

114TH CONGRESS
2D SESSION

H. R. 4654

To direct the Attorney General to carry out a pilot program to provide grants to eligible entities for diversion programs to divert individuals with low-level drug offenses to drug treatment programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2016

Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. HANNA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To direct the Attorney General to carry out a pilot program to provide grants to eligible entities for diversion programs to divert individuals with low-level drug offenses to drug treatment programs, and for other purposes.

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 “Keeping Communities
5 Safe through Treatment Act of 2016”.

6 **SEC. 2. PILOT PROGRAM.**

7 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the At-
3 torney General shall establish a pilot program to
4 provide grants to eligible entities for diversion pro-
5 grams to divert individuals with low-level drug of-
6 fenses to drug treatment programs.

7 (2) DURATION OF PILOT PROGRAM.—The pilot
8 program shall terminate 5 years after the date of
9 the enactment of this Act.

10 (3) GRANTS AWARDED UNDER PILOT PRO-
11 GRAM.—The Attorney General shall award grants
12 under the pilot program to not fewer than 10 eligible
13 entities.

14 (b) LIMITATION ON USE OF FUNDS.—Grant funds
15 awarded under the pilot program may not be used to di-
16 vert an individual with a low-level drug offense to a drug
17 treatment program if criminal charges have been filed and
18 are pending against such individual.

19 (c) APPLICATION.—

20 (1) IN GENERAL.—To be selected to receive a
21 grant under the pilot program, an eligible entity
22 shall submit to the Attorney General an application
23 at such time, in such manner, and containing such
24 information as the Attorney General may require.

1 (2) OTHER REQUIREMENTS.—Each application
2 for a grant under the pilot program shall include a
3 description of how the eligible entity—

4 (A) coordinates with drug treatment pro-
5 grams that provide medication-assisted treat-
6 ment;

7 (B) plans to coordinate with local prosecu-
8 tors;

9 (C) plans to divert individuals with low-
10 level drug offenses to such programs;

11 (D) plans to monitor and record the
12 progress of such individuals in such programs;

13 (E) plans to assess such individuals to en-
14 sure that they have an appropriate drug treat-
15 ment plan;

16 (F) plans to monitor and record the drug
17 use of such individuals; and

18 (G) will provide case management for such
19 individuals.

20 (d) REPORTS.—

21 (1) QUARTERLY REPORTS.—Each quarter dur-
22 ing the duration of the pilot program, an eligible en-
23 tity that receives a grant under the pilot program
24 shall submit a report to the Attorney General that
25 includes—

1 (A) the number of individuals diverted to
2 drug treatment programs by the diversion pro-
3 gram for which the grant funds are used;

4 (B) any subsequent arrest records of such
5 individuals, when such records are publicly
6 available;

7 (C) any subsequent criminal charges filed
8 against such individuals;

9 (D) the random drug test results for such
10 individuals; and

11 (E) the cost of such programs.

12 (2) ANNUAL REPORTS.—Not less than once
13 each year during the duration of the pilot program,
14 the Attorney General shall submit a report to Con-
15 gress that includes—

16 (A) the number of grants awarded under
17 the pilot program;

18 (B) the number of individuals diverted to
19 drug treatment programs by the diversion pro-
20 gram for which the grant funds are used;

21 (C) any subsequent arrest records of such
22 individuals, when such records are publicly
23 available;

24 (D) any subsequent criminal charges filed
25 against such individuals;

1 (E) the random drug test results for such
2 individuals; and

3 (F) the amount of funds used to provide
4 grants under the pilot program.

5 (e) DEFINITIONS.—In this section:

6 (1) ELIGIBLE ENTITY.—The term “eligible enti-
7 ty” means a law enforcement agency with jurisdic-
8 tion over a high intensity drug trafficking area, as
9 designated pursuant to section 707(b) of the Office
10 of National Drug Control Policy Reauthorization Act
11 of 1998 (21 U.S.C. 1706(b)).

12 (2) LOW-LEVEL DRUG OFFENSE.—The term
13 “low-level drug offense” does not include a serious
14 violent felony.

15 (3) MEDICATION-ASSISTED TREATMENT.—The
16 term “medication-assisted treatment” means treat-
17 ment of substance use disorders through the use of
18 a drug (or a combination of drugs) approved or li-
19 censed under section 505 of the Federal Food,
20 Drug, and Cosmetic Act (21 U.S.C. 355) or section
21 351 of the Public Health Service Act (42 U.S.C.
22 262), in combination with evidence-based behavioral
23 therapies.

24 (4) SERIOUS VIOLENT FELONY.—The term “se-
25 rious violent felony” has the meaning given such

1 term in section 3559(c)(2) of title 18, United States
2 Code.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated such funds as may be nec-
5 essary to carry out the pilot program, to be derived from
6 the funds made available to the Office of Justice Pro-
7 grams.

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