

Union Calendar No. 255

103D CONGRESS
2D SESSION

H. R. 3968

[Report No. 103-462]

A BILL

To provide grants to States to assist in the incarceration of violent repeat offenders and to manage the problems associated with overcapacity in correctional facilities and programs and to support comprehensive programs that will reduce the rate of recidivism.

MARCH 25, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1994

Mr. HUGHES introduced the following bill; which was referred to the
Committee on the Judiciary

MARCH 25, 1994

Reported with an amendment, committed to the Committee of the Whole
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[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 8, 1994]

A BILL

To provide grants to States to assist in the incarceration of violent repeat offenders and to manage the problems associated with overcapacity in correctional facilities and programs and to support comprehensive programs that will reduce the rate of recidivism.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Violent Repeat*
5 *Offender Incarceration Act”.*

6 **SEC. 2. GRANTS FOR CORRECTIONAL FACILITIES.**

7 *(a) GRANT AUTHORIZATION.—The Attorney General*
8 *may make grants to individual States and to States, orga-*
9 *nized as multi-State compacts, to develop, expand, modify,*
10 *or improve correctional facilities and programs to ensure*
11 *that prison cell space is available for the confinement of*
12 *violent repeat offenders.*

13 *(b) ELIGIBILITY.—To be eligible to receive a grant*
14 *under this Act a State or States, organized as multi-State*
15 *compacts, shall submit an application to the Attorney Gen-*
16 *eral which includes—*

17 *(1) assurances that the State or States, have im-*
18 *plemented, or will implement, correctional policies*
19 *and programs that are designed to provide suffi-*
20 *ciently severe punishment for violent repeat offenders,*
21 *including violent juvenile offenders, and that the pris-*
22 *on time served is appropriately related to the deter-*
23 *mination that the inmate is a violent repeat offender*
24 *and for a period of time deemed necessary to protect*
25 *the public;*

1 (2) assurances that the State or States have im-
2 plemented policies that provide for the recognition of
3 the rights and needs of crime victims;

4 (3) assurances that funds received under this Act
5 will be used to develop, expand, modify, or improve
6 correctional facilities and programs to ensure that
7 prison cell space is available for the confinement of
8 violent repeat offenders;

9 (4) assurances that the State or States have a
10 comprehensive correctional plan which represents an
11 integrated approach to the management and oper-
12 ation of correctional facilities and programs and
13 which includes diversional programs, particularly
14 drug diversion programs, community corrections pro-
15 grams, a prisoner screening and security classifica-
16 tion system, prisoner rehabilitation and treatment
17 programs, prisoner work activities, and job skills pro-
18 grams, a pre-release prisoner assessment to provide
19 risk reduction management, post-release assistance,
20 and an assessment of recidivism rates;

21 (5) assurances that the State or States have in-
22 volved counties and other units of local government,
23 when appropriate, in the development, expansion,
24 modification, or improvement of correctional facilities

1 *and programs designed to ensure the incarceration of*
2 *violent offenders;*

3 *(6) assurances that funds received under this sec-*
4 *tion will be used to supplement, not supplant, other*
5 *Federal, State, and local funds; and*

6 *(7) documentation of the multi-State compact*
7 *agreement that specifies the development, expansion,*
8 *modification, or improvement of correctional facilities*
9 *and programs.*

10 *(c) CONSIDERATION.—The Attorney General, in mak-*
11 *ing such grants, shall give consideration to the special bur-*
12 *den placed on States which incarcerate a substantial num-*
13 *ber of inmates who are in the United States illegally.*

14 *(d) MATCHING REQUIREMENT.—The Federal share of*
15 *a grant received under this Act may not exceed 75 percent*
16 *of the costs of a proposal described in an application ap-*
17 *proved under this Act.*

18 **SEC. 3. RULES AND REGULATIONS.**

19 *The Attorney General shall issue rules and regulations*
20 *regarding the uses of grant funds received under this Act*
21 *not later than 90 days after the date of the enactment of*
22 *this Act.*

23 **SEC. 4. TECHNICAL ASSISTANCE AND TRAINING.**

24 *The Attorney General may request that the Director*
25 *of the National Institute of Corrections and the Director*

1 *of the Federal Bureau of Prisons provide technical assist-*
2 *ance and training to a State or States that receive a grant*
3 *under this Act to achieve the purposes of this Act.*

4 **SEC. 5. EVALUATION.**

5 *The Attorney General may request the Director of the*
6 *National Institute of Corrections to assist with an evalua-*
7 *tion of programs established with funds under this Act.*

8 **SEC. 6. DEFINITION.**

9 *For purposes of this Act, the term "State or States"*
10 *means any State, the District of Columbia, the Common-*
11 *wealth of Puerto Rico, the United States Virgin Islands,*
12 *American Samoa, Guam, and the Northern Mariana Is-*
13 *lands.*

14 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

15 *There are authorized to be appropriated \$600,000,000*
16 *for each of the fiscal years 1994 through 1998 to carry out*
17 *the purposes of this Act.*