

112TH CONGRESS  
1ST SESSION

# H. R. 2464

To authorize a program to provide grants to nonprofit organizations that carry out child-parent visitation programs for children with incarcerated parents.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2011

Mr. RUSH (for himself, Ms. MOORE, Mr. JACKSON of Illinois, Mr. STARK, Mr. GRIJALVA, Ms. HIRONO, Mr. ELLISON, Mr. COHEN, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To authorize a program to provide grants to nonprofit organizations that carry out child-parent visitation programs for children with incarcerated parents.

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 “Families Beyond Bars  
5 Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1           (1) The Bureau of Justice Statistics estimates  
2           that 1,500,000 children in the United States have at  
3           least one incarcerated parent, and an estimated  
4           10,000,000 more individuals have at least one par-  
5           ent who was incarcerated at some point during the  
6           individual's childhood.

7           (2) In 2006, the Bureau of Justice Statistics  
8           estimated that 75 percent of incarcerated women  
9           were mothers, two-thirds of whom were mothers of  
10          children under the age of 18, and an estimated 32  
11          percent of incarcerated men were fathers of children  
12          under the age of 18.

13          (3) The trauma associated with having an in-  
14          carcerated parent has been well-documented, and in-  
15          cludes depression, aggression, low self-esteem, poor  
16          academic performance, truancy, attention deficit dis-  
17          orders, substance abuse, teen pregnancy, and symp-  
18          toms of post-traumatic stress disorder.

19          (4) The Bureau of Justice Statistics estimates  
20          that children with imprisoned parents may be almost  
21          6 times more likely than their peers to be incarcer-  
22          ated.

23          (5) Increased visitation between incarcerated  
24          parents and their children can reduce the anxiety  
25          and sense of loss children of incarcerated parents ex-

1       perience. This beneficial, low-cost activity may also  
2       contribute to a reduction in future crime committed  
3       by, and incarceration of, children of incarcerated  
4       parents.

5           (6) Participation in a comprehensive visitation  
6       program allows children of incarcerated parents to  
7       build relationships with caring adults and experience  
8       opportunities for meaningful involvement and mem-  
9       bership, helping to reduce the negative effects of  
10      parent-child separation.

11          (7) The incarceration of women who are moth-  
12      ers introduces significant changes to the family  
13      structure, income level, living arrangements, and  
14      emotional support systems of their children. The in-  
15      carceration of mothers is often more disruptive than  
16      the incarceration of fathers, because an estimated  
17      two-thirds of mothers who are incarcerated serve as  
18      the primary caregiver for at least one child before  
19      arrest.

20          (8) Incarceration can present an opportunity to  
21      enhance parenting skills, encourage children to resist  
22      peer pressure, and foster high parental expectations  
23      for their children's school work.

24      **SEC. 3. BEYOND BARS GRANT PROGRAM.**

25          (a) GRANT PROGRAM ESTABLISHED.—

1           (1) GRANTS AUTHORIZED.—The Attorney Gen-  
2           eral is authorized to award grants to qualified orga-  
3           nizations to carry out, directly or through subgrants  
4           to other entities, child-parent visitation programs  
5           that foster and develop familial ties between eligible  
6           children and their incarcerated parents.

7           (2) GRANT PERIOD; RENEWABILITY.—A grant  
8           awarded under this section shall be for not less than  
9           a 3-year period and not more than a 5-year period,  
10          and may be renewed.

11          (b) GRANT USES.—Grants awarded under this sec-  
12          tion may be used by a qualified organization to—

13                (1) organize and lead group meetings, in ac-  
14                cordance with subsection (c);

15                (2) provide counseling to eligible children, and  
16                to their incarcerated parents;

17                (3) select one or more qualified program  
18                facilitators to—

19                        (A) organize and lead group meetings, in  
20                        accordance with subsection (c); and

21                        (B) provide counseling to eligible children,  
22                        and to their incarcerated parents;

23                (4) provide to one or more such qualified pro-  
24                gram facilitators a monthly stipend in accordance  
25                with subsection (d);

1           (5) provide transportation for eligible children  
2           to attend such group meetings, and provide volun-  
3           teer support to assist in such transportation;

4           (6) provide security for eligible children during  
5           such group meetings, and comply with applicable se-  
6           curity procedures required by the facility at which  
7           the eligible children’s parents are incarcerated;

8           (7) provide enrichment activities for incarcer-  
9           ated parents of eligible children during incarceration  
10          and pre-release, including parenting classes and  
11          transition programs;

12          (8) provide connections to and coordination  
13          with community and social services and other sup-  
14          port to eligible children, incarcerated parents, and  
15          individuals who serve as guardians of eligible chil-  
16          dren while the eligible children’s parents are incar-  
17          cerated;

18          (9) obtain program materials and other supplies  
19          necessary to carry out other grant activities required  
20          or permitted under this subsection;

21          (10) conduct periodic evaluations of the activi-  
22          ties carried out with a grant under this section, in-  
23          cluding volunteer recruitment, parental support and  
24          development, measurement of children’s opportuni-  
25          ties to build meaningful relationships with caring

1 adults, and measurement of children’s opportunities  
2 for meaningful involvement and membership;

3 (11) develop best practices regarding child-par-  
4 ent visitation programs for eligible children and their  
5 incarcerated parents, based on the evaluations con-  
6 ducted under paragraph (10);

7 (12) provide age-appropriate enrichment activi-  
8 ties for children, including activities related to basic  
9 life skills, hygiene, healthy and drug-free habits, so-  
10 cial skills, and building self-esteem and confidence;

11 (13) coordinate the logistics of the child-parent  
12 visitation program with the correctional facility at  
13 which the eligible children’s parents are incarcer-  
14 ated;

15 (14) supervise adult volunteers who are assist-  
16 ing with the child-parent visitation program, whether  
17 such volunteers are working as individuals or as part  
18 of a team; and

19 (15) conduct outreach activities to recruit eligi-  
20 ble children.

21 (c) GROUP MEETINGS.—The group meetings orga-  
22 nized and led by a qualified organization with a grant  
23 under this section shall be supervised and facilitated by  
24 a qualified program facilitator in accordance with the pro-  
25 visions of this section, and—

1           (1) may include meetings for parents that pro-  
2           vide an opportunity for incarcerated parents of eligi-  
3           ble children to obtain and improve parenting skills  
4           to ensure strong family foundations upon release,  
5           which may include evidence-based programs and  
6           emerging best practices; and

7           (2) shall include the following:

8                   (A) CHILD-PARENT MEETINGS.—At least  
9                   one day each month, a meeting that provides an  
10                   opportunity for eligible children to visit their in-  
11                   carcerated parents in the prison facility in  
12                   which their parents are incarcerated, and to  
13                   take part in child-parent activities based on evi-  
14                   dence-based programs and emerging best prac-  
15                   tices that foster and develop familial ties. Such  
16                   meeting shall provide a supportive environment  
17                   for child-parent interaction, and may include  
18                   arts and crafts, games, community service  
19                   projects, and informal group mentoring ses-  
20                   sions.

21                   (B) MEETINGS FOR CHILDREN.—At least  
22                   one day each month, on a day other than the  
23                   day described in subparagraph (A), a meeting  
24                   in a location other than a prison facility that  
25                   provides an opportunity for eligible children to

1 build interpersonal problem-solving skills, char-  
2 acter, self-confidence, and self-esteem by—

3 (i) taking part in—

4 (I) activities based on evidence-  
5 based programs and emerging best  
6 practices;

7 (II) community service projects;  
8 and

9 (III) recreational activities; and

10 (ii) holding planning meetings.

11 (d) STIPEND FOR QUALIFIED PROGRAM  
12 FACILITATORS.—Not more than 45 percent of the grant  
13 funds provided to a qualified organization under this sec-  
14 tion may be used to provide a monthly stipend to qualified  
15 program facilitators. To be eligible to receive such a sti-  
16 pend, a qualified program facilitator shall enter into an  
17 agreement with a qualified organization to facilitate and  
18 supervise group meetings in accordance with the provi-  
19 sions of this section for not less than a one-year period,  
20 in exchange for such stipend. Such agreement may be re-  
21 newable, at the discretion of the qualified organization, for  
22 additional one-year periods.

23 (e) APPLICATIONS; PRIORITY.—

24 (1) APPLICATIONS.—A qualified organization  
25 interested in receiving a grant under this section



1 shall submit an application to the Attorney General  
2 at such time, in such manner, and containing such  
3 information as the Attorney General may require.  
4 Such application shall include an assurance by the  
5 qualified organization that the organization will pro-  
6 vide the non-Federal share of the costs of the activi-  
7 ties funded by a grant under this section in accord-  
8 ance with subsection (f).

9 (2) PRIORITY.—In awarding grants under this  
10 section, the Attorney General may give priority as  
11 follows:

12 (A) First, to qualified organizations that,  
13 before and on the date of enactment of this Act,  
14 are carrying out a child-parent visitation pro-  
15 gram for eligible children.

16 (B) Second, to qualified organizations that  
17 have a track record of providing research-based,  
18 evaluated, and effective leadership development  
19 programming.

20 (C) Third, to qualified organizations based  
21 on the quality of the organization's plan for  
22 measuring and assessing success of the pro-  
23 gram to be carried out with such a grant.

24 (D) Fourth, to qualified organizations  
25 based on the likelihood that the objectives of

1           the program will be achieved by the organiza-  
2           tion.

3           (f) NON-FEDERAL SHARE.—A qualified organization  
4 receiving a grant under this section shall provide a per-  
5 centage of the costs described in subsection (e)(1) from  
6 non-Federal sources, which may be contributed in cash or  
7 in-kind, and which may be provided from State or local  
8 public sources, or through donations from private entities.  
9 Such percentage of the costs shall be equal to—

10           (1) in the case of a qualified organization that  
11 was established before the date of the enactment of  
12 this Act—

13                   (A) 2.5 percent for the first year of such  
14 grant;

15                   (B) 5 percent for the second year of such  
16 grant;

17                   (C) 10 percent for the third year of such  
18 grant;

19                   (D) 10 percent for the fourth year of such  
20 grant; and

21                   (E) 10 percent for the fifth year of such  
22 grant; and

23           (2) in the case of a qualified organization that  
24 was established on or after the date of the enact-  
25 ment of this Act—

1 (A) 5 percent for the first year of such  
2 grant;

3 (B) 10 percent for the second year of such  
4 grant;

5 (C) 15 percent for the third year of such  
6 grant;

7 (D) 15 percent for the fourth year of such  
8 grant; and

9 (E) 15 percent for the fifth year of such  
10 grant.

11 (g) REGULATIONS; REPORTS.—

12 (1) REGULATIONS.—The Attorney General is  
13 authorized to issue such regulations as may be nec-  
14 essary to carry out this section.

15 (2) REPORTS BY ORGANIZATIONS.—Each quali-  
16 fied organization receiving a grant under this section  
17 shall submit to the Attorney General an annual re-  
18 port relating to the activities carried out with a  
19 grant under this section. Each such report shall in-  
20 clude—

21 (A) the evaluations conducted under sec-  
22 tion 3(b)(10), and the best practices developed,  
23 if any, under section 3(b)(11);

1 (B) demographic information about the eli-  
2 gible children served by the qualified organiza-  
3 tion;

4 (C) demographic information about any eli-  
5 gible children who applied to participate in the  
6 activities carried out with a grant under this  
7 section by the qualified organization, but who  
8 were not accepted for participation; and

9 (D) an evaluation of the effect of leader-  
10 ship development programming on the social  
11 and emotional learning of the eligible children  
12 served by the qualified organization.

13 (3) REPORTS BY THE ATTORNEY GENERAL.—  
14 Not later than one year after the date of the enact-  
15 ment of this Act, and annually thereafter, the Attor-  
16 ney General shall submit to Congress a report sum-  
17 marizing the annual reports submitted to the Attor-  
18 ney General under paragraph (2).

19 **SEC. 4. DEFINITIONS.**

20 For the purposes of this Act:

21 (1) QUALIFIED ORGANIZATION.—The term  
22 “qualified organization” means an entity that car-  
23 ries out child-parent visitation programs that foster  
24 and develop familial ties between eligible children  
25 and their incarcerated parents, and that is—

1 (A) a national nonprofit organization with  
2 the capacity (as determined by the Attorney  
3 General) to carry out such visitation programs  
4 in each of the several States;

5 (B) a nonprofit community-based or faith-  
6 based organization; or

7 (C) a partnership of two or more organiza-  
8 tions or entities described in subparagraphs (A)  
9 or (B).

10 (2) ELIGIBLE CHILDREN.—The term “eligible  
11 children” means individuals who—

12 (A) are not younger than age 5 and are  
13 not older than age 18; and

14 (B) have at least one parent who—

15 (i) is incarcerated in a Federal or  
16 State prison;

17 (ii) during the 3-month period pre-  
18 ceding participation in the activities car-  
19 ried out by a qualified organization under  
20 section 3, has displayed exemplary compli-  
21 ance with the disciplinary regulations of  
22 the prison, and during such participation,  
23 continues to display exemplary compliance  
24 with such disciplinary regulations; and

1 (iii) has never been convicted of or  
2 pled guilty to any offense involving child  
3 abuse or any sex offense against a minor.

4 (3) PRISON.—The term “prison” means any  
5 correctional, detention, penal, pre-release, or other  
6 confinement facility that is administered by the Fed-  
7 eral Government or a State, or by a private organi-  
8 zation on behalf of the Federal Government or a  
9 State.

10 (4) QUALIFIED PROGRAM FACILITATOR.—The  
11 term “qualified program facilitator” means an indi-  
12 vidual who—

13 (A) is licensed as a clinical psychologist,  
14 psychiatrist, or mental health professional, or is  
15 working under the direct supervision of such a  
16 licensed individual;

17 (B) is licensed as a social worker or work-  
18 ing under the direct supervision of a licensed  
19 social worker;

20 (C) is a licensed or certified counselor of  
21 mental health, including an individual, school,  
22 or family counselor or therapist;

23 (D) is an otherwise licensed or certified  
24 mental health professional qualified to provide  
25 services to children and adolescents;

1           (E) has 5 or more years of experience  
2           working with children in a counseling capacity;  
3           or

4           (F) has undergone a criminal background  
5           check, and has completed an orientation and all  
6           in-service training that is provided by a grantee  
7           for facilitators of a child-parent visitation pro-  
8           gram for eligible children.

9           (5) STATE.—The term “State” means each of  
10          the several States of the United States, the District  
11          of Columbia, and any commonwealth, possession, or  
12          territory of the United States.

13          (6) LEADERSHIP DEVELOPMENT PROGRAM-  
14          MING.—The term “leadership development program-  
15          ming” means programs that help children and  
16          adults acquire the knowledge, attitudes, and skills  
17          associated with the core areas of social and emo-  
18          tional competency, including—

19                 (A) self-awareness and self-management to  
20                 achieve school and life success, such as identi-  
21                 fying and recognizing strengths, needs, emo-  
22                 tions, values and self-efficacy, impulse control  
23                 and stress management, self-motivation and  
24                 discipline, and goal setting and organizational  
25                 skills;

1           (B) social awareness and interpersonal  
2 skills to establish and maintain positive rela-  
3 tionships, such as self-esteem and respect for  
4 others, communication, working cooperatively,  
5 negotiation, conflict management, and help-  
6 seeking; and

7           (C) decisionmaking skills and responsible  
8 behaviors in personal, academic and community  
9 contexts, such as situational analysis, problem  
10 solving, reflection, and personal, social, and eth-  
11 ical responsibility.

12 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

13       There are authorized to be appropriated to carry out  
14 this Act \$2,500,000 for each of the fiscal years 2012  
15 through 2017. Such sum shall be derived from amounts  
16 appropriated in each such fiscal for the Office of Juvenile  
17 Justice and Delinquency Prevention of the Department of  
18 Justice for research, evaluation, and training and tech-  
19 nical services.

○