

## 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.

### **Background: Recidivism and Reentry**

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 increased costs, the likelihood of a person released from prison or jail succeeding in the community has not improved. In a study of recidivism in over 40 states, more than four in 10 offenders returned to state prison within three years of their release.<sup>ii</sup>

Individuals returning home from prison or jail have complex needs and must address a number of issues, which may include:

- **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 abuse**—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>

### **The Second Chance Act: An Investment**

The Second Chance Act represents a federal investment in strategies to reduce recidivism and increase public safety, as well as to lessen the financial burden of corrections on state and local governments. The bill authorizes \$165 million in grants to state, local, and tribal agencies and community organizations to provide vital services to make a person's transition from prison or jail safer and more successful.

Since 2009, over 300 government agencies and nonprofit organizations from 48 states have received grant awards for reentry programs serving adults and juveniles.

#### **Reentry Facts**

- Federal and state corrections facilities held over 1.6 million prisoners at the end of 2010. This amounts to one in every 201 U.S. residents.\*
- At least 95 percent of state prisoners will be released back to their communities at some point.\*
- More than 700,000 individuals were released from state and federal prisons in 2010, an increase of 20 percent from 2000.\*
- More than four in 10 offenders returned to state prison within three years of their release.†

#### *Sources:*

\*Bureau of Justice Statistics,  
U.S. Department of Justice  
†Pew Center on the States

## 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 conducts reentry-related research as part of the Second Chance Act.
- **National Reentry Resource Center**—The Second Chance Act established a national clearinghouse to collect and disseminate best practices, provide training, and support reentry efforts in general.

## Examples of Second Chance Act Grantees

- In **San Mateo, CA**, sophisticated screening and assessment tools are used to develop individualized reentry plans with a package of services that may include peer mentoring support, education and employment services, mental health and substance abuse treatment, life skills training, or housing services. A number of community agencies and organizations have taken a coordinated approach to help ensure the success of each individual as well as the success of the larger program.
- **The Illinois Department of Corrections** used its Second Chance grant to expand its Moms & Babies Program, a prison-based nursery program located at the Decatur Correctional Center in central Illinois. The program allows qualified mothers to keep their newborn babies with them in prison for up to 24 months. Of the 34 women served since the program began in 2008, none have returned to prison.
- **The Baltimore City Health Department** received a demonstration grant to expand its initiative focusing on youth who are at the highest risk of becoming either a victim or perpetrator of violence. Second Chance funds enabled the program to enhance case management and case planning services to Baltimore youth while they are in placement, as well as increased monitoring, referrals, and support for youth and their families following release.

## Funding History for Second Chance Act Programs

	Budget Request	Senate CJS	House CJS	Final
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	\$63 million

<sup>i</sup> Anne Morrison Piehl, *From Cell to Street: A Plan to Supervise Inmates After Release* (Boston: Massachusetts Institute for a New Commonwealth, 2002); Timothy Hughes and Doris James Wilson, *Reentry Trends in the United States* (Washington, D.C.: U.S. Department of Justice, Bureau of Justice Assistance, 2002). [bjs.ojp.usdoj.gov/content/pub/pdf/reentry.pdf](http://bjs.ojp.usdoj.gov/content/pub/pdf/reentry.pdf).

<sup>ii</sup> Pew Center on the States, *State of Recidivism: The Revolving Door of America’s Prisons* (Washington, DC: The Pew Charitable Trusts, April 2011). [www.pewcenteronthestates.org/uploadedFiles/Pew\\_State\\_of\\_Recidivism.pdf](http://www.pewcenteronthestates.org/uploadedFiles/Pew_State_of_Recidivism.pdf).

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

<sup>iv</sup> Hammett, Roberts, and Kennedy, “Health-Related Issues in Prisoner Reentry.”

<sup>v</sup> United States Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, and United States Department of Justice, Federal Bureau of Prisons, *Survey of Inmates in State and Federal Correctional Facilities, 1997* (Ann Arbor, MI: Inter-university Consortium for Political and Social Research, 2001). doi:10.3886/ICPSR02598.v1

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

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

<sup>viii</sup> Harry J. Holzer, Steven Raphael, and Michael A. 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> “Children with Incarcerated Parents,” Annie E. Casey Foundation, accessed February 2, 2009, [www.aecf.org/OurWork/SpecialInterestAreas/ChildrenWithIncarceratedParents.aspx](http://www.aecf.org/OurWork/SpecialInterestAreas/ChildrenWithIncarceratedParents.aspx).