

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this subchapter, referred to in text, is the date of enactment of Pub. L. 115-391, which was approved Dec. 21, 2018.

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

§ 3635. Definitions

In this subchapter the following definitions apply:

(1) **DYSLEXIA.**—The term “dyslexia” means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing (the appreciation of the individual sounds of spoken language), which affects the ability of an individual to speak, read, and spell.

(2) **DYSLEXIA SCREENING PROGRAM.**—The term “dyslexia screening program” means a screening program for dyslexia that is—

(A) evidence-based (as defined in section 8101(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21))) with proven psychometrics for validity;

(B) efficient and low-cost; and

(C) readily available.

(3) **EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM.**—The term “evidence-based recidivism reduction program” means either a group or individual activity that—

(A) has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism;

(B) is designed to help prisoners succeed in their communities upon release from prison; and

(C) may include—

(i) social learning and communication, interpersonal, anti-bullying, rejection response, and other life skills;

(ii) family relationship building, structured parent-child interaction, and parenting skills;

(iii) classes on morals or ethics;

(iv) academic classes;

(v) cognitive behavioral treatment;

(vi) mentoring;

(vii) substance abuse treatment;

(viii) vocational training;

(ix) faith-based classes or services;

(x) civic engagement and reintegrative community services;

(xi) a prison job, including through a prison work program;

(xii) victim impact classes or other restorative justice programs; and

(xiii) trauma counseling and trauma-informed support programs.

(4) **PRISONER.**—The term “prisoner” means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons.

(5) **PRODUCTIVE ACTIVITY.**—The term “productive activity” means either a group or in-

dividual activity that is designed to allow prisoners determined as having a minimum or low risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating, and may include the delivery of the programs described in paragraph (1)¹ to other prisoners.

(6) **RISK AND NEEDS ASSESSMENT TOOL.**—The term “risk and needs assessment tool” means an objective and statistically validated method through which information is collected and evaluated to determine—

(A) as part of the intake process, the risk that a prisoner will recidivate upon release from prison;

(B) the recidivism reduction programs that will best minimize the risk that the prisoner will recidivate upon release from prison; and

(C) the periodic reassessment of risk that a prisoner will recidivate upon release from prison, based on factors including indicators of progress and of regression, that are dynamic and that can reasonably be expected to change while in prison.

(Added Pub. L. 115-391, title I, §101(a), Dec. 21, 2018, 132 Stat. 5207.)

[CHAPTER 231—REPEALED]**[[§§ 3651 to 3656. Repealed or Renumbered. Pub. L. 98-473, title II, § 212(a)(1), (2), Oct. 12, 1984, 98 Stat. 1987]**

Section 3651, acts June 25, 1948, ch. 645, 62 Stat. 842; June 20, 1958, Pub. L. 85-463, §1, 72 Stat. 216; Aug. 23, 1958, Pub. L. 85-741, 72 Stat. 834; Oct. 22, 1970, Pub. L. 91-492, §1, 84 Stat. 1090; May 11, 1972, Pub. L. 92-293, §1, 86 Stat. 136; Oct. 27, 1978, Pub. L. 95-537, §2, 92 Stat. 2038; Oct. 12, 1984, Pub. L. 98-473, title II, §§235(a)(1), 238(b), (c), (i), 98 Stat. 2031, 2038, 2039; Oct. 30, 1984, Pub. L. 98-596, §§4, 12(a)(2), (3), (9), (b), 98 Stat. 3136, 3139, 3140, related to suspension of sentence and probation.

Section 3652, act June 25, 1948, ch. 645, 62 Stat. 842, related to probation—(Rule).

Section 3653, acts June 25, 1948, ch. 645, 62 Stat. 842; May 24, 1949, ch. 139, §56, 63 Stat. 96, related to report of probation officer and arrest of probationer.

Section 3654, acts June 25, 1948, ch. 645, 62 Stat. 843; Aug. 2, 1949, ch. 383, §2, 63 Stat. 491, related to appointment and removal of probation officers.

Section 3655, acts June 25, 1948, ch. 645, 62 Stat. 843; Mar. 15, 1976, Pub. L. 94-233, §14, 90 Stat. 233; Oct. 12, 1984, Pub. L. 98-473, title II, §§235(a)(1), 238(d), (i), 98 Stat. 2031, 2038, 2039; Oct. 30, 1984, Pub. L. 98-596, §§5, 12(a)(4), (9), (b), 98 Stat. 3136, 3139, 3140, related to duties of probation officers.

Section 3656 renumbered section 3672 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such repeal, see section 235(a)(1) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of this title.

CHAPTER 232—MISCELLANEOUS SENTENCING PROVISIONS

Sec.	
3661.	Use of information for sentencing.
3662.	Conviction records.
3663.	Order of restitution.

¹ So in original. Probably should be “paragraph (3)”.