

“None of the funds available to the Judiciary in fiscal years 1996 and 1997 and hereafter shall be available for expenses authorized pursuant to section 802(a) of title VIII of section 101(a) of title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Public Law 104-134 [amending this section], for costs related to the appointment of Special Masters prior to April 26, 1996.”

PAYMENT OF DAMAGE AWARD IN SATISFACTION OF PENDING RESTITUTION ORDERS

Pub. L. 104-134, title I, §101[(a)] [title VIII, §807], Apr. 26, 1996, 110 Stat. 1321, 1321-75, provided that: “Any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, shall be paid directly to satisfy any outstanding restitution orders pending against the prisoner. The remainder of any such award after full payment of all pending restitution orders shall be forwarded to the prisoner.”

NOTICE TO CRIME VICTIMS OF PENDING DAMAGE AWARD

Pub. L. 104-134, title I, §101[(a)] [title VIII, §808], Apr. 26, 1996, 110 Stat. 1321, 1321-76, provided that: “Prior to payment of any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, reasonable efforts shall be made to notify the victims of the crime for which the prisoner was convicted and incarcerated concerning the pending payment of any such compensatory damages.”

SUBCHAPTER D—RISK AND NEEDS ASSESSMENT SYSTEM

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§ 3631. Duties of the Attorney General

(a) IN GENERAL.—The Attorney General shall carry out this subchapter in consultation with—

- (1) the Director of the Bureau of Prisons;
- (2) the Director of the Administrative Office of the United States Courts;
- (3) the Director of the Office of Probation and Pretrial Services;
- (4) the Director of the National Institute of Justice;
- (5) the Director of the National Institute of Corrections; and
- (6) the Independent Review Committee authorized by the First Step Act of 2018<sup>1</sup>

(b) DUTIES.—The Attorney General shall—

- (1) conduct a review of the existing prisoner risk and needs assessment systems in operation on the date of enactment of this subchapter;
- (2) develop recommendations regarding evidence-based recidivism reduction programs and productive activities in accordance with section 3633;
- (3) conduct ongoing research and data analysis on—

(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

(B) the most effective and efficient uses of such programs;

(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

(D) products purchased by Federal agencies that are manufactured overseas and could be manufactured by prisoners participating in a prison work program without reducing job opportunities for other workers in the United States;

(4) on an annual basis, review, validate, and release publicly on the Department of Justice website the risk and needs assessment system, which review shall include—

(A) any subsequent changes to the risk and needs assessment system made after the date of enactment of this subchapter;

(B) the recommendations developed under paragraph (2), using the research conducted under paragraph (3);

(C) an evaluation to ensure that the risk and needs assessment system bases the assessment of each prisoner’s risk of recidivism on indicators of progress and of regression that are dynamic and that can reasonably be expected to change while in prison;

(D) statistical validation of any tools that the risk and needs assessment system uses; and

(E) an evaluation of the rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates;

(5) make any revisions or updates to the risk and needs assessment system that the Attorney General determines appropriate pursuant to the review under paragraph (4), including updates to ensure that any disparities identified in paragraph (4)(E) are reduced to the greatest extent possible; and

(6) report to Congress in accordance with section 3634.

(Added Pub. L. 115-391, title I, §101(a), Dec. 21, 2018, 132 Stat. 5195.)

Editorial Notes

REFERENCES IN TEXT

The First Step Act of 2018, referred to in subsec. (a)(6), is Pub. L. 115-391, Dec. 21, 2018, 132 Stat. 5194. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note under section 1 of this title and Tables.

The date of enactment of this subchapter, referred to in subsec. (b)(1), (4)(A), is the date of enactment of Pub. L. 115-391, which was approved Dec. 21, 2018.

Statutory Notes and Related Subsidiaries

INDEPENDENT REVIEW COMMITTEE

Pub. L. 115-391, title I, §107, Dec. 21, 2018, 132 Stat. 5215, provided that:

“(a) IN GENERAL.—The Attorney General shall consult with an Independent Review Committee in car-

<sup>1</sup> So in original. Probably should be followed by a period.