

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3258

To assist States in establishing and increasing the utilization of boot camp prisons.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 1993

Mrs. LOWEY introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To assist States in establishing and increasing the utilization  
of boot camp prisons.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **TITLE I—BOOT CAMP GRANTS**

4 **SEC. 101. GRANT AUTHORIZATION.**

5 (a) IN GENERAL.—The Director of the Bureau of  
6 Justice Assistance (referred to in this title as the “Direc-  
7 tor”) may make grants available to States, for use by  
8 States and units of local government in the States, for  
9 the purpose of establishing boot camp prisons.

1 (b) PRIORITY.—Priority shall be given to applications  
2 from States which will use funds to establish a boot camp  
3 prison by utilizing surplus property of the Federal Govern-  
4 ment, including military bases that are no longer in use.

5 **SEC. 102. ELIGIBILITY.**

6 (a) ELIGIBILITY.—To be eligible for Federal funding,  
7 a boot camp prison operated by a State shall provide—

8 (1) an organized program of manual labor and  
9 discipline designed to build character, instill a sense  
10 of maturity, promote a positive self-image for offend-  
11 ers and foster a sense of respect for authority;

12 (2) training or vocational education which pro-  
13 vides inmates with the tools necessary to confront  
14 life tasks in a responsible manner and to find em-  
15 ployment after release;

16 (3) treatment and counseling to all inmates who  
17 are addicted to drugs or alcohol;

18 (4) a corrective, therapeutic environment de-  
19 signed to help modify the offender's criminal  
20 thought and behavioral patterns so that offenders  
21 are less likely to reoffend and more likely to behave  
22 purposefully and productively as responsible citizens;

23 (5) an agreement that specifies procedures to  
24 ensure that boot camp prison inmates are in compli-  
25 ance with the requirements of the boot camp and

1 that inmates in noncompliance are resentenced by  
2 the court to traditional prisons; and

3 (6) a community adjustment phase that begins  
4 after an inmate has successfully completed a boot  
5 camp prison term which includes the obligations and  
6 restrictions of special or normal probation or parole,  
7 substance abuse treatment, and other special condi-  
8 tions as needed or ordered by a sentencing judge.

9 **SEC. 103. APPLICATIONS.**

10 (a) IN GENERAL.—(1) To request a grant under this  
11 title, the chief executive of a State shall submit an applica-  
12 tion to the Director in such form and containing such in-  
13 formation as the Director may reasonably require.

14 (2) Such application shall include assurances that  
15 Federal funds received under this title shall be used to  
16 supplement, not supplant, non-Federal funds that would  
17 otherwise be available for activities funded under this title.

18 (b) STATE OFFICE.—The office designated under  
19 section 507 of title I of the Omnibus Crime Control and  
20 Safe Streets Act of 1968 (42 U.S.C. 3757)—

21 (1) shall prepare the application as required by  
22 the Director; and

23 (2) shall administer grant funds received under  
24 this title, including review of spending, processing,  
25 progress, financial reporting, technical assistance,

1 grant adjustments, accounting, auditing, and fund  
2 disbursement.

3 **SEC. 104. REVIEW OF STATE APPLICATIONS.**

4 (a) IN GENERAL.—The Bureau shall make a grant  
5 under this title to carry out the projects described in the  
6 application submitted by such applicant under section 103  
7 upon determining that—

8 (1) the application is consistent with the re-  
9 quirements of this section; and

10 (2) before the approval of the application, the  
11 Bureau has made an affirmative finding in writing  
12 that the proposed project has been reviewed in ac-  
13 cordance with this title.

14 (b) APPROVAL.—Each application submitted under  
15 section 103 shall be considered approved, in whole or in  
16 part, by the Bureau not later than 45 days after first re-  
17 ceived unless the Bureau informs the applicant of specific  
18 reasons for disapproval.

19 **SEC. 105. ALLOCATION AND DISTRIBUTION OF FUNDS.**

20 (a) DEMONSTRATION PROJECTS.—Of the total  
21 amount of funds made available under this title, the Direc-  
22 tor may use not more than 5 percent of such funds for  
23 demonstration projects that are of national significance.

24 (b) STATE DISTRIBUTION.—Of the funds remaining  
25 after the distribution under subsection (a), there shall be

1 allocated to each of the participating States an amount  
2 which bears the same ratio to the amount of funds made  
3 available under this title as the number of offenders (eligi-  
4 ble for boot camp placement) of such State bears to the  
5 number of eligible offenders in all the participating States.

6 (c) FEDERAL SHARE.—The Federal share of a grant  
7 made under this title may not exceed 75 percent of the  
8 total costs of establishing and maintaining the boot camp  
9 described in the application submitted under section  
10 103(a) for the fiscal year for which the boot camp receives  
11 Federal assistance.

12 (d) UNUSED FUNDS.—If the Director determines, on  
13 the basis of information available during any fiscal year,  
14 that a portion of the funds allocated to a State for such  
15 fiscal year will not be used, the Director shall have discre-  
16 tion to award such remaining funds to other participating  
17 States for projects related to the establishment, evalua-  
18 tion, or effectiveness of prison boot camps.

19 **SEC. 106. EVALUATION.**

20 Each State that receives a grant under this title shall  
21 submit to the Director an evaluation not later than March  
22 1 of each year in accordance with guidelines issued by the  
23 Director and in consultation with the National Institute  
24 of Justice. Such evaluations must include a report on the  
25 rates of recidivism among boot camp participants as well

1 as an analysis of the boot camp's effectiveness within the  
2 entire prison system of a State.

3 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated  
5 \$500,000,000 for each of the fiscal years 1994, 1995, and  
6 1996 to carry out this title.

7 **TITLE II—BOOT CAMP OPTION**  
8 **FOR NONVIOLENT DRUG OF-**  
9 **FENDERS**

10 **SEC. 201. SPECIAL SENTENCING RULE FOR CERTAIN**  
11 **CASES.**

12 Section 404 of the Controlled Substances Act (21  
13 U.S.C. 844) is amended by adding at the end the follow-  
14 ing:

15 "SPECIAL SENTENCING RULE FOR CERTAIN CASES

16 "(d) Notwithstanding any other provision of law, in  
17 the case of a defendant who is convicted of an offense  
18 under this section that did not involve violence, the court  
19 may sentence that defendant to incarceration in an inten-  
20 sive confinement center (commonly called a boot camp  
21 prison), and any mandatory minimum sentence of impris-  
22 onment otherwise required by this section shall not apply.  
23 However, at any time during that incarceration, the ap-  
24 propriate authorities at the intensive confinement center  
25 may inform the court that the defendant is in substantial  
26 noncompliance with the requirements of the center, and

1 the court may resentence the defendant to a term that  
2 is not less than the sentence required without regard to  
3 this subsection.”.

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