

1                   **Resolution Regarding Prison Security and Successful Inmate Reentry**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor:

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2                   **LONG TITLE**

3                   **General Description:**

4                   This joint resolution encourages Congress to support policies or programs that assist with  
5                   successful inmate reentry and enhance security within correctional facilities.

6                   **Highlighted Provisions:**

7                   This resolution:

8                   ▶ calls upon Congress to vote in favor of the 2025 Second Chance Reauthorization Act and  
9                   restore eliminated funding of the Act;

10                  ▶ encourages Congress to support policies and programs that provide inmates with  
11                  affordable health care prior to reentry;

12                  ▶ urges Congress to vote in favor of the 2025 Cell Phone Jamming Reform Act;

13                  ▶ requests that Congress criminalize the flying of drones over correctional facilities; and

14                  ▶ asks Congress to allow law enforcement and correctional agencies to implement a pilot  
15                  program to mitigate drones that fly over critical infrastructure.

16                  **Money Appropriated in this Bill:**

17                  None

18                  **Other Special Clauses:**

19                  None

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20                  *Be it resolved by the Legislature of the state of Utah:*

21                  WHEREAS, an incarcerated individual's success upon re-entry is impacted by the  
22                  incarcerated individual's ability to access resources like education, housing, transportation, and  
23                  affordable health care;

24                  WHEREAS, the Second Chance Act and the Act's reauthorizations are vital to successful  
25                  re-entry because the Act enables states, through grants, to implement programs and resources  
26                  for incarcerated individuals re-entering the community;

27                  WHEREAS, the United States Department of Justice reported that since 2008, when the  
28                  Second Chance Act was passed, more than 386,000 individuals received services funded by

31 the Act's grants;

32 WHEREAS, two examples of how the Second Chance Act funded re-entry programs  
33 include Arizona, where grants were used to train community correctional officers on best  
34 practices for supporting supervised offenders, and Ohio, where grants were used to provide  
35 housing vouchers to formerly incarcerated individuals;

36 WHEREAS, the Council of State Governments Justice Center found that since the Second  
37 Chance Act passed in 2008, reincarceration has decreased, with 27% of individuals being  
38 reincarcerated within three years after re-entry in 2019, as opposed to 35% who were  
39 reincarcerated within three years after re-entry in 2008;

40 WHEREAS, health care services like Medicaid are key to the successful re-entry of  
41 incarcerated individuals and, without access to affordable health care, incarcerated individuals  
42 may not seek medical care upon release;

43 WHEREAS, federal law has historically prohibited states from delivering Medicaid  
44 services to incarcerated individuals unless they are a patient at a medical institution;

45 WHEREAS, new opportunities such as the Medicaid Re-entry Justice Involved Waiver  
46 have provided states with new opportunities to leverage the Medicaid program to provide  
47 critical care to incarcerated individuals up to 90 days pre-release;

48 WHEREAS, as of August 2024, the Center for Medicare and Medicaid Services had  
49 approved Medicaid re-entry waivers for 11 states with 13 other states pending proposals;

50 WHEREAS, a 2018 National Survey of Correctional Contraband found that of 301 prisons  
51 across six states, cell phones were the second most common item of contraband, with an  
52 average of 31 cell phones retrieved per 1,000 individuals;

53 WHEREAS, contraband cell phones used by incarcerated individuals enable the  
54 continuance of crime such as drug trafficking and sexual exploitation;

55 WHEREAS, correctional officers have been convicted of providing cell phones and other  
56 contraband to incarcerated individuals in exchange for bribes;

57 WHEREAS, the Urban Institute reported that more than 85% of correctional administrators  
58 from 20 state prisons feel that contraband cell phones jeopardize the safety of incarcerated  
59 individuals and correctional staff;

60 WHEREAS, the National Institute of Justice identified drones as a concern for correctional  
61 facilities because drones can smuggle drugs, cell phones, weapons, GPS trackers, and other  
62 contraband into facilities;

63 WHEREAS, drones may not only be used to smuggle in contraband but may also be used  
64 for video surveillance of correctional facilities to aid incarcerated individuals in escaping;

65        WHEREAS, after the Federal Bureau of Prisons adopted a formal reporting process in  
66        2018, reports of drones increased by 87%, with the Department of Justice reporting 130 drone  
67        incidents in federal correctional facilities between 2015 and 2019; and

68        WHEREAS, federal law does not currently prohibit drones from flying over correctional  
69        facilities, but does, through a general prohibition, prohibit correctional facilities from being  
70        able to control, capture, or destroy drones flying over facilities:

71        NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah supports  
72        the 2025 Second Chance Reauthorization Act as a vital component for states to implement  
73        re-entry programming, and calls upon Congress to vote in favor of the 2025 Second Chance  
74        Reauthorization Act and restore any eliminated funding so that states can continue to provide  
75        services to help individuals successfully re-enter into society.

76        BE IT FURTHER RESOLVED that the Legislature acknowledges that incarcerated  
77        individuals who will soon re-enter the community need access to affordable health care, and  
78        encourages Congress to support state policies and programs that provide incarcerated  
79        individuals with access to health care prior to release from a correctional facility.

80        BE IT FURTHER RESOLVED that the Legislature urges Congress to vote in favor of  
81        implementing the 2025 Cellphone Jamming Reform Act to prevent further criminal activity in  
82        correctional facilities and communities.

83        BE IT FURTHER RESOLVED that the Legislature asks Congress to criminalize the flying  
84        of drones over correctional facilities and prioritize the prosecution of such incidents.

85        BE IT FURTHER RESOLVED that the Legislature supports allowing law enforcement and  
86        correctional facility agencies to mitigate drones that fly over critical infrastructure and requests  
87        that Congress permit a pilot program that enables law enforcement and correctional facility  
88        agencies to mitigate drones that fly over critical infrastructure.