

## THE SECOND CHANCE ACT

The Second Chance Act (P.L. 110-199) was signed into law on April 9, 2008. The bill received bipartisan support in both chambers of Congress and from a broad spectrum of leaders representing state and local government, law enforcement, corrections, courts, service providers and community organizations.

Ensuring successful reentry means both improved use of taxpayer dollars and safer communities. With the exception of healthcare, spending on corrections has increased faster than any other item in state budgets.<sup>i</sup> Despite this increased investment, the likelihood of a person released from prison or jail succeeding in the community has not improved. Approximately two out of every three people released from prison in the U.S. are re-arrested within three years of their release.<sup>ii</sup> The Second Chance Act provides state, local governments and nonprofit organizations resources to make a person's transition from prison or jail safer and more successful.

The Second Chance Act represents a federal investment in strategies to increase public safety by reducing recidivism as well as the financial burden of corrections on state and local governments. The bill authorizes \$165 million in grants to state and local government agencies and community organizations to provide employment and housing assistance, substance abuse treatment, family programming, mentoring, victim support and other services that help people returning from prison and jail avoid criminal activity and succeed in their communities.

### Second Chance Act Grantees

- In San Mateo, CA, the County Manager's office has designed a reentry program to reduce recidivism among county jail inmates. As of July 2011, the program had enrolled 220 participants. The program only accepts individuals who present a high risk for recidivism, based on a risk assessment instrument that has been "validated"—that is, checked for its ability to accurately predict risk. This assessment also identifies an individual's treatment and service needs, and uses these findings to develop individualized case plans. A Reentry Coordinator and case manager—both new positions funded by the Second Chance grant—oversee these case plans. The program links clients to residential and/or outpatient substance abuse treatment, employment training, life skills workshops, peer mentoring, and assistance in finding housing. The services are available pre- and post-release. This program's recidivism rate, through July 2011, is 27%.
- The Oklahoma Department of Corrections has used a Second Chance grant to establish a reentry facility for individuals who present medium or high risk of reoffending and have complex needs (such as addiction disorders, mental illnesses, low levels of education, or inadequate housing). All approaching their release dates from state prison, these individuals will have completed their sentences at the time of release and therefore will not be under community supervision. Recognizing the threat to public safety that this presents, the Department of Corrections opened the reentry transition facility to allow officials to work with this prospectively-unsupervised population in need of structure and support prior to their release. Located in downtown Oklahoma City (rather than in the state's more rural areas, where its prisons are located), the facility provides a direct bridge between prison and home. As of September 2011, the program has served 117 individuals. Of the 47 participants that have been released thus far, only one has been returned to DOC custody.

### Reentry Facts

Federal and state corrections facilities held over 1.6 million prisoners at the end of 2009. This amounts to one in every 199 U.S. residents.

At least 95 percent of state prisoners will be released back to their communities at some point.

More than 729,295 individuals were released from state and federal prisons in 2009, an increase of 20 percent from 2000.

In a study of 15 states, more than two-thirds of state prisoners released in 1994 were re-arrested and more than half returned to prison within three years of their release.

*\*The Bureau of Justice Statistics,  
U.S. Department of Justice*

## Successful Reentry Addresses the Following Issues

- **Mental health**—The incidence of serious mental illnesses is two to four times higher among prisoners than it is among the general population.<sup>iii</sup>
- **Substance use disorders**—Three-quarters of those returning from prison have a history of substance use disorders. Over 70 percent of prisoners with serious mental illnesses also have a substance use disorder.<sup>iv</sup>
- **Housing and homelessness**—More than 10 percent of people entering prisons and jails are homeless in the months before their incarceration.<sup>v</sup> For those with mental illness, the rates are even higher—about 20 percent.<sup>vi</sup>
- **Education and Employment**—Two out of every five prisoners and jail inmates lack a high school diploma or its equivalent.<sup>vii</sup> Employment rates and earnings histories of people in prisons and jails are often low before incarceration as a result of limited education experiences, low skill levels, and the prevalence of physical and mental health problems; incarceration only exacerbates these challenges.<sup>viii</sup>
- **Children and families**—Approximately 2 million children in the U.S. have parents who are currently incarcerated, and more than 10 million minor children have parents who have come under some form of criminal justice supervision at some point in their children’s lives.<sup>ix</sup>

## Key Provisions of the Second Chance Act

- **Demonstration Grants**—State, local and tribal governments may use these funds to provide employment services, substance abuse treatment, housing, family programming, mentoring, victims services, and to improve release and revocation decisions using risk-assessment tools.
- **Mentoring Grants**—Nonprofit organizations may use these funds to provide mentoring or offer transitional services for individuals who have been incarcerated.
- **Reentry Research**—The U.S. Justice Department’s National Institute of Justice and the Bureau of Justice Statistics will conduct reentry-related research as part of the Second Chance Act.
- **National Reentry Resource Center**—The Second Chance Act establishes a national clearinghouse to collect and disseminate best practices, provide training, and support reentry efforts in general. More information about the National Reentry Resource Center is available at [www.nationalreentryresourcecenter.org](http://www.nationalreentryresourcecenter.org).

## Funding Status

The federal funding history for Second Chance programs is as follows:

	<b>Budget Request</b>	<b>Senate CJS</b>	<b>House CJS</b>	<b>Final</b>
FY 2009	---	\$20 million	\$45 million	\$25 million
FY 2010	\$100 million	\$50 million	\$100 million	\$100 million
FY 2011	\$100 million	\$50 million	\$100 million	\$83 million
FY 2012	\$100 million	\$0	\$70 million	

<sup>i</sup> Piehl, A. *From Cell to Street: A Plan to Supervise Inmates After Release*. Massachusetts Institute for a New Commonwealth, 2002; Hughes, T. & D.J. Wilson. “Reentry Trends in the United States.” Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, [www.ojp.usdoj.gov/reentry/learn.html](http://www.ojp.usdoj.gov/reentry/learn.html).

<sup>ii</sup> Langan, P. & D. Levin. *Recidivism of Prisoners Released in 1994*. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 2002. [www.ojp.gov/bjs/pub/pdf/rpr94.pdf](http://www.ojp.gov/bjs/pub/pdf/rpr94.pdf).

<sup>iii</sup> Hammett, T., C. Roberts & S. Kennedy. “Health-Related Issues in Prisoner Reentry.” *Crime & Delinquency* 47, no. 3 (2001): 390-409.

<sup>iv</sup> Hammett, Roberts & Kennedy, 2001.

<sup>v</sup> U.S. Department of Justice, Bureau of Justice Statistics and U.S. Department of Justice, Federal Bureau of Prisons, “Survey of Inmates in State and Federal Correctional Facilities, 1997,” ICPSR 2598.

<sup>vi</sup> Paula M. Ditton, *Mental Health and Treatment of Inmates and Probationers* (Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 1999).

<sup>vii</sup> Harlow, C.W. *Education and Correctional Populations*. Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, 2003. [www.ojp.usdoj.gov/bjs/pub/pdf/ecp.pdf](http://www.ojp.usdoj.gov/bjs/pub/pdf/ecp.pdf).

<sup>viii</sup> Holzer, H., S. Raphael & M. Stoll. *Employment Barriers Facing Ex-Offenders*. Washington, D.C.: The Urban Institute, 2003. [www.urban.org/UploadedPDF/410855\\_holzer.pdf](http://www.urban.org/UploadedPDF/410855_holzer.pdf).

<sup>ix</sup> Annie E. Casey Foundation. “Children with Incarcerated Parents.” Baltimore, MD: Author, n.d.

[www.aecf.org/OurWork/SpecialInterestAreas/ChildrenWithIncarceratedParents.aspx](http://www.aecf.org/OurWork/SpecialInterestAreas/ChildrenWithIncarceratedParents.aspx), accessed February 2, 2009.