data and best practices in offender reentry from demonstration grantees and others agencies and organizations. The Reentry Center will collect data, determine best practices, provide technical assistance and disseminate knowledge to the states and other relevant entities.
- (6) Authorize the continuing activities of the Federal Resource Center for Children of Prisoners, including review of policies and practices of State and Federal corrections to support parent-child relationships.

Sec. 4: Task Force on Federal Programs and Activities Relating to Reentry of Offenders

- (1) Authorizes the Attorney General, in consultation with the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of Health and Human Services, and the heads of such other elements of the Federal Government as the Attorney General considers appropriate, to establish an interagency task force on Federal programs and activities relating to the reentry of offenders into the community.
- (2) The task force shall:
 - a) Identify programs and activities that may be resulting in overlapping or duplication of services, including scope of the problem, and its relationship to public safety, public health and efficiency.
 - b) Identify methods to improve collaboration and coordination of those programs and activities.
 - c) Develop innovative interagency or intergovernmental programs, activities or procedures which would improve outcomes of reentering individuals and children of prisoners
 - d) Identify areas of research that can be coordinated across agencies with an emphasis on applying science based practices to reentry support, treatment and intervention programs.
 - e) Identify funding areas that should be coordinated across agencies.
 - f) Identify federal barriers to successful reentry and analyze their impact.

Sec. 5: Offender Reentry Research

Authorizes the National Institute of Justice to conduct research on offender reentry including a study identifying the number and characteristics of children who have had a parent incarcerated and development of a mechanism to compare rates of recidivism.

Authorizes the Bureau of Justice Statistics to conduct research on offender reentry, including an analysis of special populations, a study to determine who is returning to prison and which of those returning represent the greatest risk to community safety, annual reports on the profile of the population coming out of prisons, a national recidivism study every three years, and a study or parole violations and revocations.

Sec. 6: Children of Incarcerated Parents and Families

Authorizes the Secretary of Health and Human Services to review and report recommendations to states about the role of Child Protective Services at the time of arrest and to develop regulations that address Family Preservation services for families impacted by incarceration.

Sec. 7: Encouragement of Employment of Former Prisoners

Authorize the U.S. Department of Labor to educate employers about existing incentives to employing former prisoners.

Sec. 8: Clarification of Authority to Place Federal Prisoners in Community Corrections

This section amends 18 USC §3621(b) and § 3624(c) to clarify the Bureau of Prison's legal authority to make discretionary designation decisions to community corrections facilities, not to exceed twelve months or 20 percent of the sentence.

Sec. 9: Use of Truth in Sentencing Grant Funds

Clarify use of funds for reentry activities.

Sec. 10: Improvement of the Residential Substance Abuse Treatment for State Prisoners Program.

Requires an aftercare component to the Residential Substance abuse Treatment Program and clarifies the term 'residential substance abuse treatment' to mean a course of individual and group activities and treatment, lasting at least 6 months, in residential treatment facilities set apart from the general prison population.

Sec. 11: Residential Drug Abuse Program in Federal Prisons

Clarifies the term 'residential substance abuse treatment' to mean a course of individual and group activities and treatment, lasting at least 6 months, in residential treatment facilities set apart from the general prison population.

Sec. 12: Technical Amendment to Drug-Free Student Loans Provision to Ensure That It Applies Only to Offenses Committed While Receiving Federal Aid

Clarifies suspension provision.

Sec. 13: Mentoring Grants to Nonprofit Organizations

Authorizes the Attorney General to make grants to nonprofit organizations for the purpose of providing mentoring and other transitional services essential to reintegrating ex-offenders. Funds for the mentoring grants may be expended for mentoring of adult and juvenile offenders; and transitional services to assist in the reintegration of ex-offenders into the community. There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2006 and 2007.

Sec. 14: Carlie's Law

The provision requires the automatic revocation of probation or supervised release when a federal felon commits a felony crime of violence against a minor child under the age of 16.