



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 16, 2016

H.R. 759 **Recidivism Risk Reduction Act**

As ordered reported by the House Committee on the Judiciary on February 11, 2016

SUMMARY

H.R. 759 would amend and expand the system for assessing recidivism risk and programs to reduce recidivism used within the federal prisons system. The bill would require the Department of Justice (DOJ) to develop a system to assess prisoner risks and needs and to periodically classify individual prisoner's risk of recidivism. Based on those classifications, prisoners would be provided the opportunity to participate in programs to reduce recidivism. By participating in such programs prisoners could earn credit that would allow them to complete their sentences in Residential Reentry Centers (RRCs) or home confinement.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 759 would cost \$210 million over the 2017-2021 period. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 759 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 759 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary effect of H.R. 759 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

	By Fiscal Year, in Millions of Dollars					2017- 2021
	2017	2018	2019	2020	2021	
INCREASES IN SPENDING SUBJECT TO APPROPRIATION						
Recidivism Risk Assessment						
Authorization Level	40	40	40	40	40	200
Estimated Outlays	20	30	35	40	40	165
Other Costs						
Estimated Authorization Level	10	10	10	10	10	50
Estimated Outlays	7	8	10	10	10	45
Total Cost						
Estimated Authorization Level	50	50	50	50	50	250
Estimated Outlays	27	38	45	50	50	210

BASIS OF ESTIMATE

For this estimate, CBO assumes that H.R. 759 will be enacted near the end of 2016 and that the necessary amounts will be appropriated near the start of each fiscal year. Estimated outlays are based on historical patterns for similar activities.

Recidivism Risk Assessment

H.R. 759 would require the Attorney General to develop and implement a system to assess the risk of recidivism for prisoners that would incorporate ongoing analysis and evaluation of each prisoner's risk. The system would require a risk assessment when each prisoner enters prison and would be used to determine the types of programs a prisoner would be eligible to participate in. All inmates would be reassessed during their prison sentence to determine whether their risk of recidivism had changed. The legislation would authorize an annual appropriation of \$40 million to carry out this requirement. CBO estimates that implementing this provision would cost \$165 million over the next five years.

Other Costs

H.R. 759 would require DOJ to make various changes to training programs and protocols for corrections officers, prepare multiple reports on the effectiveness of new and existing programs, and collect additional data and prepare statistical information on prisoners and recidivism programs. Based on an analysis of information from DOJ and the Board of Prisons (BOP) about the level of effort needed to complete similar work, CBO estimates

that implementing those requirements would cost about \$45 million over the 2017-2021 period, mostly for additional staff.

The legislation also would prohibit the use of certain restraints on pregnant inmates; provide secure firearm storage for law enforcement officers; and institute various programs to improve training, data collection, and quality of life within the prison system. Based on information from DOJ and BOP, CBO estimates that implementing those requirements would have a negligible effect on discretionary spending.

Time Credits

Successful completion of recidivism reduction programs would allow participating inmates to earn credits that would allow them to serve part of their sentence in pre-release custody. Pre-release custody is a period of time spent under the supervision of the federal government outside of federal prison, prior to an inmate's official release from prison. Pre-release custody may involve RRCs or home confinement. The cost of supervision in pre-release custody can be twice that of supervision in a federal prison facility.

Based on information from BOP, CBO expects that inmates probably would not be able to use credits earned under the program established in H.R. 759 because there currently is no available bed space in existing RRCs and the federal government does not have the authority to build new ones. Therefore, CBO estimates that implementing this provision would not have a significant effect on federal spending.

PAY-AS-YOU-GO CONSIDERATIONS: None.

INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS:

CBO estimates that enacting H.R. 759 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 759 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

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