

114TH CONGRESS  
1ST SESSION

# H. R. 3155

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the humane treatment of youths who are in police custody, and for other purpose.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2015

Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the humane treatment of youths who are in police custody, and for other purpose.

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 “Effective and Humane  
5 Treatment of Youth Act of 2015” or “Kalief’s Law”.

1 **SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY**

2 **BLOCK GRANTS.**

3 Section 1810(a) of the Omnibus Crime Control and  
4 Safe Streets Act of 1968 (42 U.S.C. 3796ee–10(a)) is  
5 amended by inserting before the period at the end the fol-  
6 lowing: “and such funds as may be necessary for each of  
7 fiscal years 2016 through 2020”.

8 **SEC. 3. HUMANE TREATMENT OF YOUTH FOR GRANT ELIGI-**  
9 **BILITY.**

10 (a) IN GENERAL.—Section 1802 of the Omnibus  
11 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
12 3796ee–2) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)(B), by striking “and”  
15 at the end;

16 (B) in paragraph (2), by striking the pe-  
17 riod at the end and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(3) assurances that the State and any unit of  
20 local government to which the State provides fund-  
21 ing under section 1803(b), has in effect (or shall  
22 have in effect, not later than 1 year after the date  
23 that the State submits such application) laws, or has  
24 implemented (or shall implement, not later than 1  
25 year after the date that the State submits such ap-  
26 plication) policies and programs, that provide for a

1 right to speedy trial in accordance with subsection  
2 (g), timely bail consideration in accordance with sub-  
3 section (h), and the restrictions on the use of tem-  
4 porary separation in accordance with subsection  
5 (i).”;

6 (2) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (A)(ii), by strik-  
9 ing “and” at the end; and

10 (ii) in subparagraph (B), by striking  
11 the period at the end and inserting “;  
12 and”; and

13 (B) by adding at the end the following:

14 “(C) such assurances as the State shall re-  
15 quire, that, to the extent applicable, the unit of  
16 local government has in effect (or shall have in  
17 effect, not later than 1 year after the date that  
18 the unit submits such application) laws, or has  
19 implemented (or shall implement, not later than  
20 1 year after the date that the unit submits such  
21 application) policies and programs, that provide  
22 for a right to speedy trial in accordance with  
23 subsection (g), timely bail consideration in ac-  
24 cordance with subsection (h), and the restric-

1           tions on the use of temporary separation in ac-  
2           cordance with subsection (i).”; and

3           (3) by adding at the end the following:

4           “(g) RIGHT TO SPEEDY TRIAL.—The requirements  
5 under this subsection relating to the right to a speedy trial  
6 for a youth are, at a minimum, that in the case of a youth  
7 who is held in custody, charges in any criminal case are  
8 dismissed with prejudice not later than 60 days after the  
9 date on which the youth was arrested (which shall be com-  
10 puted in accordance with section 3161(h) of title 18,  
11 United States Code), if a trial has not commenced or there  
12 has not been an adjudication of the case on the merits.  
13 For purposes of this subsection, the determination of  
14 whether an individual is a youth shall be based on the  
15 individual’s age at the time that the individual is taken  
16 into custody for the alleged criminal conduct.

17           “(h) RIGHT TO TIMELY BAIL CONSIDERATION.—

18           “(1) IN GENERAL.—The requirements under  
19 this subsection relating to a youth’s right to timely  
20 bail consideration are, at a minimum, that—

21           “(A) the youth receives an initial detention  
22 hearing not later than the second working day  
23 after being taken into custody, except that—

24           “(i) if the youth is taken into custody  
25 on a Friday or Saturday, not later than

1           one working day after being taken into  
2           custody; or

3           “(ii) in the case of an arrest for a sta-  
4           tus offense, not later than one working day  
5           after being taken into custody;

6           “(B) in the case of a youth who is 17  
7           years of age or younger, the parent, guardian  
8           or custodian of the youth receives from the  
9           court reasonable notice of the detention hearing  
10          if the parent, guardian or custodian can be lo-  
11          cated;

12          “(C) prior to any detention hearing, the  
13          youth is advised of the right to counsel, the  
14          right to have counsel appointed by the court if  
15          the youth is indigent, and the procedure for the  
16          appointment of counsel;

17          “(D) if at the initial detention hearing the  
18          youth does not have counsel, the court shall ap-  
19          point counsel before making a ruling on wheth-  
20          er to release or continue detaining the youth;

21          “(E) no statement made by the youth at  
22          any detention hearing is admissible against the  
23          youth at any other hearings or proceedings;

24          “(F) if a youth is detained, a detention  
25          hearing to review the release decision is held

1 every 10 working days, or every 15 working  
2 days if the youth is held outside the county of  
3 jurisdiction, unless the youth waives review on  
4 the advice of counsel;

5 “(G) there is a presumption of release at  
6 a detention hearing, unless—

7 “(i) the youth will be removed from  
8 the jurisdiction of the court prior to the  
9 next scheduled hearing;

10 “(ii) in the case of a youth who is 17  
11 years of age or younger, the youth lacks  
12 suitable and safe supervision, care, and  
13 protection from a parent, guardian, custo-  
14 dian, or other person or agency; or

15 “(iii) the youth may be a danger to  
16 himself or herself, a threat to public safety,  
17 or is likely to commit an offense if re-  
18 leased, and the court determines that such  
19 danger, threat, or likelihood cannot be  
20 overcome with appropriate supervision,  
21 services, or treatment; and

22 “(H) a detained youth who is not charged  
23 with a criminal offense at an initial detention  
24 hearing is released unless—

1           “(i) in the case of a youth who is de-  
2           tained for delinquency, a probation viola-  
3           tion, or a status offense, the State brings  
4           a petition or formal charge against the  
5           youth not later than 15 working days after  
6           the initial detention decision;

7           “(ii) except as provided in clause (i),  
8           in the case of a youth who is detained for  
9           criminal conduct for which the maximum  
10          term of imprisonment is less than one  
11          year, the State brings a formal charge  
12          against the youth not later than 30 work-  
13          ing days after the initial detention deci-  
14          sion; or

15          “(iii) except as provided in clause (i),  
16          in the case of a youth who is detained for  
17          criminal conduct for which the maximum  
18          term of imprisonment is one year or great-  
19          er, the State brings a formal charge  
20          against the youth not later than 60 days  
21          after the initial detention decision.

22          “(2) STATUS AS YOUTH.—For purposes of this  
23          subsection, the determination of whether an indi-  
24          vidual is a youth shall be based on the individual’s

1 age at the time that the individual is taken into cus-  
2 tody for the alleged criminal conduct.

3 “(3) DEFINITIONS.—For the purpose of this  
4 subsection:

5 “(A) The term ‘detention hearing’ means a  
6 hearing—

7 “(i) conducted by a duly appointed or  
8 elected judge or, if a judge is not available,  
9 a referee appointed for the purpose of con-  
10 ducting detention hearings; and

11 “(ii) recorded at the request of any  
12 party.

13 “(B) The term ‘status offense’ means an  
14 offense which prohibits conduct only for youths  
15 and not for adults, based on their age, includ-  
16 ing truancy, running away, breach of curfew,  
17 and age-based alcohol or drug offenses.

18 “(i) BAN ON THE USE OF SOLITARY CONFINEMENT.—  
19

20 “(1) IN GENERAL.—The requirements under  
21 this subsection relating to the restrictions on the use  
22 of temporary separation are, at a minimum, that—

23 “(A) temporary separation of a youth from  
24 the general population in a detention facility is  
25 not used for any purpose other than as a tem-



1           porary response to behavior of the individual  
2           that poses a serious and immediate risk of  
3           physical harm to that individual or to others;

4           “(B) a good faith effort to employ less re-  
5           strictive techniques, including de-escalation and  
6           intervention by facility employees, mental health  
7           professionals, and other youths must occur be-  
8           fore the use of temporary separation;

9           “(C) before or immediately after a youth is  
10          placed in temporary separation, an employee of  
11          the detention facility provides the individual  
12          with an explanation of the reasons for the sepa-  
13          ration and under what circumstances it will  
14          end;

15          “(D) the duration for which a youth is  
16          placed in temporary separation does not exceed  
17          3 hours, and consecutive periods of temporary  
18          separation for the same episode of behavior are  
19          prohibited;

20          “(E) a youth is released from temporary  
21          separation as soon as he or she no longer poses  
22          a risk of serious and immediate physical harm;

23          “(F) in the case of a youth who continues  
24          to pose a risk of serious and immediate physical  
25          harm after being in temporary separation for 3

1 hours, prior to, or upon the conclusion of such  
2 3-hour period, the facility initiates a transfer to  
3 another facility that can provide necessary serv-  
4 ices without the use of temporary separation or  
5 refers the individual to a mental health facility  
6 that can provide necessary services, in which  
7 case the individual may remain in temporary  
8 separation pending such transfer;

9 “(G) the physical space used for temporary  
10 separation—

11 “(i) is at least 80 square feet, suicide-  
12 resistant, and protrusion-free;

13 “(ii) has adequate lighting and ven-  
14 tilation;

15 “(iii) is kept at a reasonable tempera-  
16 ture; and

17 “(iv) provides access to clean potable  
18 water, toilet facilities, and hygiene sup-  
19 plies; and

20 “(H) a youth placed in temporary separa-  
21 tion has access to appropriate medical and men-  
22 tal health services, and receives crisis interven-  
23 tion and one-on-one observation.

24 “(2) DEFINITION.—For the purpose of this  
25 subsection, the term ‘temporary separation’ means

1 the involuntary restriction of an individual alone in  
2 a cell, room, or other area isolated away from all  
3 human contact except for the employees of the de-  
4 tention facility.”.

5 (b) YOUTH DEFINED.—Section 1809 of the Omnibus  
6 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
7 3796ee–9) is amended by at the end the following:

8 “(7) YOUTH.—The term ‘youth’ means an indi-  
9 vidual who is 21 years of age or younger.”.

10 **SEC. 4. TREATMENT OF YOUTH IN FEDERAL PRISONS AND**  
11 **CORRECTIONAL FACILITIES.**

12 (a) IN GENERAL.—Chapter 401 of title 18, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing:

15 **“§ 5004. Recording of custodial interrogations of**  
16 **youth**

17 “(a) IN GENERAL.—A custodial interrogation of a  
18 youth shall be electronically recorded in its entirety in  
19 audio and visual form, except that if any part of the inter-  
20 rogation occurs outside of a place of detention, an audio  
21 recording may be used. If the interrogation occurs in a  
22 detention facility, the camera shall show both the interro-  
23 gator and the youth.

24 “(b) INADMISSIBILITY OF STATEMENTS NOT RE-  
25 CORDED.—Except as provided in subsections (c) and (d),

1 any statement made by a youth during a custodial interro-  
2 gation that is not recorded in accordance with subsection  
3 (a), is inadmissible as evidence against the youth in any  
4 juvenile delinquency or criminal proceeding brought  
5 against the youth.

6 “(c) EXCEPTIONS GENERALLY.—A statement made  
7 by a youth in a custodial interrogation that would be inad-  
8 missible under subsection (b) may be admitted into evi-  
9 dence in a criminal or juvenile delinquency proceeding  
10 brought against the youth if the court finds the following:

11 “(1) The statement is admissible under the ap-  
12 plicable rules of evidence.

13 “(2) The prosecution has proven by clear and  
14 convincing evidence that the youth made the state-  
15 ment voluntarily, and that such statement is reliable.

16 “(3) The prosecution has proven by clear and  
17 convincing evidence that one or more of the fol-  
18 lowing circumstances existed at the time of the cus-  
19 todial interrogation:

20 “(A) The questions put forth by law en-  
21 forcement personnel, and the youth’s responsive  
22 statements, were part of the routine processing  
23 or intake of the youth.

24 “(B) Before or during a custodial interro-  
25 gation, after having consulted with his or her

1 lawyer, the youth unambiguously declared on  
2 the recording that he or she would only respond  
3 to the officer's questions if his or her state-  
4 ments were not recorded.

5 “(C) The custodial interrogation took place  
6 in another jurisdiction and was conducted by  
7 officials of that jurisdiction in compliance with  
8 the law of the jurisdiction.

9 “(D) Exigent circumstances existed, which  
10 prevented the making of, or rendered it not fea-  
11 sible to make, a recording of the custodial inter-  
12 rogation.

13 “(d) EXCEPTION RELATING TO STATEMENTS MADE  
14 IN COURT.—A statement made by a youth in a custodial  
15 interrogation which would be inadmissible under sub-  
16 section (b) may be admitted into evidence in a juvenile  
17 delinquency or criminal proceeding brought against the  
18 youth if the court finds the following:

19 “(1) The statement was made before a grand  
20 jury or in court.

21 “(2) The statement is admissible under applica-  
22 ble rules of evidence.

23 “(3) The prosecution has proven by clear and  
24 convincing evidence that the youth made the state-  
25 ment voluntarily, and that such statement is reliable.

1       “(e) EXCEPTION RELATING TO STATEMENTS MADE  
2 BY PRISONERS.—

3           “(1) IN GENERAL.—Except as provided in para-  
4 graph (2), a statement made by a youth in a custo-  
5 dial interrogation which would be inadmissible  
6 under subsection (b) may be admitted into evidence  
7 in a juvenile delinquency or criminal proceeding  
8 brought against the youth if, at the time of making  
9 the statement, the youth was serving a term of im-  
10 prisonment in a Federal prison or correctional insti-  
11 tution.

12           “(2) LIMITATION.—A statement described in  
13 paragraph (1) may not be admitted into evidence in  
14 a juvenile delinquency or criminal proceeding  
15 brought against the youth if the statement was  
16 made in relation to an investigation of a crime com-  
17 mitted in the Federal prison or correctional institu-  
18 tion.

19       “(f) HANDLING AND PRESERVATION OF ELECTRONIC  
20 RECORDINGS.—Recordings of custodial interrogations  
21 under this subsection shall be handled and preserved as  
22 follows:

23           “(1) The recording shall be clearly identified  
24 and catalogued by law enforcement personnel.

1           “(2) If a juvenile delinquency or criminal pro-  
2           ceeding is brought against a youth who was the sub-  
3           ject of an electronically recorded custodial interroga-  
4           tion, the recording shall be preserved by law enforce-  
5           ment personnel until all appeals, post-conviction, and  
6           habeas corpus proceedings are final and concluded,  
7           or the time within which such proceedings must be  
8           brought has expired.

9           “(3) If no juvenile delinquency or criminal pro-  
10          ceeding is brought against a youth who has been the  
11          subject of a recorded custodial interrogation, the re-  
12          lated recording shall be preserved by law enforce-  
13          ment personnel until all applicable State and Fed-  
14          eral statutes of limitations bar prosecution of the  
15          youth.

16          “(g) STUDY AND REPORT.—Not later than 2 years  
17          after the date of enactment of this Act, and annually  
18          thereafter, the Attorney General shall submit to Congress  
19          a report that describes—

20                 “(1) the instances in which recorded interroga-  
21                 tions were introduced as evidence in a juvenile delin-  
22                 quency or criminal proceeding;

23                 “(2) the instances in which interrogations were  
24                 not recorded but were nonetheless introduced as evi-

1       dence in a juvenile delinquency or criminal pro-  
2       ceeding;

3               “(3) the instances in which interrogations were  
4       recorded and a plea of guilty was entered and ac-  
5       cepted by the court; and

6               “(4) the instances in which interrogations were  
7       not recorded and a plea of guilty was entered and  
8       accepted by the court.

9       **“§ 5005. Ban on solitary confinement of youth**

10       “(a) PROHIBITION.—The placement of a youth in  
11       temporary separation for any purpose other than as a tem-  
12       porary response to behavior of the individual that poses  
13       a serious and immediate risk of physical harm to that indi-  
14       vidual or to others, is prohibited.

15       “(b) LESS RESTRICTIVE TECHNIQUES.—Techniques  
16       that are less restrictive than temporary separation, includ-  
17       ing de-escalation and intervention by facility employees,  
18       mental health professionals, and other youths shall be em-  
19       ployed before the use of temporary separation.

20       “(c) EXPLANATION.—Before or immediately after an  
21       individual is placed in temporary separation, an employee  
22       of the detention facility shall provide the individual with  
23       an explanation of the reasons for the temporary separation  
24       and under what circumstances it will end.



1       “(d) MAXIMUM TIME.—A youth shall not be placed  
2 in temporary separation for more than 3 hours and con-  
3 secutive periods of temporary separation for the same epi-  
4 sode of behavior are prohibited.

5       “(e) RELEASE.—A youth shall be released from tem-  
6 porary separation as soon as he or she no longer poses  
7 a risk of serious and immediate physical harm. If a youth  
8 continues to pose a risk of serious and immediate physical  
9 harm after being in temporary separation for 3 hours, the  
10 facility shall, prior to, or upon the conclusion of such 3-  
11 hour period, initiate a transfer to another facility that can  
12 provide necessary services without the use of temporary  
13 separation or refer the individual to a mental health facil-  
14 ity that can provide necessary services, in which case the  
15 individual may remain in temporary separation pending  
16 such transfer.

17       “(f) CONDITIONS.—The physical space used for tem-  
18 porary separation shall—

19               “(1) be at least 80 square feet, suicide-resist-  
20 ant, and protrusion-free;

21               “(2) have adequate lighting and ventilation;

22               “(3) be kept at a reasonable temperature; and

23               “(4) provide access to clean potable water, toi-  
24 let facilities, and hygiene supplies.

1       “(g) SERVICES.—A youth placed in temporary sepa-  
2 ration shall have access to appropriate medical and mental  
3 health services, and receive crisis intervention and one-on-  
4 one observation.

5       **“§ 5006. Restrictions on shackling of youth**

6       “(a) IN GENERAL.—Instruments of restraint, such as  
7 handcuffs, chains, irons, straitjackets, or similar items,  
8 may not be used on a youth during a court proceeding  
9 and must be removed prior to the youth’s entry into a  
10 courtroom, unless the court finds that—

11               “(1) the use of restraints is necessary—

12                       “(A) to prevent physical harm to the youth  
13 or another person; or

14                       “(B) to prevent the youth from fleeing the  
15 court; and

16               “(2) a less restrictive alternative, such as the  
17 presence of additional court personnel, law enforce-  
18 ment officers, or bailiffs, will not be sufficient to  
19 prevent the behavior described in subparagraphs (A)  
20 and (B) of paragraph (1).

21       “(b) OPPORTUNITY TO RESPOND.—Before ordering  
22 the use of restraints, the court shall provide the youth with  
23 the opportunity to respond to any evidence presented  
24 under subsection (a).

1 “(c) CERTAIN SHACKLING PROHIBITED.—A court  
2 may not order the use of restraints that—

3 “(1) restrict movement of the youth’s hands,  
4 such that the youth is unable to read and handle  
5 documents used during the court proceeding; or

6 “(2) are fixed to a wall, the floor, or furniture.

7 **“§ 5007. Definitions**

8 “For purposes of this chapter:

9 “(1) The term ‘custodial interrogation’ means  
10 questioning or other conduct by a law enforcement  
11 officer which is reasonably likely to elicit an incrimi-  
12 nating response from an individual and occurs when  
13 reasonable individuals in the same circumstances  
14 would consider themselves in custody.

15 “(2) The term ‘temporary separation’ means  
16 the involuntary restriction of an individual alone in  
17 a cell, room, or other area isolated away from all  
18 human contact except for the employees of the de-  
19 tention facility.

20 “(3) The term ‘youth’ means an individual who  
21 is 21 years of age or younger.”.

22 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
23 The table of sections for chapter 401 of title 18, United  
24 States Code, is amended by adding at the end the fol-  
25 lowing:

“5004. Ban on solitary confinement of youth.

“5005. Recording of custodial interrogations of youth.

“5006. Restrictions on shackling of youth.

“5007. Definitions.”.

1           (c) STUDY AND REPORT ON TEMPORARY SEPARA-  
2 TION OF YOUTH IN FEDERAL FACILITIES.—Not later  
3 than 2 years after the date of enactment of this Act, and  
4 annually thereafter, the Attorney General shall submit to  
5 Congress a report that contains—

6           (1) a detailed description of the types and con-  
7 ditions of temporary separation used for Federal  
8 prisoners or detainees who are youths;

9           (2) a list of the number of instances in which  
10 temporary separation was used for Federal prisoners  
11 or detainees who are youths, disaggregated by age,  
12 race, ethnicity, gender, and a description of the cir-  
13 cumstances specific to each such instance, including  
14 the cause, length, and result.

15 **SEC. 5. YOUTH CUSTODIAL INTERROGATION RECORDING**  
16 **GRANTS.**

17           (a) Section 1001(a) of title I of the Omnibus Crime  
18 Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a))  
19 is amended by adding at the end the following:

20           “(27) There are authorized to be appropriated  
21 to carry out part LL such sums as may be necessary  
22 for each of the first 5 fiscal years beginning after  
23 the date of the enactment of such part.”.

1 (b) Title I of the Omnibus Crime Control and Safe  
2 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended  
3 by adding at the end the following:

4 **“PART LL—YOUTH CUSTODIAL INTERROGATION**  
5 **VIDEO RECORDING GRANTS**  
6 **“SEC. 3021. CUSTODIAL INTERROGATION VIDEO RECORD-**  
7 **ING GRANTS.**

8 “(a) GRANT PROGRAM.—The Attorney General shall  
9 make grants to States and units of local government to  
10 take whatever steps the Attorney General determines to  
11 be necessary to achieve complete and accurate recording,  
12 by both audio and video means, of every custodial interro-  
13 gation of a youth occurring within the State or unit of  
14 local government.

15 “(b) MATCHING REQUIREMENT.—The portion of the  
16 costs of a program funded by a grant under this section  
17 may not exceed 75 percent.

18 “(c) DEFINITIONS.—In this section:

19 “(1) The term ‘custodial interrogation’ means  
20 questioning or other conduct by a law enforcement  
21 officer which is reasonably likely to elicit an incrimi-  
22 nating response from an individual and occurs when  
23 reasonable individuals in the same circumstances  
24 would consider themselves in custody.

1           “(2) The term ‘youth’ means an individual who  
2           is 21 years of age or younger.”.

3 **SEC. 6. POLICE-YOUTH INTERACTIONS.**

4           (a) IN GENERAL.—Beginning after the end of the im-  
5           plementation period, in the case of a State or unit of local  
6           government that received a grant award under subpart 1  
7           of part E of title I of the Omnibus Crime Control and  
8           Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), or  
9           under part Q of title I of such Act (42 U.S.C. 3796dd),  
10          if that State or unit of local government fails by the end  
11          of a fiscal year to substantially comply with the require-  
12          ments of subsections (c) and (d), the Attorney General  
13          shall reduce the amount that would otherwise be awarded  
14          to that State or unit of government under such grant pro-  
15          gram in the following fiscal year by 5 percent.

16          (b) REALLOCATION.—Amounts not allocated under a  
17          program referred to in subsection (a) to a State for failure  
18          to be in compliance with this section shall be reallocated  
19          under the program to States that are in compliance with  
20          this section.

21          (c) POLICE-YOUTH INTERACTION POLICY.—A State  
22          or unit of local government shall have in effect a policy  
23          establishing procedures, standards, and training on police-  
24          youth interactions that are grounded in evidence-based  
25          practices and address, at a minimum, de-escalation, verbal

1 communication, physical contact, use of restraints, use of  
2 lethal and nonlethal force, notification of a parent or  
3 guardian, interviews and questioning, custodial interroga-  
4 tion, searches, audio and video recording, conditions of  
5 custody, alternatives to arrest, diversion and community  
6 resources, referral to child protection agencies, removal  
7 from school grounds or campus, mental health and crisis  
8 intervention, and any needs specific to minority youth.

9 (d) POLICE-YOUTH INTERACTION TRAINING.—A  
10 State or unit of local government shall have in effect a  
11 policy requiring all law enforcement officers to receive  
12 training on the police-youth interaction policy described in  
13 subsection (c), and on police-youth interaction and mental  
14 health crisis intervention generally, that is equal to the  
15 quality and number of hours of training received for fire-  
16 arms and use of force, but not less than 12 hours at the  
17 start of employment and 6 hours annually thereafter.

18 (e) GUIDANCE.—Not later than 1 year after the date  
19 of enactment of this Act, the Attorney General shall issue  
20 guidance on the establishment of police-youth interaction  
21 policies and training in order to assist States and local  
22 governments in complying with subsection (a).

23 (f) IMPLEMENTATION PERIOD.—The term “imple-  
24 mentation period” means the period beginning on the date  
25 of enactment of this Act and ending on the later of—

1           (1) the date that is 1 year after the date of en-  
2           actment of this Act; or

3           (2) the date that is 1 year after the date on  
4           which the Attorney General issues the guidance re-  
5           quired under subsection (e).

6   The Attorney General may extend such period by an addi-  
7   tional year not more than once.

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