

SEC. 1. Short Title

This Act maybe cited as "Community Corrections Improvement Act of 2010."

Purpose: The purpose of this Act is to expand and improve community-based corrections programs in order to reduce the overall financial burden of the criminal justice system while ensuring accountability, enhancing public safety, and reducing recidivism rates.

Community corrections refers to sanctions other than prison, which are programs that supervise and provide services to court-mandated and "stepped-down" incarcerated individuals in community settings where they can complete their sentence requirements while working, receiving treatment, and engaging with family. They are neighborhood-based, and span a continuum from residential reentry centers and halfway houses to day-reporting centers, court-ordered residential treatment programs, work release centers, family reunification and mentoring programs, home detention, electronic monitoring, and community supervision provided by probation or parole officers, and other transitional programs.

SEC. 2. Findings

Congress finds the following:

- (1) There are a total of 2.3 million Americans who are incarcerated in Federal, State and local prisons and jails.
- (2) State spending on corrections has increased over the last 20 years from \$10 billion to \$45 billion a year but very few states have budget information available that adequately describes the resources allocated for those who are released from prison or jail to their communities but who are required to meet conditions of their release or to serve part of their sentence in the community.
- (3) According to "*Public Safety, Public Spending: Forecasting America's Prison Population 2007-2017*," state and federal prison populations are expected to increase by nearly 200,000 at an additional cost of \$20 billion over the next ten years.
- (4) The number of persons on probation or parole has been increasing. There are approximately 5 millions Americans on probation or parole. In many jurisdictions, only the highest risk probationers are actively supervised so millions are virtually unsupervised.
- (5) The number of ex-offenders released into their communities from Federal, State and local prisons or jails was 725,000 in 2007, double the number of 20 years ago. Most of these offenders are not processed through reentry programs or community residential facilities. Although a majority of states have community corrections legislation that allocates some resources to address this need, reduced resources have resulted in a wide range of problems in states and localities. Few services are available for most offenders in their communities except basic supervision. Moreover, the services most known to reduce a return to a life of crime are virtually unavailable for individuals who live in poverty. As a result, recidivism rates are between 60-70% throughout the United States.

- (6) Current economic conditions are forcing additional, emergency prison closures and precipitous, unplanned early release of prisoners, sending many more people into the community without proper planning, preparation or supervision. When prisoners are released, they will be returning to communities without adequate bed space in transitional or residential facilities.
- (7) Successful community-based corrections programs and reentry services are critical to crime reduction, improving public safety and reducing recidivism rates. Inmates should be gradually transitioned into society upon release from prison to reduce their likelihood of returning to a life of crime. The least restrictive and least costly means of sanctioning offenders should be implemented consistent with public safety needs. However, the supply of community corrections placement options is severely limited; it is increasingly difficult to site community corrections facilities of all types due to local barriers such as zoning codes unfavorable to these essential public programs.
- (8) The mission of community corrections is to protect public safety and reduce harm; supervise offenders in community-based settings that are in close proximity to the homes of the clients and families being served; permit offenders to work and participate in needed treatment services; and provide opportunities for positive behavioral change in themselves and their families. Additionally, community corrections provides a graduated system of support, treatment services and sanctions that provide offenders the opportunity for positive behavioral change. Characteristic components of good community corrections programs follow.
 - (a) Community corrections systems and services must be part of the entire continuum beginning with preventive "pre-entry" services, pre-trial services, a jurisdiction's sentencing structure and through re-entry after incarceration.
 - (b) Victim reparation and restoration, community service, education and employment should be an integral part of any community corrections system.
 - (c) Community corrections should help reduce the criminogenic factors that contribute to crime (e.g., substance abuse, illiteracy, lack of marketable skills, unemployment) and increase the resiliency factors that help prevent crime (e.g. drug-free lifestyle, education, employment, cognitive restructuring and social skills training, and family support).
 - (d) Community corrections programs are provided by a variety of community-based entities, including private non-profit and other community-based organizations, and government agencies.
 - (e) Many different community systems interact with offenders. In order to maximize effectiveness and resources, community corrections should collaborate with mental health, public health, substance abuse, family and children services, education, housing and employment systems through public and private partnerships.
 - (f) To ensure the effectiveness of community corrections, an on-going monitoring and evaluation system must be a part of each program and a variety of performance measures, in addition to recidivism, should be developed to evaluate the efficiency and effectiveness of community corrections.
 - (g) Community-based corrections programs should be accredited or monitored by organizations familiar with best practices and evidence-based strategies that have

been proven effective in reducing recidivism and protecting public safety.

- (9) The current capacity and utilization of community corrections is very limited, and must be increased to develop a successful system that optimizes criminal justice resources, is cost-effective, and reduces the burden of criminal justice costs on the federal government and the state and local governments.
- (10) Effective crime policies and community corrections programs must be based on sound, reliable data and research. Increased research is needed to identify new and effective strategies for community-based supervision programs.

SEC 3. Community Corrections Expansion and Improvement Performance Grants

Part XX of the title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following new section:

'SEC. 299X. GRANTS TO EXPAND AND IMPROVE COMMUNITY CORRECTIONS PROGRAMS

(a) Authorization- The Attorney General is authorized to carry out a grant program under which the Attorney General makes grants to state agencies, units of local government, territories, federally-recognized Indian tribes, public universities and colleges, and private organizations (including faith-based, community, and tribal organizations). The Attorney General shall show preference to grantees demonstrating collaborative community planning that addresses barriers to siting community corrections facilities and programs, such as prohibitive local codes. Grants shall be made for the following purposes with respect to community-based corrections programs

Part I Capacity Building Grants

A. The Attorney General will collect information and report on impact of the Part I Capacity Building Grants with respect to the measurable goals of grants under this part with respect to each participating entity:

- (1) From FY 2011 through FY 2015 to increase by 15% the number of residential community corrections beds in each state to meet present demand and to keep pace with growth of released former offenders;
- (2) From FY 2011 through FY 2015 to increase by 15% the number of individuals and families served by improving access to community correctional services in areas where former offenders reside;
- (3) From 2011 through FY 2015 to increase by 15% the percentage of former offenders who receive drug treatment, mental health and other community based services.

B. The Attorney General shall provide grants to state agencies, units of local government, territories, federally-recognized Indian tribes, public universities and colleges and private organizations (including faith-based, community and tribal organizations). Part I Grants shall be made for the following purposes:

- (1) To expand and improve community-based corrections programs to enhance public safety by supervising offenders in community-based settings that are in close proximity to the homes of offenders and families being served; permit offenders to work and

participate in needed treatment services; and provide opportunities for positive behavioral change.

- (2) To expand and improve community-based corrections services so that offenders are able to obtain needed medical and drug treatment, mental health services, job training, education, housing, and other services needed by offenders to re-enter the community as a law-abiding member of society.
- (3) To expand and improve community-based corrections programs to reduce family violence and prevent future crime in offenders' families and children by including at-risk children and families as an integral part of the offender's treatment.
- (4) To develop One-Stop Residential Reentry Centers that local, state and federal correctional systems could utilize for placement of their soon-to-be released inmates during the last phase of their sentences. The One-Stop Residential Reentry Centers would be located near transportation networks and jobs, to serve as the nexus for social services including housing, substance abuse, and mental health treatment, as well as serve as a coordinating mechanism with corrections, probation and parole, and local law enforcement to ensure that those returning to communities are monitored carefully and appropriately.

Part II Grants to design and develop data collection, case management and reporting systems and support research

A. The Attorney General will collect information and report on impact of the Part II Data, Management, Reporting Systems and Research Grants with respect to the measurable goals of each participating entity:

- (1) From FY 2011 through FY 2015 to increase by 50% the data concerning case outcomes and case management of residential community corrections beds in each state by FY 2015 to be analyzed and disseminated concerning released former offenders;
- (2) From FY 2011 through FY 2015 to encourage each participating entity to dedicate and increased amount up to 10% of grant program resources for research reports, listing of best practices available and monitoring of available innovative programs to serve former offenders;
- (3) From FY 2011 through FY 2015 to increase by 15% the percentage of former offenders who return to work within 9 months after their release.
- (4) From FY 2011 through FY 2015 to increase by 15% the percentage of former offenders who receive drug treatment, mental health and other community based services.

B. The Attorney General shall provide grants to state agencies, units of local government, territories, federally-recognized Indian tribes, public universities and colleges and private organizations (including faith-based, community and tribal organizations). Part II Grants shall be made for the following purposes.

- (1) To design and develop specific data collection, case management, and reporting systems so that critical data relating to community-based supervision programs can be gathered and analyzed and disseminated to other community-based supervision programs.

(2) To support research projects on best practices and improvements in community corrections, including program evaluations; encouraging tests of innovative programs, strategies and partnerships; and outcome-based research.

(3) To determine how state and local funds are allocated among community-based corrections programs and whether a more cost-effective allocation may be appropriate.

Part III Grants to promote collaborative community justice strategies and partnerships, to eliminate stigma and equalize impact based on gender, ethnicity and race, and to strengthen families and communities.

A. The Attorney General will collect information and report on impact of the Part III community justice strategies, partnerships, stigma elimination, and family and community building activities with respect to each participating entity's measurable goals under this part:

(1) From FY 2011 through FY 2015 to increase by 15% the collaborative community justice strategies and partnerships involving police, courts, corrections, social services agencies, and formerly incarcerated people;

(2) From FY 2011 through FY 2015 to encourage each participating entity to dedicate an increased amount up to 10% of the grant program resources for elimination of stigma and equalizing access to community corrections programs;

(3) From FY 2011 through FY 2015 to increase by 15% the percentage of former offenders who are reunified with their families, provide child support and pay restitution to victims.

(4) From FY 2011 through FY 2015 to increase by 15% the percentage of participating communities that increase bed-space, make new residential facilities available or review community housing barriers to reintegration of former offenders.

B. The Attorney General shall provide grants to state agencies, units of local government, territories, federally-recognized Indian tribes, public universities and colleges and private organizations (including faith-based, community and tribal organizations.) Part III Grants shall be made for the following purposes.

(1) To promote collaborative community justice strategies and partnerships involving police, courts, corrections, social services agencies, and formerly incarcerated people to develop a community-based range of services to promote healthy reintegration.

(2) To eliminate stigma and to overcome barriers to reintegration including gender, race, ethnicity, and locality.

(3) To promote reunification of families, parenting and community awareness and support of the contributions of community corrections to increasing public safety.

(b) Application- To be eligible to receive a grant under this section, an entity described in subsection (a) shall submit to the Attorney General an application in such form and manner and at such time as specified by the Attorney General that includes a proposal that describes how the grant will be used to expand and improve the community corrections program.

(c) Authorization of Appropriations- There are authorized to be appropriated \$100,000,000 to carry out this section for each of the fiscal years 2011 through 2015.

SEC. 4. National and Regional Community-Based Corrections Conference and Grants

Part XX of the title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end the following new section:

'SEC. 299X. GRANTS TO CONVENE NATIONAL AND REGIONAL COMMUNITY-BASED CORRECTIONS CONFERENCES

(a) Authorization- The Attorney General is authorized to carry out a grant program under which the Attorney General makes grants to non-profit entities involved in providing states, units of local government, territories, Indian tribes, and non-profit community organizations to conduct national and regional conferences on community-based corrections programs. Such conferences shall be conducted for the following purposes:

- (1) To examine community-based programs provided in different jurisdictions and bring together officials responsible for designing, implementing, and managing such programs;
- (2) To share ideas and strategies for expanding and improving community-based supervision programs;
- (3) To identify and share best practices, research, and other information on community-based corrections programs; and
- (4) To improve collaboration and research among providers and academics involved in community-based corrections programs; and
- (5) To ensure that providers of community-based corrections programs are employing the most cost-effective strategies for reducing recidivism and improving public safety.

(b) Application- To be eligible to receive a grant under this section, an entity described in subsection (a) shall submit to the Attorney General an application, in such form and manner and at such time as specified by the Attorney General that includes a proposal that describes how the grant will be used to conduct a national or regional conference on community-based supervision programs.

(c) Authorization of Appropriations- There are authorized to be appropriated \$10,000,000 to carry out this section for each of the fiscal years 2011 through 2015.

SEC. 5. National Performance Report on Community-Based Corrections Performance Indicators

Part XX of the title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end of the following new section:

'SEC. 299X. NATIONAL PERFORMANCE REPORT ON COMMUNITY-BASED CORRECTIONS INDICATORS

(a) Authorization – The Attorney General shall carry out a program under which the Attorney General collects performance indicator data for participating entities. Such information and data shall be collected and provided to Congress no later than FY 2016 in a Report for the following purposes.

(1) To examine the impact of Grant program under this title on community-based programs provided in different jurisdictions and bring together officials responsible for designing, implementing, and managing such programs;

(2) To document successful methods, policies and strategies for expanding and improving community-based supervision programs;

(3) To identify the impact of the grant program on the identification of best practices, research, and other information on community-based corrections programs; and

(4) To document the impact of improved collaboration and research among providers and academics involved in community-based corrections programs; and

(5) To document what information is available for elected officials and providers of community-based corrections programs concerning employing the most cost-effective strategies for reducing recidivism and improving public safety.

(6) To identify the impact of efforts to eliminate stigma, equalize impact on individuals, communities and families, and to engage communities in building community corrections and reentry systems that meet their expectations for increased public safety and reintegration of former offenders in the community.

(b) Authorization of Appropriations – There are authorized to be appropriated \$10,000,000 to carry out this section for each of the fiscal years 2011 through 2015.