

The Federal Second Chance Act

The Second Chance Act (SCA) is federal re-entry legislation designed to ensure the safe and successful return of prisoners to the community. The bill has been introduced in both the U.S. House (H.R. 1704, introduced April 2005) and Senate (S. 1934, introduced October 2005), and enjoys broad bipartisan support in Congress, including sponsorship by committee leaders in both chambers, and has the support of the White House and other stakeholder groups.

This year, some 600,000 inmates will be released from prison back into society. If they can't find work, or a home, or help, they are much more likely to commit a crime and return to prison. The Second Chance Act aims to reduce recidivism, increase public safety, and help states and communities to better address the growing population of prisoners returning to communities.

The Second Chance Act is the first piece of comprehensive legislation to address multiple challenges related to the return of incarcerated persons from prisons to their communities. Although the bill passed the House Judiciary Committee by voice vote, attempts to move it forward before the Congressional recess in early October were not successful. Sponsors of the measure are intent on seeing the bill passed during the limited time left in the 109th Congressional session.

Senator Arlen Specter (R-PA), Chairman of the Judiciary Committee, plans to send the bill to the floor for a vote during the week of 12/4, with the strong support of Senators Biden and Brownback and 31 other Senate co-sponsors. However, the legislation faces opposition from Oklahoma Senator Tom Coburn (R), who has threatened to block a Senate vote by placing a hold on the bill, which is an informal way a Senator can prevent legislation from reaching the floor for consideration. Senator Coburn objects to the bill on grounds that there is no federal role in prisoner re-entry and contends that states have the resources to reduce recidivism and improve re-entry without federal support. Key staff and other supporters of the legislation are working with Senator Coburn to address his concerns and ultimately ask that he step aside and allow a vote.

If the bill is not passed during the lame duck session, its sponsors plan to reintroduce the measure in the 110th Congress.