

114TH CONGRESS  
2D SESSION

# H. R. 5963

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2016

Mr. CURBELO of Florida (for himself, Mr. CARTER of Georgia, Mr. KLINE, Mr. SCOTT of Virginia, Mrs. DAVIS of California, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, 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 “Supporting Youth Op-  
5 portunity and Preventing Delinquency Act of 2016”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—DECLARATION OF FINDINGS, PURPOSE, AND  
DEFINITIONS

- Sec. 101. Findings.
- Sec. 102. Purposes.
- Sec. 103. Definitions.

#### TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- Sec. 201. Concentration of Federal efforts.
- Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 203. Annual report.
- Sec. 204. Allocation of funds.
- Sec. 205. State plans.
- Sec. 206. Repeal of juvenile delinquency prevention block grant program.
- Sec. 207. Research and evaluation; statistical analyses; information dissemination.
- Sec. 208. Training and technical assistance.
- Sec. 209. Authorization of appropriations.
- Sec. 210. Administrative authority.

#### TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

- Sec. 301. Short title.
- Sec. 302. Definitions.
- Sec. 303. Duties and functions of the administrator.
- Sec. 304. Grants for delinquency prevention programs.
- Sec. 305. Grants for tribal delinquency prevention and response programs.
- Sec. 306. Authorization of appropriations.
- Sec. 307. Technical and conforming amendment.

#### TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Evaluation by Government Accountability Office.
- Sec. 402. Accountability and oversight.

# 1 **TITLE I—DECLARATION OF** 2 **FINDINGS, PURPOSE, AND** 3 **DEFINITIONS**

## 4 **SEC. 101. FINDINGS.**

5 Section 101(a)(9) of the Juvenile Justice and Delin-  
6 quency Prevention Act of 1974 (42 U.S.C. 5601(a)(9)) is  
7 amended by inserting “, including offenders who enter the  
8 juvenile justice system as the result of sexual abuse, ex-  
9 ploitation, and trauma,” after “young juvenile offenders”.

1 **SEC. 102. PURPOSES.**

2 Section 102 of the Juvenile Justice and Delinquency  
3 Prevention Act of 1974 (42 U.S.C. 5602) is amended—

4 (1) in paragraph (1), by inserting “, tribal,”  
5 after “State”;

6 (2) in paragraph (2)—

7 (A) by inserting “, tribal,” after “State”;

8 and

9 (B) by striking “and” at the end;

10 (3) by amending paragraph (3) to read as fol-  
11 lows:

12 “(3) to assist State, tribal, and local govern-  
13 ments in addressing juvenile crime through the pro-  
14 vision of technical assistance, research, training,  
15 evaluation, and the dissemination of current and rel-  
16 evant information on effective and evidence-based  
17 programs and practices for combating juvenile delin-  
18 quency; and”;

19 (4) by adding at the end the following:

20 “(4) to support a continuum of evidence-based  
21 or promising programs (including delinquency pre-  
22 vention, intervention, mental health, behavioral  
23 health and substance abuse treatment, family serv-  
24 ices, and services for children exposed to violence)  
25 that are trauma informed, reflect the science of ado-  
26 lescent development, and are designed to meet the

1 needs of at-risk youth and youth who come into con-  
2 tact with the justice system.”.

3 **SEC. 103. DEFINITIONS.**

4 Section 103 of the Juvenile Justice and Delinquency  
5 Prevention Act of 1974 (42 U.S.C. 5603) is amended—

6 (1) in paragraph (8)—

7 (A) in subparagraph (B)(ii), by adding  
8 “or” at the end;

9 (B) by striking subparagraph (C); and

10 (C) by redesignating subparagraph (D) as  
11 subparagraph (C);

12 (2) by amending paragraph (18) to read as fol-  
13 lows:

14 “(18) the term ‘Indian tribe’ means an Indian  
15 tribe, as the term is defined in section 102 of the  
16 Federally Recognized Indian Tribe List Act of 1994  
17 (25 U.S.C. 479a), that—

18 “(A) is indigenous (as the term is defined  
19 in section 83.1 of title 25, Code of Federal Reg-  
20 ulations (as in effect on the date of enactment  
21 of Supporting Youth Opportunity and Pre-  
22 venting Delinquency Act of 2016)); and

23 “(B) has a criminal justice function, as de-  
24 termined by the Secretary of the Interior in  
25 consultation with the Attorney General;”;

1           (3) by amending paragraph (22) to read as fol-  
2           lows:

3           “(22) the term ‘jail or lockup for adults’ means  
4           a secure facility that is used by a State, unit of local  
5           government, or law enforcement authority to detain  
6           or confine adult inmates;”;

7           (4) by amending paragraph (25) to read as fol-  
8           lows:

9           “(25) the term ‘sight or sound contact’ means  
10          any physical, clear visual, or verbal contact that is  
11          not brief and inadvertent;”;

12          (5) by amending paragraph (26) to read as fol-  
13          lows:

14          “(26) the term ‘adult inmate’—

15                 “(A) means an individual who—

16                         “(i) has reached the age of full crimi-  
17                         nal responsibility under applicable State  
18                         law; and

19                         “(ii) has been arrested and is in cus-  
20                         tody for or awaiting trial on a criminal  
21                         charge, or is convicted of a criminal of-  
22                         fense; and

23                 “(B) does not include an individual who—

24                         “(i) at the time of the time of the of-  
25                         fense, was younger than the maximum age

1 at which a youth can be held in a juvenile  
2 facility under applicable State law; and

3 “(ii) was committed to the care and  
4 custody or supervision, including post-  
5 placement or parole supervision, of a juve-  
6 nile correctional agency by a court of com-  
7 petent jurisdiction or by operation of appli-  
8 cable State law;”;

9 (6) in paragraph (28), by striking “and” at the  
10 end;

11 (7) in paragraph (29), by striking the period at  
12 the end and inserting a semicolon; and

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

14 “(30) the term ‘core requirements’—

15 “(A) means the requirements described in  
16 paragraphs (11), (12), (13), and (15) of section  
17 223(a); and

18 “(B) does not include the data collection  
19 requirements described in subparagraphs (A)  
20 through (K) of section 207(1);

21 “(31) the term ‘chemical agent’ means a spray  
22 or injection used to temporarily incapacitate a per-  
23 son, including oleoresin capsicum spray, tear gas,  
24 and 2-chlorobenzalmalononitrile gas;

25 “(32) the term ‘isolation’—

1           “(A) means any instance in which a youth  
2 is confined alone for more than 10 minutes in  
3 a room or cell; and

4           “(B) does not include—

5                 “(i) confinement during regularly  
6 scheduled sleeping hours;

7                 “(ii) separation based on a treatment  
8 program approved by a licensed medical or  
9 mental health professional;

10                “(iii) confinement or separation that  
11 is requested by the youth; or

12                “(iv) the separation of the youth from  
13 a group in a nonlocked setting for the lim-  
14 ited purpose of calming;

15           “(33) the term ‘restraints’ has the meaning  
16 given that term in section 591 of the Public Health  
17 Service Act (42 U.S.C. 290ii);

18           “(34) the term ‘evidence-based’ means a pro-  
19 gram or practice that—

20                 “(A) is demonstrated to be effective when  
21 implemented with fidelity;

22                 “(B) is based on a clearly articulated and  
23 empirically supported theory;

24                 “(C) has measurable outcomes relevant to  
25 juvenile justice, including a detailed description

1 of the outcomes produced in a particular popu-  
2 lation, whether urban or rural; and

3 “(D) has been scientifically tested and  
4 proven effective through randomized control  
5 studies or comparison group studies and with  
6 the ability to replicate and scale;

7 “(35) the term ‘promising’ means a program or  
8 practice that—

9 “(A) is demonstrated to be effective based  
10 on positive outcomes relevant to juvenile justice  
11 from one or more objective, independent, and  
12 scientifically valid evaluations, as documented  
13 in writing to the Administrator; and

14 “(B) will be evaluated through a well-de-  
15 signed and rigorous study, as described in para-  
16 graph (34)(D);

17 “(36) the term ‘dangerous practice’ means an  
18 act, procedure, or program that creates an unreason-  
19 able risk of physical injury, pain, or psychological  
20 harm to a juvenile subjected to the act, procedure,  
21 or program;

22 “(37) the term ‘screening’ means a brief proc-  
23 ess—

24 “(A) designed to identify youth who may  
25 have mental health, behavioral health, sub-



1           stance abuse, or other needs requiring imme-  
2           diate attention, intervention, and further eval-  
3           uation; and

4                   “(B) the purpose of which is to quickly  
5           identify a youth with possible mental health, be-  
6           havioral health, substance abuse, or other needs  
7           in need of further assessment;

8                   “(38) the term ‘assessment’ includes, at a min-  
9           imum, an interview and review of available records  
10          and other pertinent information—

11                   “(A) by an appropriately trained profes-  
12          sional who is licensed or certified by the appli-  
13          cable State in the mental health, behavioral  
14          health, or substance abuse fields; and

15                   “(B) which is designed to identify signifi-  
16          cant mental health, behavioral health, or sub-  
17          stance abuse treatment needs to be addressed  
18          during a youth’s confinement;

19                   “(39) for purposes of section 223(a)(15), the  
20          term ‘contact’ means the points at which a youth  
21          and the juvenile justice system or criminal justice  
22          system officially intersect, including interactions  
23          with a juvenile justice, juvenile court, or law enforce-  
24          ment official;

25                   “(40) the term ‘trauma-informed’ means—

1           “(A) understanding the impact that expo-  
2           sure to violence and trauma have on a youth’s  
3           physical, psychological, and psychosocial devel-  
4           opment;

5           “(B) recognizing when a youth has been  
6           exposed to violence and trauma and is in need  
7           of help to recover from the adverse impacts of  
8           trauma; and

9           “(C) responding in ways that resist re-  
10          traumatization;

11          “(41) the term ‘racial and ethnic disparity’  
12          means minority youth populations are involved at a  
13          decision point in the juvenile justice system at high-  
14          er rates, incrementally or cumulatively, than non-mi-  
15          nority youth at that decision point;

16          “(42) the term ‘status offender’ means a juve-  
17          nile who is charged with or who has committed an  
18          offense that would not be criminal if committed by  
19          an adult;

20          “(43) the term ‘rural’ means an area that is  
21          not located in a metropolitan statistical area, as de-  
22          fined by the Office of Management and Budget;

23          “(44) the term ‘internal controls’ means a proc-  
24          ess implemented to provide reasonable assurance re-  
25          garding the achievement of objectives in—

1           “(A) effectiveness and efficiency of oper-  
2           ations, such as grant management practices;

3           “(B) reliability of reporting for internal  
4           and external use; and

5           “(C) compliance with applicable laws and  
6           regulations, as well as recommendations of the  
7           Office of Inspector General and the Government  
8           Accountability Office; and

9           “(45) the term ‘tribal government’ means the  
10          governing body of an Indian tribe.”.

11 **TITLE II—JUVENILE JUSTICE**  
12 **AND DELINQUENCY PREVEN-**  
13 **TION**

14 **SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.**

15          Section 204 of the Juvenile Justice and Delinquency  
16 Prevention Act of 1974 (42 U.S.C. 5614) is amended—

17           (1) in subsection (a)—

18           (A) in paragraph (1), in the first sen-  
19           tence—

20           (i) by striking “a long-term plan, and  
21           implement” and inserting the following: “a  
22           long-term plan to improve the juvenile jus-  
23           tice system in the United States, taking  
24           into account scientific knowledge regarding  
25           adolescent development and behavior and

1            regarding the effects of delinquency pre-  
2            vention programs and juvenile justice  
3            interventions on adolescents, and shall im-  
4            plement”; and

5            (ii) by striking “research, and im-  
6            provement of the juvenile justice system in  
7            the United States” and inserting “and re-  
8            search”; and

9            (B) in paragraph (2)(B), by striking “Fed-  
10           federal Register” and all that follows and inserting  
11           “Federal Register during the 30-day period  
12           ending on October 1 of each year.”; and

13           (2) in subsection (b)—

14           (A) by striking paragraph (7);

15           (B) by redesignating paragraphs (5) and  
16           (6) as paragraphs (6) and (7), respectively;

17           (C) by inserting after paragraph (4), the  
18           following:

19           “(5) not later than 1 year after the date of en-  
20           actment of the Supporting Youth Opportunity and  
21           Preventing Delinquency Act of 2016, in consultation  
22           with Indian tribes, develop a policy for the Office of  
23           Juvenile Justice and Delinquency Prevention to col-  
24           laborate with representatives of Indian tribes with a

1 criminal justice function on the implementation of  
2 the provisions of this Act relating to Indian tribes;”;

3 (D) in paragraph (6), as so redesignated,  
4 by adding “and” at the end; and

5 (E) in paragraph (7), as so redesignated—

6 (i) by striking “monitoring”;

7 (ii) by striking “section 223(a)(15)”  
8 and inserting “section 223(a)(16)”; and

9 (iii) by striking “to review the ade-  
10 quacy of such systems; and” and inserting  
11 “for monitoring compliance.”.

12 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**  
13 **AND DELINQUENCY PREVENTION.**

14 Section 206 of the Juvenile Justice and Delinquency  
15 Prevention Act of 1974 (42 U.S.C. 5616) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1)—

18 (i) by inserting “the Administrator of  
19 the Substance Abuse and Mental Health  
20 Services Administration, the Secretary of  
21 the Interior,” after “the Secretary of  
22 Health and Human Services,”; and

23 (ii) by striking “Commissioner of Im-  
24 migration and Naturalization” and insert-

1           ing “Assistant Secretary for Immigration  
2           and Customs Enforcement”; and

3           (B) in paragraph (2), by striking “United  
4           States” and inserting “Federal Government”;  
5           and

6           (2) in subsection (c)—

7           (A) in paragraph (1), by striking “para-  
8           graphs (12)(A), (13), and (14) of section  
9           223(a) of this title” and inserting “the core re-  
10          quirements”; and

11          (B) in paragraph (2)—

12           (i) in the matter preceding subpara-  
13          graph (A), by inserting “, on an annual  
14          basis” after “collectively”; and

15           (ii) by striking subparagraph (B) and  
16          inserting the following:

17          “(B) not later than 120 days after the  
18          completion of the last meeting of the Council  
19          during any fiscal year, submit to the Committee  
20          on Education and the Workforce of the House  
21          of Representatives and the Committee on the  
22          Judiciary of the Senate a report that—

23           “(i) contains the recommendations de-  
24          scribed in subparagraph (A);

1           “(ii) includes a detailed account of the  
2           activities conducted by the Council during  
3           the fiscal year, including a complete de-  
4           tailed accounting of expenses incurred by  
5           the Council to conduct operations in ac-  
6           cordance with this section;

7           “(iii) is published on the Web sites of  
8           the Office of Juvenile Justice and Delin-  
9           quency Prevention, the Council, and the  
10          Department of Justice; and

11          “(iv) is in addition to the annual re-  
12          port required under section 207.”.

13 **SEC. 203. ANNUAL REPORT.**

14          Section 207 of the Juvenile Justice and Delinquency  
15          Prevention Act of 1974 (42 U.S.C. 5617) is amended—

16               (1) in the matter preceding paragraph (1), by  
17               striking “a fiscal year” and inserting “each fiscal  
18               year”;

19               (2) in paragraph (1)—

20                     (A) in subparagraph (B), by striking “and  
21                     gender” and inserting “, gender, and ethnicity,  
22                     as such term is defined by the Bureau of the  
23                     Census,”;

24                     (B) in subparagraph (E), by striking  
25                     “and” at the end;

1 (C) in subparagraph (F)—

2 (i) by inserting “and other” before  
3 “disabilities,”; and

4 (ii) by striking the period at the end  
5 and inserting a semicolon; and

6 (D) by adding at the end the following:

7 “(G) a summary of data from 1 month of  
8 the applicable fiscal year of the use of restraints  
9 and isolation upon juveniles held in the custody  
10 of secure detention and correctional facilities  
11 operated by a State or unit of local government;

12 “(H) the number of status offense cases  
13 petitioned to court, number of status offenders  
14 held in secure detention, the findings used to  
15 justify the use of secure detention, and the av-  
16 erage period of time a status offender was held  
17 in secure detention;

18 “(I) the number of juveniles released from  
19 custody and the type of living arrangement to  
20 which they are released;

21 “(J) the number of juveniles whose offense  
22 originated on school grounds, during school-  
23 sponsored off-campus activities, or due to a re-  
24 ferral by a school official, as collected and re-



1           ported by the Department of Education or simi-  
2           lar State educational agency; and

3           “(K) the number of juveniles in the cus-  
4           tody of secure detention and correctional facili-  
5           ties operated by a State or unit of local govern-  
6           ment who report being pregnant.”; and

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

8           “(5) A description of the criteria used to deter-  
9           mine what programs qualify as evidence-based and  
10          promising programs under this title and title V and  
11          a comprehensive list of those programs the Adminis-  
12          trator has determined meet such criteria in both  
13          rural and urban areas.

14          “(6) A description of funding provided to In-  
15          dian tribes under this Act or for a juvenile delin-  
16          quency or prevention program under the Tribal Law  
17          and Order Act of 2010 (Public Law 111–211; 124  
18          Stat. 2261), including direct Federal grants and  
19          funding provided to Indian tribes through a State or  
20          unit of local government.

21          “(7) An analysis and evaluation of the internal  
22          controls at the Office of Juvenile Justice and Delin-  
23          quency Prevention to determine if grantees are fol-  
24          lowing the requirements of the Office of Juvenile  
25          Justice and Delinquency Prevention grant programs

1 and what remedial action the Office of Juvenile Jus-  
2 tice and Delinquency Prevention has taken to re-  
3 cover any grant funds that are expended in violation  
4 of the grant programs, including instances—

5 “(A) in which supporting documentation  
6 was not provided for cost reports;

7 “(B) where unauthorized expenditures oc-  
8 curred; or

9 “(C) where subrecipients of grant funds  
10 were not compliant with program requirements.

11 “(8) An analysis and evaluation of the total  
12 amount of payments made to grantees that the Of-  
13 fice of Juvenile Justice and Delinquency Prevention  
14 recouped from grantees that were found to be in vio-  
15 lation of policies and procedures of the Office of Ju-  
16 venile Justice and Delinquency Prevention grant  
17 programs, including—

18 “(A) the full name and location of the  
19 grantee;

20 “(B) the violation of the program found;

21 “(C) the amount of funds sought to be re-  
22 couped by the Office of Juvenile Justice and  
23 Delinquency Prevention; and

1           “(D) the actual amount recouped by the  
2           Office of Juvenile Justice and Delinquency Pre-  
3           vention.”.

4 **SEC. 204. ALLOCATION OF FUNDS.**

5           (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of  
6 the Juvenile Justice and Delinquency Prevention Act of  
7 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2  
8 percent” and inserting “5 percent”.

9           (b) OTHER ALLOCATIONS.—Section 222 of the Juve-  
10 nile Justice and Delinquency Prevention Act of 1974 (42  
11 U.S.C. 5632) is amended—

12           (1) in subsection (a)—

13           (A) in paragraph (1), by striking “age  
14 eighteen” and inserting “18 years of age, based  
15 on the most recent data available from the Bu-  
16 reau of the Census”; and

17           (B) by striking paragraphs (2) and (3) and  
18 inserting the following:

19           “(2)(A) If the aggregate amount appropriated  
20 for a fiscal year to carry out this title is less than  
21 \$75,000,000, then—

22           “(i) the amount allocated to each State  
23 other than a State described in clause (ii) for  
24 that fiscal year shall be not less than \$400,000;  
25 and

1           “(ii) the amount allocated to the United  
2 States Virgin Islands, Guam, American Samoa,  
3 and the Commonwealth of the Northern Mar-  
4 iana Islands for that fiscal year shall be not less  
5 than \$75,000.

6           “(B) If the aggregate amount appropriated for  
7 a fiscal year to carry out this title is not less than  
8 \$75,000,000, then—

9           “(i) the amount allocated to each State  
10 other than a State described in clause (ii) for  
11 that fiscal year shall be not less than \$600,000;  
12 and

13           “(ii) the amount allocated to the United  
14 States Virgin Islands, Guam, American Samoa,  
15 and the Commonwealth of the Northern Mar-  
16 iana Islands for that fiscal year shall be not less  
17 than \$100,000.”;

18           (2) in subsection (c), by striking “efficient ad-  
19 ministration, including monitoring, evaluation, and  
20 one full-time staff position” and inserting “effective  
21 and efficient administration of funds, including the  
22 designation of not less than 1 individual who shall  
23 coordinate efforts to achieve and sustain compliance  
24 with the core requirements and certify whether the  
25 State is in compliance with such requirements”; and

1           (3) in subsection (d), by striking “5 per centum  
2           of the minimum” and inserting “not more than 5  
3           percent of the”.

4 **SEC. 205. STATE PLANS.**

5           Section 223 of the Juvenile Justice and Delinquency  
6 Prevention Act of 1974 (42 U.S.C. 5633) is amended—

7           (1) in subsection (a)—

8                   (A) in the matter preceding paragraph (1),  
9                   by striking “and shall describe the status of  
10                   compliance with State plan requirements.” and  
11                   inserting “and shall describe how the State plan  
12                   is supported by or takes account of scientific  
13                   knowledge regarding adolescent development  
14                   and behavior and regarding the effects of delin-  
15                   quency prevention programs and juvenile justice  
16                   interventions on adolescents. Not later than 60  
17                   days after the date on which a plan or amended  
18                   plan submitted under this subsection is final-  
19                   ized, a State shall make the plan or amended  
20                   plan publicly available by posting the plan or  
21                   amended plan on the State’s publicly available  
22                   Web site.”;

23                   (B) in paragraph (2), by striking “de-  
24                   scribed in section 299(c)(1)” and inserting “as

1 designated by the chief executive officer of the  
2 State”;

3 (C) in paragraph (3)—

4 (i) in subparagraph (A)—

5 (I) in clause (i), by inserting “ad-  
6 olescent development,” after “con-  
7 cerning”;

8 (II) in clause (ii)—

9 (aa) in subclause (II), by in-  
10 sserting “publicly supported court-  
11 appointed legal counsel with ex-  
12 perience representing juveniles in  
13 delinquency proceedings,” after  
14 “youth,”;

15 (bb) in subclause (III), by  
16 striking “mental health, edu-  
17 cation, special education” and in-  
18 sserting “child and adolescent  
19 mental health, education, child  
20 and adolescent substance abuse,  
21 special education, services for  
22 youth with disabilities”;

23 (cc) in subclause (V), by  
24 striking “delinquents or potential  
25 delinquents” and inserting “de-

1 linquent youth or youth at risk of  
2 delinquency”;

3 (dd) in subclause (VI), by  
4 striking “youth workers involved  
5 with” and inserting “representa-  
6 tives of”;

7 (ee) in subclause (VII), by  
8 striking “and” at the end; and

9 (ff) by striking subclause  
10 (VIII) and inserting the fol-  
11 lowing:

12 “(VIII) persons, licensed or cer-  
13 tified by the applicable State, with ex-  
14 pertise and competence in preventing  
15 and addressing mental health and  
16 substance abuse needs in delinquent  
17 youth and youth at risk of delin-  
18 quency;

19 “(IX) representatives of victim or  
20 witness advocacy groups, including at  
21 least 1 individual with expertise in ad-  
22 dressing the challenges of sexual  
23 abuse and exploitation and trauma,  
24 particularly the needs of special popu-  
25 lations who experience disproport-

1 tionate levels of sexual abuse, exploi-  
2 tation, and trauma before entering the  
3 juvenile justice system; and

4 “(X) for a State in which one or  
5 more Indian tribes are located, an In-  
6 dian tribal representative or other in-  
7 dividual with significant expertise in  
8 tribal law enforcement and juvenile  
9 justice in Indian tribal communities;”;

10 (III) in clause (iv), by striking  
11 “24 at the time of appointment” and  
12 inserting “28 at the time of initial ap-  
13 pointment”; and

14 (IV) in clause (v) by inserting  
15 “or, if not feasible and in appropriate  
16 circumstances, who is the parent or  
17 guardian of someone who has been or  
18 is currently under the jurisdiction of  
19 the juvenile justice system” after “ju-  
20 venile justice system”;

21 (ii) in subparagraph (C), by striking  
22 “30 days” and inserting “45 days”; and

23 (iii) in subparagraph (D)—

24 (I) in clause (i), by striking  
25 “and” at the end; and



1 (II) in clause (ii), by striking “at  
2 least annually recommendations re-  
3 garding State compliance with the re-  
4 quirements of paragraphs (11), (12),  
5 and (13)” and inserting “at least  
6 every 2 years a report and necessary  
7 recommendations regarding State  
8 compliance with the core require-  
9 ments”; and

10 (iv) in subparagraph (E)—

11 (I) in clause (i), by adding “and”  
12 at the end; and

13 (II) in clause (ii), by striking the  
14 period at the end and inserting a  
15 semicolon;

16 (D) in paragraph (5)(C), by striking “In-  
17 dian tribes” and all that follows through “appli-  
18 cable to the detention and confinement of juve-  
19 niles” and inserting “Indian tribes that agree  
20 to attempt to comply with the core require-  
21 ments applicable to the detention and confine-  
22 ment of juveniles”;

23 (E) in paragraph (7)—

1 (i) in subparagraph (A), by striking  
2 “performs law enforcement functions” and  
3 inserting “has jurisdiction”; and

4 (ii) in subparagraph (B)—

5 (I) in clause (iii), by striking  
6 “and” at the end; and

7 (II) by striking clause (iv) and  
8 inserting the following:

9 “(iv) a plan to provide alternatives to  
10 detention for status offenders, survivors of  
11 commercial sexual exploitation, and others,  
12 where appropriate, such as specialized or  
13 problem-solving courts or diversion to  
14 home-based or community-based services  
15 or treatment for those youth in need of  
16 mental health, substance abuse, or co-oc-  
17 ccurring disorder services at the time such  
18 juveniles first come into contact with the  
19 juvenile justice system;

20 “(v) a plan to reduce the number of  
21 children housed in secure detention and  
22 corrections facilities who are awaiting  
23 placement in residential treatment pro-  
24 grams;

1           “(vi) a plan to engage family mem-  
2           bers, where appropriate, in the design and  
3           delivery of juvenile delinquency prevention  
4           and treatment services, particularly post-  
5           placement;

6           “(vii) a plan to use community-based  
7           services to respond to the needs of at-risk  
8           youth or youth who have come into contact  
9           with the juvenile justice system;

10          “(viii) a plan to promote evidence-  
11          based and trauma-informed programs and  
12          practices; and

13          “(ix) not later than 1 year after the  
14          date of enactment of the Supporting Youth  
15          Opportunity and Preventing Delinquency  
16          Act of 2016, a plan, which shall be imple-  
17          mented not later than 2 years after the  
18          date of enactment of the Supporting Youth  
19          Opportunity and Preventing Delinquency  
20          Act of 2016, to—

21                 “(I) eliminate the use of re-  
22                 straints of known pregnant juveniles  
23                 housed in secure juvenile detention  
24                 and correction facilities, during labor,  
25                 delivery, and post-partum recovery,

1 unless credible, reasonable grounds  
2 exist to believe the detainee presents  
3 an immediate and serious threat of  
4 hurting herself, staff, or others; and

5 “(II) eliminate the use of abdom-  
6 inal restraints, leg and ankle re-  
7 straints, wrist restraints behind the  
8 back, and four-point restraints on  
9 known pregnant juveniles, unless—

10 “(aa) credible, reasonable  
11 grounds exist to believe the de-  
12 tainee presents an immediate and  
13 serious threat of hurting herself,  
14 staff, or others; or

15 “(bb) reasonable grounds  
16 exist to believe the detainee pre-  
17 sents an immediate and credible  
18 risk of escape that cannot be rea-  
19 sonably minimized through any  
20 other method;”;

21 (F) in paragraph (8), by striking “exist-  
22 ing” and inserting “evidence-based and prom-  
23 ising”;

24 (G) in paragraph (9)—

1 (i) in the matter preceding subpara-  
2 graph (A), by inserting “, with priority in  
3 funding given to entities meeting the cri-  
4 teria for evidence-based or promising pro-  
5 grams” after “used for”;

6 (ii) in subparagraph (A)—

7 (I) in clause (i)—

8 (aa) by inserting “status of-  
9 fenders and other” before “youth  
10 who need”; and

11 (bb) by striking “and” at  
12 the end;

13 (II) in clause (ii) by adding  
14 “and” at the end; and

15 (III) by inserting after clause (ii)  
16 the following:

17 “(iii) for youth who are active or  
18 former gang members, specialized intensive  
19 and comprehensive services that address  
20 the unique issues encountered by youth  
21 when they become involved with gangs”;

22 (iii) in subparagraph (B)(i)—

23 (I) by striking “parents and  
24 other family members” and inserting  
25 “status offenders, other youth, and

1 the parents and other family members  
2 of such offenders and youth”; and

3 (II) by striking “be retained”  
4 and inserting “remain”;

5 (iv) in subparagraph (E)—

6 (I) in the matter preceding clause  
7 (i), by striking “delinquent” and in-  
8 serting “at-risk or delinquent youth”;  
9 and

10 (II) in clause (i), by inserting “,  
11 including for truancy prevention and  
12 reduction” before the semicolon;

13 (v) in subparagraph (F), in the mat-  
14 ter preceding clause (i), by striking “ex-  
15 panding” and inserting “programs to ex-  
16 pand”;

17 (vi) by redesignating subparagraphs  
18 (G) through (S) as subparagraphs (H)  
19 through (T), respectively;

20 (vii) by inserting after subparagraph  
21 (F), the following:

22 “(G) programs—

23 “(i) to ensure youth have access to  
24 appropriate legal representation; and

1           “(ii) to expand access to publicly sup-  
2           ported, court-appointed legal counsel who  
3           are trained to represent juveniles in adju-  
4           dication proceedings,  
5           except that the State may not use more than 2  
6           percent of the funds received under section 222  
7           for these purposes;”;

8           (viii) in subparagraph (H), as so re-  
9           designated, by striking “State,” each place  
10          the term appears and inserting “State,  
11          tribal,”;

12          (ix) in subparagraph (M), as so reded-  
13          ignated—

14               (I) in clause (i)—

15                   (aa) by inserting “pre-adju-  
16                   dication and” before “post-adju-  
17                   dication”;

18                   (bb) by striking “restraints”  
19                   and inserting “alternatives”; and

20                   (cc) by inserting “specialized  
21                   or problem-solving courts,” after  
22                   “(including”; and

23               (II) in clause (ii)—

24                   (aa) by striking “by the pro-  
25                   vision by the Administrator”; and

1 (bb) by striking “to States”;

2 (x) in subparagraph (N), as redesign-

3 nated—

4 (I) by inserting “and reduce the  
5 risk of recidivism” after “families”;

6 and

7 (II) by striking “so that juveniles  
8 may be retained in their homes”;

9 (xi) in subparagraph (S), as so redesi-  
10 gnated, by striking “and” at the end;

11 (xii) in subparagraph (T), as so redesi-  
12 gnated—

13 (I) by inserting “or co-occurring  
14 disorder” after “mental health”;

15 (II) by inserting “court-involved  
16 or” before “incarcerated”;

17 (III) by striking “suspected to  
18 be”;

19 (IV) by striking “and discharge  
20 plans” and inserting “provision of  
21 treatment, and development of dis-  
22 charge plans”; and

23 (V) by striking the period at the  
24 end and inserting a semicolon; and



1 (xiii) by inserting after subparagraph  
2 (T) the following:

3 “(U) programs and projects designed—

4 “(i) to inform juveniles of the oppor-  
5 tunity and process for sealing and  
6 expunging juvenile records; and

7 “(ii) to assist juveniles in pursuing ju-  
8 venile record sealing and expungements for  
9 both adjudications and arrests not followed  
10 by adjudications,

11 except that the State may not use more than 2  
12 percent of the funds received under section 222  
13 for these purposes;

14 “(V) programs that address the needs of  
15 girls in or at risk of entering the juvenile justice  
16 system, including pregnant girls, young moth-  
17 ers, survivors of commercial sexual exploitation  
18 or domestic child sex trafficking, girls with dis-  
19 abilities, and girls of color, including girls who  
20 are members of an Indian tribe; and

21 “(W) monitoring for compliance with the  
22 core requirements and providing training and  
23 technical assistance on the core requirements to  
24 secure facilities;”;

1 (H) by striking paragraph (11) and insert-  
2 ing the following:

3 “(11)(A) in accordance with rules issued by the  
4 Administrator, provide that a juvenile shall not be  
5 placed in a secure detention facility or a secure cor-  
6 rectional facility, if—

7 “(i) the juvenile is charged with or has  
8 committed an offense that would not be crimi-  
9 nal if committed by an adult, excluding—

10 “(I) a juvenile who is charged with or  
11 has committed a violation of section  
12 922(x)(2) of title 18, United States Code,  
13 or of a similar State law;

14 “(II) a juvenile who is charged with  
15 or has committed a violation of a valid  
16 court order issued and reviewed in accord-  
17 ance with paragraph (23); and

18 “(III) a juvenile who is held in ac-  
19 cordance with the Interstate Compact on  
20 Juveniles as enacted by the State; or

21 “(ii) the juvenile—

22 “(I) is not charged with any offense;  
23 and

24 “(II)(aa) is an alien; or

1 “(bb) is alleged to be dependent, ne-  
2 glected, or abused; and

3 “(B) require that—

4 “(i) not later than 3 years after the date  
5 of enactment of the Supporting Youth Oppor-  
6 tunity and Preventing Delinquency Act of 2016,  
7 unless a court finds, after a hearing and in  
8 writing, that it is in the interest of justice, juve-  
9 niles awaiting trial or other legal process who  
10 are treated as adults for purposes of prosecu-  
11 tion in criminal court and housed in a secure  
12 facility—

13 “(I) shall not have sight or sound con-  
14 tact with adult inmates; and

15 “(II) except as provided in paragraph  
16 (13), may not be held in any jail or lockup  
17 for adults;

18 “(ii) in determining under subparagraph  
19 (A) whether it is in the interest of justice to  
20 permit a juvenile to be held in any jail or lock-  
21 up for adults, or have sight or sound contact  
22 with adult inmates, a court shall consider—

23 “(I) the age of the juvenile;

24 “(II) the physical and mental matu-  
25 rity of the juvenile;

1           “(III) the present mental state of the  
2 juvenile, including whether the juvenile  
3 presents an imminent risk of harm to the  
4 juvenile;

5           “(IV) the nature and circumstances of  
6 the alleged offense;

7           “(V) the juvenile’s history of prior de-  
8 linquent acts;

9           “(VI) the relative ability of the avail-  
10 able adult and juvenile detention facilities  
11 to not only meet the specific needs of the  
12 juvenile but also to protect the safety of  
13 the public as well as other detained youth;  
14 and

15           “(VII) any other relevant factor; and

16           “(iii) if a court determines under subpara-  
17 graph (A) that it is in the interest of justice to  
18 permit a juvenile to be held in any jail or lock-  
19 up for adults—

20           “(I) the court shall hold a hearing not  
21 less frequently than once every 30 days, or  
22 in the case of a rural jurisdiction, not less  
23 frequently than once every 45 days, to re-  
24 view whether it is still in the interest of

1 justice to permit the juvenile to be so held  
2 or have such sight or sound contact; and

3 “(II) the juvenile shall not be held in  
4 any jail or lockup for adults, or permitted  
5 to have sight or sound contact with adult  
6 inmates, for more than 180 days, unless  
7 the court, in writing, determines there is  
8 good cause for an extension or the juvenile  
9 expressly waives this limitation;”;

10 (I) in paragraph (12)(A), by striking “con-  
11 tact” and inserting “sight or sound contact”;

12 (J) in paragraph (13), by striking “con-  
13 tact” each place it appears and inserting “sight  
14 or sound contact”;

15 (K) in paragraph (14)—

16 (i) by striking “adequate system” and  
17 inserting “effective system”;

18 (ii) by inserting “lock-ups,” after  
19 “monitoring jails,”;

20 (iii) by inserting “and” after “deten-  
21 tion facilities,”;

22 (iv) by striking “, and non-secure fa-  
23 cilities”;

24 (v) by striking “insure” and inserting  
25 “ensure”;

1 (vi) by striking “requirements of  
2 paragraphs (11), (12), and (13)” and in-  
3 serting “core requirements”;

4 (vii) by striking “requirements of  
5 paragraphs (11)” and all that follows  
6 through “monitoring to the Administrator”  
7 and inserting “core requirements are met,  
8 and for annual reporting to the Adminis-  
9 trator”; and

10 (viii) by striking “, in the opinion of  
11 the Administrator,”;

12 (L) by striking paragraphs (22) and (27);

13 (M) by redesignating paragraph (28) as  
14 paragraph (27);

15 (N) by redesignating paragraphs (15)  
16 through (21) as paragraphs (16) through (22),  
17 respectively;

18 (O) by inserting after paragraph (14) the  
19 following:

20 “(15) implement policy, practice, and system  
21 improvement strategies at the State, territorial,  
22 local, and tribal levels, as applicable, to identify and  
23 reduce racial and ethnic disparities among youth  
24 who come into contact with the juvenile justice sys-

1       tem, without establishing or requiring numerical  
2       standards or quotas, by—

3               “(A) establishing or designating existing  
4               coordinating bodies, composed of juvenile jus-  
5               tice stakeholders, (including representatives of  
6               the educational system) at the State, local, or  
7               tribal levels, to advise efforts by States, units of  
8               local government, and Indian tribes to reduce  
9               racial and ethnic disparities;

10              “(B) identifying and analyzing data on  
11              race and ethnicity at all decision points in  
12              State, local, or tribal juvenile justice systems to  
13              determine which key points create racial and  
14              ethnic disparities among youth who come into  
15              contact with the juvenile justice system; and

16              “(C) developing and implementing a work  
17              plan that includes measurable objectives for pol-  
18              icy, practice, or other system changes, based on  
19              the needs identified in the data collection and  
20              analysis under subparagraph (B);”;

21              (P) in paragraph (16), as so redesignated,  
22              by inserting “ethnicity,” after “race,”;

23              (Q) in paragraph (21), as so redesignated,  
24              by striking “local,” each place the term appears  
25              and inserting “local, tribal,”;

1 (R) in paragraph (23)—

2 (i) in subparagraphs (A), (B), and  
3 (C), by striking “juvenile” each place it  
4 appears and inserting “status offender”;

5 (ii) in subparagraph (B), by striking  
6 “and” at the end;

7 (iii) in subparagraph (C)—

8 (I) in clause (i), by striking  
9 “and” at the end;

10 (II) in clause (ii), by adding  
11 “and” at the end; and

12 (III) by adding at the end the  
13 following:

14 “(iii) if such court determines the sta-  
15 tus offender should be placed in a secure  
16 detention facility or correctional facility for  
17 violating such order—

18 “(I) the court shall issue a writ-  
19 ten order that—

20 “(aa) identifies the valid  
21 court order that has been vio-  
22 lated;

23 “(bb) specifies the factual  
24 basis for determining that there  
25 is reasonable cause to believe



1 that the status offender has vio-  
2 lated such order;

3 “(cc) includes findings of  
4 fact to support a determination  
5 that there is no appropriate less  
6 restrictive alternative available to  
7 placing the status offender in  
8 such a facility, with due consider-  
9 ation to the best interest of the  
10 juvenile;

11 “(dd) specifies the length of  
12 time, not to exceed 7 days, that  
13 the status offender may remain  
14 in a secure detention facility or  
15 correctional facility, and includes  
16 a plan for the status offender’s  
17 release from such facility; and

18 “(ee) may not be renewed or  
19 extended; and

20 “(II) the court may not issue a  
21 second or subsequent order described  
22 in subclause (I) relating to a status  
23 offender unless the status offender  
24 violates a valid court order after the

1 date on which the court issues an  
2 order described in subclause (I);” and  
3 (iv) by adding at the end the fol-  
4 lowing:

5 “(D) there are procedures in place to en-  
6 sure that any status offender held in a secure  
7 detention facility or correctional facility pursu-  
8 ant to a court order described in this paragraph  
9 does not remain in custody longer than 7 days  
10 or the length of time authorized by the court,  
11 whichever is shorter; and

12 “(E) not later than September 30, 2020  
13 (with a 1-year extension for each additional fis-  
14 cal year that a State can demonstrate hardship,  
15 as determined by the State, and submits in  
16 writing evidence of such hardship to the Admin-  
17 istrator which shall be considered approved un-  
18 less the Administrator justifies to the State in  
19 writing that the hardship does not qualify for  
20 an exemption), the State will eliminate the use  
21 of valid court orders to provide secure confine-  
22 ment of status offenders, except that juveniles  
23 may be held in secure confinement in accord-  
24 ance with the Interstate Compact for Juveniles  
25 if the judge issues a written order that—

1 “(i) specifies the factual basis to be-  
2 lieve that the State has the authority to  
3 detain the juvenile under the terms of the  
4 Interstate Compact for Juveniles;

5 “(ii) includes findings of fact to sup-  
6 port a determination that there is no ap-  
7 propriate less restrictive alternative avail-  
8 able to placing the juvenile in such a facil-  
9 ity, with due consideration to the best in-  
10 terest of the juvenile;

11 “(iii) specifies the length of time a ju-  
12 venile may remain in secure confinement,  
13 not to exceed 15 days, and includes a plan  
14 for the return of the juvenile to the home  
15 State of the juvenile; and

16 “(iv) may not be renewed or ex-  
17 tended;”;

18 (S) in paragraph (26)—

19 (i) by inserting “and in accordance  
20 with confidentiality concerns,” after “max-  
21 imum extent practicable,”; and

22 (ii) by striking the semicolon at the  
23 end and inserting the following: “, so as to  
24 provide for—

1           “(A) data in child abuse or neglect reports  
2 relating to juveniles entering the juvenile justice  
3 system with a prior reported history of arrest,  
4 court intake, probation and parole, juvenile de-  
5 tention, and corrections; and

6           “(B) a plan to use the data described in  
7 subparagraph (A) to provide necessary services  
8 for the treatment of such victims of child abuse  
9 or neglect;”;

10           (T) in paragraph (27), as so redesignated,  
11 by striking the period at the end and inserting  
12 a semicolon; and

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

14           “(28) provide for the coordinated use of funds  
15 provided under this title with other Federal and  
16 State funds directed at juvenile delinquency preven-  
17 tion and intervention programs;

18           “(29) describe the policies, procedures, and  
19 training in effect for the staff of juvenile State cor-  
20 rectional facilities to eliminate the use of dangerous  
21 practices, unreasonable restraints, and unreasonable  
22 isolation, including by developing effective behavior  
23 management techniques;

24           “(30) describe—

1           “(A) the evidence-based methods that will  
2           be used to conduct mental health and substance  
3           abuse screening, assessment, referral, and  
4           treatment for juveniles who—

5                   “(i) request a screening;

6                   “(ii) show signs of needing a screen-  
7           ing; or

8                   “(iii) are held for a period of more  
9           than 24 hours in a secure facility that pro-  
10          vides for an initial screening; and

11          “(B) how the State will seek, to the extent  
12          practicable, to provide or arrange for mental  
13          health and substance abuse disorder treatment  
14          for juveniles determined to be in need of such  
15          treatment;

16          “(31) describe how reentry planning by the  
17          State for juveniles will include—

18                   “(A) a written case plan based on an as-  
19          sessment of needs that includes—

20                           “(i) the pre-release and post-release  
21          plans for the juveniles;

22                           “(ii) the living arrangement to which  
23          the juveniles are to be discharged; and

1                   “(iii) any other plans developed for  
2                   the juveniles based on an individualized as-  
3                   sessment; and

4                   “(B) review processes;

5                   “(32) provide an assurance that the agency of  
6                   the State receiving funds under this title collaborates  
7                   with the State educational agency receiving assist-  
8                   ance under part A of title I of the Elementary and  
9                   Secondary Education Act of 1965 (20 U.S.C. 6311  
10                  et seq.) to develop and implement a plan to ensure  
11                  that, in order to support educational progress—

12                  “(A) the student records of adjudicated ju-  
13                  veniles, including electronic records if available,  
14                  are transferred in a timely manner from the  
15                  educational program in the juvenile detention or  
16                  secure treatment facility to the educational or  
17                  training program into which the juveniles will  
18                  enroll;

19                  “(B) the credits of adjudicated juveniles  
20                  are transferred; and

21                  “(C) adjudicated juveniles receive full or  
22                  partial credit toward high school graduation for  
23                  secondary school coursework satisfactorily com-  
24                  pleted before and during the period of time dur-  
25                  ing which the juveniles are held in custody, re-

1            regardless of the local educational agency or enti-  
2            ty from which the credits were earned; and

3            “(33) describe policies and procedures to—

4                    “(A) screen for, identify, and document in  
5            records of the State the identification of victims  
6            of domestic human trafficking, or those at risk  
7            of such trafficking, upon intake; and

8                    “(B) divert youth described in subpara-  
9            graph (A) to appropriate programs or services,  
10           to the extent practicable.”;

11           (2) by amending subsection (c) to read as fol-  
12           lows:

13           “(c)(1) If a State fails to comply with any of the core  
14           requirements in any fiscal year, then—

15                    “(A) subject to subparagraph (B), the amount  
16           allocated to such State under section 222 for the  
17           subsequent fiscal year shall be reduced by not less  
18           than 20 percent for each core requirement with re-  
19           spect to which the failure occurs; and

20                    “(B) the State shall be ineligible to receive any  
21           allocation under such section for such fiscal year un-  
22           less—

23                    “(i) the State agrees to expend 50 percent  
24           of the amount allocated to the State for such  
25           fiscal year to achieve compliance with any such

1 core requirement with respect to which the  
2 State is in noncompliance; or

3 “(ii) the Administrator determines that the  
4 State—

5 “(I) has achieved substantial compli-  
6 ance with such applicable requirements  
7 with respect to which the State was not in  
8 compliance; and

9 “(II) has made, through appropriate  
10 executive or legislative action, an unequivocal  
11 commitment to achieving full compli-  
12 ance with such applicable requirements  
13 within a reasonable time.

14 “(2) Of the total amount of funds not allocated for  
15 a fiscal year under paragraph (1)—

16 “(A) 50 percent of the unallocated funds shall  
17 be reallocated under section 222 to States that have  
18 not failed to comply with the core requirements; and

19 “(B) 50 percent of the unallocated funds shall  
20 be used by the Administrator to provide additional  
21 training and technical assistance to States for the  
22 purpose of promoting compliance with the core re-  
23 quirements.”;

24 (3) in subsection (d)—



1 (A) by striking “described in paragraphs  
2 (11), (12), (13), and (22) of subsection (a)”  
3 and inserting “described in the core require-  
4 ments”; and

5 (B) by striking “the requirements under  
6 paragraphs (11), (12), (13), and (22) of sub-  
7 section (a)” and inserting “the core require-  
8 ments”;

9 (4) in subsection (f)(2)—

10 (A) by striking subparagraph (A); and

11 (B) by redesignating subparagraphs (B)  
12 through (E) as subparagraphs (A) through (D),  
13 respectively; and

14 (5) by adding at the end the following:

15 “(g) COMPLIANCE DETERMINATION.—

16 “(1) IN GENERAL.—For each fiscal year, the  
17 Administrator shall make a determination regarding  
18 whether each State receiving a grant under this title  
19 is in compliance or out of compliance with respect to  
20 each of the core requirements.

21 “(2) REPORTING.—The Administrator shall—

22 “(A) issue an annual public report—

23 “(i) describing any determination de-  
24 scribed in paragraph (1) made during the  
25 previous year, including a summary of the

1 information on which the determination is  
2 based and the actions to be taken by the  
3 Administrator (including a description of  
4 any reduction imposed under subsection  
5 (c)); and

6 “(ii) for any such determination that  
7 a State is out of compliance with any of  
8 the core requirements, describing the basis  
9 for the determination; and

10 “(B) make the report described in sub-  
11 paragraph (A) available on a publicly available  
12 Web site.

13 “(3) DETERMINATIONS REQUIRED.—The Ad-  
14 ministrator may not—

15 “(A) determine that a State is ‘not out of  
16 compliance’, or issue any other determination  
17 not described in paragraph (1), with respect to  
18 any core requirement; or

19 “(B) otherwise fail to make the compliance  
20 determinations required under paragraph (1).”.

21 **SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVEN-**  
22 **TION BLOCK GRANT PROGRAM.**

23 Part C of title II of the Juvenile Justice and Delin-  
24 quency Prevention Act of 1974 (42 U.S.C. 5651 et seq.)  
25 is repealed.

1 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL**  
2 **ANALYSES; INFORMATION DISSEMINATION.**

3 Section 251 of the Juvenile Justice and Delinquency  
4 Prevention Act of 1974 (42 U.S.C. 5661) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) in the matter proceeding subpara-  
8 graph (A), by striking “may” and inserting  
9 “shall”;

10 (ii) in subparagraph (A), by striking  
11 “plan and identify” and inserting “annu-  
12 ally publish a plan to identify”; and

13 (iii) in subparagraph (B)—

14 (I) by striking clause (iii) and in-  
15 serting the following:

16 “(iii) successful efforts to prevent sta-  
17 tus offenders and first-time minor offend-  
18 ers from subsequent involvement with the  
19 juvenile justice and criminal justice sys-  
20 tems;”;

21 (II) by striking clause (vii) and  
22 inserting the following:

23 “(vii) the prevalence and duration of  
24 behavioral health needs (including mental  
25 health, substance abuse, and co-occurring  
26 disorders) among juveniles pre-placement

1 and post-placement in the juvenile justice  
2 system, including an examination of the ef-  
3 fects of secure confinement;”;

4 (III) by redesignating clauses  
5 (ix), (x), and (xi) as clauses (xv),  
6 (xvi), and (xvii), respectively; and

7 (IV) by inserting after clause  
8 (viii) the following:

9 “(ix) training efforts and reforms that  
10 have produced reductions in or elimination  
11 of the use of dangerous practices;

12 “(x) methods to improve the recruit-  
13 ment, selection, training, and retention of  
14 professional personnel who are focused on  
15 the prevention, identification, and treat-  
16 ment of delinquency;

17 “(xi) methods to improve the identi-  
18 fication and response to victims of domes-  
19 tic child sex trafficking within the juvenile  
20 justice system;

21 “(xii) identifying positive outcome  
22 measures, such as attainment of employ-  
23 ment and educational degrees, that States  
24 and units of local government should use  
25 to evaluate the success of programs aimed

1 at reducing recidivism of youth who have  
2 come in contact with the juvenile justice  
3 system or criminal justice system;

4 “(xiii) evaluating the impact and out-  
5 comes of the prosecution and sentencing of  
6 juveniles as adults; and

7 “(xiv) successful and cost-effective ef-  
8 forts by States and units of local govern-  
9 ment to reduce recidivism through policies  
10 that provide for consideration of appro-  
11 priate alternative sanctions to incarcer-  
12 ation of youth facing nonviolent charges,  
13 while ensuring that public safety is pre-  
14 served;” and

15 (B) in paragraph (4)—

16 (i) in the matter preceding subpara-  
17 graph (A)—

18 (I) by striking “date of enact-  
19 ment of this paragraph, the” and in-  
20 serting “date of enactment of the  
21 Supporting Youth Opportunity and  
22 Preventing Delinquency Act of 2016,  
23 the”; and

24 (II) by inserting “in accordance  
25 with relevant confidentiality require-

1                   ments” after “wards of the State”;

2                   and

3                   (ii) in subparagraph (D), by inserting

4                   “and Indian tribes” after “State”;

5                   (iii) in subparagraph (F), by striking

6                   “and” at the end;

7                   (iv) in subparagraph (G), by striking

8                   the period at the end and inserting a semi-

9                   colon; and

10                  (v) by adding at the end the following:

11                  “(H) a description of the best practices in  
12                  discharge planning; and

13                  “(I) an assessment of living arrangements  
14                  for juveniles who, upon release from confine-  
15                  ment in a State correctional facility, cannot re-  
16                  turn to the residence they occupied prior to  
17                  such confinement.”;

18                  (2) in subsection (b), in the matter preceding  
19                  paragraph (1), by striking “may” and inserting  
20                  “shall”; and

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

22                  “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-  
23                  istrator, in accordance with applicable confidentiality re-  
24                  quirements and in consultation with experts in the field

1 of juvenile justice research, recidivism, and data collection,  
2 shall—

3 “(1) establish a uniform method of data collec-  
4 tion and technology that States may use to evaluate  
5 data on juvenile recidivism on an annual basis;

6 “(2) establish a common national juvenile re-  
7 cidivism measurement system; and

8 “(3) make cumulative juvenile recidivism data  
9 that is collected from States available to the pub-  
10 lic.”.

11 **SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.**

12 Section 252 of the Juvenile Justice and Delinquency  
13 Prevention Act of 1974 (42 U.S.C. 5662) is amended—

14 (1) in subsection (a)—

15 (A) in the matter preceding paragraph (1),  
16 by striking “may”;

17 (B) in paragraph (1)—

18 (i) by inserting “shall” before “de-  
19 velop and implement projects”; and

20 (ii) by striking “and” after the semi-  
21 colon;

22 (C) in paragraph (2)—

23 (i) by inserting “may” before “make  
24 grants to and contracts with”; and

1 (ii) by striking the period at the end  
2 and inserting “; and”; and

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

4 “(3) shall provide periodic training for States  
5 regarding implementation of the core requirements,  
6 current protocols and best practices for achieving  
7 and monitoring compliance, and information sharing  
8 regarding relevant Office resources on evidence-  
9 based and promising programs or practices that pro-  
10 mote the purposes of this Act.”;

11 (2) in subsection (b)—

12 (A) in the matter preceding paragraph (1),  
13 by striking “may”;

14 (B) in paragraph (1)—

15 (i) by inserting “shall” before “de-  
16 velop and implement projects”;

17 (ii) by inserting “, including compli-  
18 ance with the core requirements” after  
19 “this title”; and

20 (iii) by striking “and” at the end;

21 (C) in paragraph (2)—

22 (i) by inserting “may” before “make  
23 grants to and contracts with”; and

24 (ii) by striking the period at the end  
25 and inserting a semicolon; and



1 (D) by adding at the end the following:

2 “(3) shall provide technical assistance to States  
3 and units of local government on achieving compli-  
4 ance with the amendments to the core requirements  
5 and State Plans made by the Supporting Youth Op-  
6 portunity and Preventing Delinquency Act of 2016,  
7 including training and technical assistance and,  
8 when appropriate, pilot or demonstration projects in-  
9 tended to develop and replicate best practices for  
10 achieving sight and sound separation in facilities or  
11 portions of facilities that are open and available to  
12 the general public and that may or may not contain  
13 a jail or a lock-up; and

14 “(4) shall provide technical assistance to States  
15 in support of efforts to establish partnerships be-  
16 tween a State and a university, institution of higher  
17 education, or research center designed to improve  
18 the recruitment, selection, training, and retention of  
19 professional personnel in the fields of medicine, law  
20 enforcement, the judiciary, juvenile justice, social  
21 work and child protection, education, and other rel-  
22 evant fields who are engaged in, or intend to work  
23 in, the field of prevention, identification, and treat-  
24 ment of delinquency.”;

25 (3) in subsection (c)—

1 (A) by inserting “prosecutors,” after “pub-  
2 lic defenders,”; and

3 (B) by inserting “status offenders and”  
4 after “needs of”; and

5 (4) by adding at the end the following:

6 “(d) BEST PRACTICES REGARDING LEGAL REP-  
7 RESENTATION OF CHILDREN.—In consultation with ex-  
8 perts in the field of juvenile defense, the Administrator  
9 shall—

10 “(1) share best practices, which may include  
11 sharing standards of practice developed by recog-  
12 nized entities in the profession, for attorneys rep-  
13 resenting children; and

14 “(2) provide a State, if it so requests, technical  
15 assistance to implement any of the best practices  
16 shared under paragraph (1).

17 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR  
18 LOCAL AND STATE JUVENILE DETENTION AND CORREC-  
19 TIONS PERSONNEL.—The Administrator shall coordinate  
20 training and technical assistance programs with juvenile  
21 detention and corrections personnel of States and units  
22 of local government—

23 “(1) to promote methods for improving condi-  
24 tions of juvenile confinement, including methods that  
25 are designed to minimize the use of dangerous prac-

1 tices, unreasonable restraints, and isolation and  
2 methods responsive to cultural differences; and

3 “(2) to encourage alternative behavior manage-  
4 ment techniques based on positive youth develop-  
5 ment approaches, which may include policies and  
6 procedures to train personnel to be culturally com-  
7 petent.

8 “(f) TRAINING AND TECHNICAL ASSISTANCE TO  
9 SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE  
10 TREATMENT INCLUDING HOME-BASED OR COMMUNITY-  
11 BASED CARE.—The Administrator shall provide training  
12 and technical assistance, in conjunction with the appro-  
13 priate public agencies, to individuals involved in making  
14 decisions regarding the disposition and management of  
15 cases for youth who enter the juvenile justice system about  
16 the appropriate services and placement for youth with  
17 mental health or substance abuse needs, including—

18 “(1) juvenile justice intake personnel;

19 “(2) probation officers;

20 “(3) juvenile court judges and court services  
21 personnel;

22 “(4) prosecutors and court-appointed counsel;

23 and

24 “(5) family members of juveniles and family ad-  
25 vocates.

1           “(g) TRAINING AND TECHNICAL ASSISTANCE TO  
2 SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.—  
3 The Attorney General, acting through the Office of Juve-  
4 nile Justice and Delinquency Prevention and the Office  
5 of Justice Programs, shall provide training and technical  
6 assistance, in conjunction with the appropriate public  
7 agencies, to enhance the capacity of State and local courts,  
8 judges, and related judicial personnel to—

9           “(1) improve the lives of children currently in-  
10        involved in or at risk of being involved in the juvenile  
11        court system; and

12           “(2) carry out the requirements of this Act.

13           “(h) FREE AND REDUCED PRICE SCHOOL LUNCHES  
14 FOR INCARCERATED JUVENILES.—The Attorney General,  
15 in consultation with the Secretary of Agriculture, shall  
16 provide guidance to States relating to existing options for  
17 school food authorities in the States to apply for reim-  
18 bursement for free or reduced price lunches under the  
19 Richard B. Russell National School Lunch Act (42 U.S.C.  
20 1751 et seq.) for juveniles who are incarcerated and  
21 would, if not incarcerated, be eligible for free or reduced  
22 price lunches under that Act.”.

23 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

24        Section 299 of the Juvenile Justice and Delinquency  
25 Prevention Act of 1974 (42 U.S.C. 5672) is amended—

1           (1) by striking subsections (b) and (c), and re-  
2     designating subsection (d) as subsection (b);

3           (2) in subsection (a)—

4                 (A) in the matter preceding paragraph (1),  
5     by striking “(EXCLUDING PARTS C AND E)”;

6                 (B) by striking paragraph (1) and insert-  
7     ing the following:

8           “(1) There are authorized to be appropriated to  
9     carry out this title—

10                     “(A) \$76,125,000 for fiscal year 2018;

11                     “(B) \$76,125,000 for fiscal year 2019;

12                     “(C) \$77,266,875 for fiscal year 2020;

13                     “(D) \$78,425,878 for fiscal year 2021;

14     and

15                     “(E) \$79,602,266 for fiscal year 2022.”;

16     and

17                 (C) in paragraph (2)—

18                     (i) in the matter preceding subpara-  
19     graph (A), by striking “(other than parts  
20     C and E)”;

21                     (ii) in subparagraph (C), by striking  
22     “part D” and inserting “parts D and E”.

1 **SEC. 210. ADMINISTRATIVE AUTHORITY.**

2 Section 299A of the Juvenile Justice and Delin-  
3 quency Prevention Act of 1974 (42 U.S.C. 5672) is  
4 amended—

5 (1) in subsection (d)—

6 (A) by inserting “(1)” before “The Admin-  
7 istrator”;

8 (B) by striking “, after appropriate con-  
9 sultation with representatives of States and  
10 units of local government,”;

11 (C) by inserting “guidance,” after “regula-  
12 tions,”; and

13 (D) by adding at the end the following: “In  
14 developing guidance and procedures, the Ad-  
15 ministrator shall consult with representatives of  
16 States and units of local government, including  
17 those individuals responsible for administration  
18 of this Act and compliance with the core re-  
19 quirements.

20 “(2) The Administrator shall ensure that—

21 “(A) reporting, compliance reporting, State  
22 plan requirements, and other similar documentation  
23 as may be required from States is requested in a  
24 manner that respects confidentiality, encourages effi-  
25 ciency and reduces the duplication of reporting ef-  
26 forts; and

1           “(B) States meeting all the core requirements  
2           are encouraged to experiment with offering innova-  
3           tive, data-driven programs designed to further im-  
4           prove the juvenile justice system.”; and

5           (2) in subsection (e), by striking “requirements  
6           described in paragraphs (11), (12), and (13) of sec-  
7           tion 223(a)” and inserting “core requirements”.

8       **TITLE III—INCENTIVE GRANTS**  
9       **FOR LOCAL DELINQUENCY**  
10      **PREVENTION PROGRAMS**

11     **SEC. 301. SHORT TITLE.**

12           Section 501 of the Incentive Grants for Local Delin-  
13           quency Prevention Programs Act of 2002 (42 U.S.C. 5601  
14           note) is amended—

15           (1) by inserting “Youth Promise” before “In-  
16           centive Grants”; and

17           (2) by striking “2002” and inserting “2016”.

18     **SEC. 302. DEFINITIONS.**

19           Section 502 of the Incentive Grants for Local Delin-  
20           quency Prevention Programs Act of 2002 (42 U.S.C.  
21           5781) is amended to read as follows:

22     **“SEC. 502. DEFINITIONS.**

23           “In this title—

24           “(1) the term ‘eligible entity’ means—

1           “(A) a unit of local government that is in  
2 compliance with the requirements of part B of  
3 title II; or

4           “(B) a nonprofit organization in partner-  
5 ship with a unit of local government described  
6 in subparagraph (A);

7           “(2) the term ‘local policy board’, when used  
8 with respect to an eligible entity, means a policy  
9 board that the eligible entity will engage in the de-  
10 velopment of the eligible entity’s plan described in  
11 section 504(e)(5), and that includes—

12           “(A) not fewer than 15 and not more than  
13 21 members; and

14           “(B) a balanced representation of—

15           “(i) public agencies and private non-  
16 profit organizations serving juveniles and  
17 their families; and

18           “(ii) business and industry;

19           “(C) at least one representative of the  
20 faith community, one adjudicated youth, and  
21 one parent of an adjudicated youth; and

22           “(D) in the case of an eligible entity de-  
23 scribed in paragraph (1)(B), a representative of  
24 the nonprofit organization of the eligible entity;



1           “(3) the term ‘mentoring’ means matching 1  
2           adult with one or more youths for the purpose of  
3           providing guidance, support, and encouragement  
4           through regularly scheduled meetings for not less  
5           than 9 months;

6           “(4) the term ‘juvenile delinquency program’  
7           means a juvenile delinquency program that is evi-  
8           dence-based or promising and that may include—

9                   “(A) alcohol and substance abuse preven-  
10                  tion services;

11                   “(B) tutoring and remedial education, es-  
12                  pecially in reading and mathematics;

13                   “(C) child and adolescent health and men-  
14                  tal health services;

15                   “(D) recreation services;

16                   “(E) leadership and youth development ac-  
17                  tivities;

18                   “(F) the teaching that individuals are and  
19                  should be held accountable for their actions;

20                   “(G) assistance in the development of job  
21                  training skills;

22                   “(H) youth mentoring programs;

23                   “(I) coordination of a continuum of serv-  
24                  ices, which may include—

- 1                   “(i) early childhood development serv-  
2                   ices;  
3                   “(ii) voluntary home visiting pro-  
4                   grams;  
5                   “(iii) nurse-family partnership pro-  
6                   grams;  
7                   “(iv) parenting skills training;  
8                   “(v) child abuse prevention programs;  
9                   “(vi) family stabilization programs;  
10                  “(vii) child welfare services;  
11                  “(viii) family violence intervention  
12                  programs;  
13                  “(ix) adoption assistance programs;  
14                  “(x) emergency, transitional and per-  
15                  manent housing assistance;  
16                  “(xi) job placement and retention  
17                  training;  
18                  “(xii) summer jobs programs;  
19                  “(xiii) alternative school resources for  
20                  youth who have dropped out of school or  
21                  demonstrate chronic truancy;  
22                  “(xiv) conflict resolution skill training;  
23                  “(xv) restorative justice programs;  
24                  “(xvi) mentoring programs;

1           “(xvii) targeted gang prevention,  
2           intervention and exit services;

3           “(xviii) training and education pro-  
4           grams for pregnant teens and teen par-  
5           ents; and

6           “(xix) pre-release, post-release, and  
7           reentry services to assist detained and in-  
8           carcerated youth with transitioning back  
9           into and reentering the community; and

10          “(J) other data-driven evidence-based or  
11          promising prevention programs;

12          “(5) the term ‘State advisory group’ means the  
13          advisory group appointed by the chief executive offi-  
14          cer of a State under a plan described in section  
15          223(a); and

16          “(6) the term ‘State entity’ means the State  
17          agency designated under section 223(a)(1) or the en-  
18          tity receiving funds under section 223(d).”.

19 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**  
20 **TRATOR.**

21          Section 503 of the Incentive Grants for Local Delin-  
22          quency Prevention Programs Act of 2002 (42 U.S.C.  
23          5782) is amended—

24                 (1) by striking paragraph (1); and

1           (2) by redesignating paragraphs (2) through  
2           (4) as paragraphs (1) through (3), respectively.

3 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**  
4 **GRAMS.**

5           Section 504 of the Incentive Grants for Local Delin-  
6 quency Prevention Programs Act of 2002 (42 U.S.C. 5781  
7 et seq.) is amended to read as follows:

8 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVEN-**  
9 **TION PROGRAMS.**

10           “(a) PURPOSE.—The purpose of this section is to en-  
11 able local communities to address the unmet needs of  
12 youth who are involved in, or are at risk of involvement  
13 in, juvenile delinquency or gang activity, including through  
14 a continuum of delinquency prevention programs for juve-  
15 niles who have had contact with the juvenile justice system  
16 or who are likely to have contact with the juvenile justice  
17 system.

18           “(b) PROGRAM AUTHORIZED.—The Administrator  
19 shall—

20           “(1) for each fiscal year for which less than  
21 \$25,000,000 is appropriated under section 506,  
22 award grants to not fewer than 3 State entities, but  
23 not more than 5 State entities, that apply under  
24 subsection (c) and meet the requirements of sub-  
25 section (d); or

1           “(2) for each fiscal year for which \$25,000,000  
2           or more is appropriated under section 506, award  
3           grants to not fewer than 5 State entities that apply  
4           under subsection (c) and meet the requirements of  
5           subsection (d).

6           “(c) STATE APPLICATION.—To be eligible to receive  
7           a grant under this section, a State entity shall submit an  
8           application to the Administrator, which includes the fol-  
9           lowing:

10           “(1) An assurance the State entity will use—

11           “(A) not more than 10 percent of such  
12           grant, in the aggregate—

13           “(i) for the costs incurred by the  
14           State entity to carry out this section, ex-  
15           cept that not more than 3 percent of such  
16           grant may be used for such costs; and

17           “(ii) to provide technical assistance to  
18           eligible entities receiving a subgrant under  
19           subsection (e) in carrying out juvenile de-  
20           linquency programs under the subgrant;  
21           and

22           “(B) the remainder of such grant to award  
23           subgrants to eligible entities under subsection  
24           (e).

1           “(2) An assurance that such grant will supple-  
2           ment, and not supplant, State and local efforts to  
3           prevent juvenile delinquency.

4           “(3) An assurance the State entity will evaluate  
5           the capacity of eligible entities receiving a subgrant  
6           under subsection (e) to fulfill the requirements  
7           under such subsection.

8           “(4) An assurance that such application was  
9           prepared after consultation with, and participation  
10          by, the State advisory group, units of local govern-  
11          ment, community-based organizations, and organiza-  
12          tions that carry out programs, projects, or activities  
13          to prevent juvenile delinquency in the local juvenile  
14          justice system served by the State entity.

15          “(d) APPROVAL OF STATE APPLICATIONS.—In  
16          awarding grants under this section for a fiscal year, the  
17          Administrator may not award a grant to a State entity  
18          for a fiscal year unless—

19                 “(1)(A) the State that will be served by the  
20                 State entity submitted a plan under section 223 for  
21                 such fiscal year; and

22                 “(B) such plan is approved by the Adminis-  
23                 trator for such fiscal year; or

1           “(2) after finding good cause for a waiver, the  
2 Administrator waives the plan required under sub-  
3 paragraph (A) for such State for such fiscal year.

4           “(e) SUBGRANT PROGRAM.—

5           “(1) PROGRAM AUTHORIZED.—

6           “(A) IN GENERAL.—Each State entity re-  
7 ceiving a grant under this section shall award  
8 subgrants to eligible entities in accordance with  
9 this subsection.

10           “(B) PRIORITY.—In awarding subgrants  
11 under this subsection, the State entity shall give  
12 priority to eligible entities that demonstrate  
13 ability in—

14           “(i) plans for service and agency co-  
15 ordination and collaboration including the  
16 collocation of services;

17           “(ii) innovative ways to involve the  
18 private nonprofit and business sector in de-  
19 linquency prevention activities;

20           “(iii) developing data-driven preven-  
21 tion plans, employing evidence-based pre-  
22 vention strategies, and conducting program  
23 evaluations to determine impact and effec-  
24 tiveness;

1           “(iv) identifying under the plan sub-  
2           mitted under paragraph (5) potential sav-  
3           ings and efficiencies associated with suc-  
4           cessful implementation of such plan; and

5           “(v) describing how such savings and  
6           efficiencies may be used to carry out delin-  
7           quency prevention programs and be rein-  
8           vested in the continuing implementation of  
9           such programs after the end of the  
10          subgrant period.

11          “(C) SUBGRANT PROGRAM PERIOD AND DI-  
12          VERSITY OF PROJECTS.—

13           “(i) PROGRAM PERIOD.—A subgrant  
14           awarded to an eligible entity by a State en-  
15           tity under this section shall be for a period  
16           of not more than 5 years, of which the eli-  
17           gible entity—

18           “(I) may use not more than 18  
19           months for completing the plan sub-  
20           mitted by the eligible entity under  
21           paragraph (5); and

22           “(II) shall use the remainder of  
23           the subgrant period, after planning  
24           period described in subclause (I), for  
25           the implementation of such plan.



1           “(ii) DIVERSITY OF PROJECTS.—In  
2           awarding subgrants under this subsection,  
3           a State entity shall ensure, to the extent  
4           practicable and applicable, that such sub-  
5           grants are distributed throughout different  
6           areas, including urban, suburban, and  
7           rural areas.

8           “(2) LOCAL APPLICATION.—An eligible entity  
9           that desires a subgrant under this subsection shall  
10          submit an application to the State entity in the  
11          State of the eligible entity, at such time and in such  
12          manner as determined by the State entity, and that  
13          includes—

14               “(A) a description of—

15                   “(i) the local policy board and local  
16                   partners the eligible entity will engage in  
17                   the development of the plan described in  
18                   paragraph (5);

19                   “(ii) the unmet needs of youth in the  
20                   community who are or have been involved  
21                   in, or are at risk of being involved in juve-  
22                   nile delinquency or gang activity;

23                   “(iii) available resources in the com-  
24                   munity to meet the unmet needs identified

1 in the needs assessment described in para-  
2 graph (5)(A); and

3 “(iv) potential costs to the community  
4 if the unmet needs are not addressed;

5 “(B) a specific time period for the plan-  
6 ning and subsequent implementation of its con-  
7 tinuum of local delinquency prevention pro-  
8 grams;

9 “(C) the steps the eligible entity will take  
10 to implement the plan under subparagraph (A);  
11 and

12 “(D) a plan to continue the grant activity  
13 with non-Federal funds, if proven successful ac-  
14 cording to the performance evaluation process  
15 under paragraph (5)(D), after grant period.

16 “(3) MATCHING REQUIREMENT.—An eligible  
17 entity desiring a subgrant under this subsection  
18 shall agree to provide a 50 percent match of the  
19 amount of the subgrant, which may include the  
20 value of in-kind contributions.

21 “(4) SUBGRANT REVIEW.—

22 “(A) REVIEW.—Not later than the end of  
23 the second year of a subgrant period for a  
24 subgrant awarded to an eligible entity under  
25 this subsection and before awarding the remain-

1           ing amount of the subgrant to the eligible enti-  
2           ty, the State entity shall—

3                   “(i) ensure that the eligible entity has  
4                   completed the plan submitted under para-  
5                   graph (2) and that the plan meets the re-  
6                   quirements of such paragraph; and

7                   “(ii) verify that the eligible entity will  
8                   begin the implementation of its plan upon  
9                   receiving the next installment of its  
10                  subgrant award.

11               “(B) TERMINATION.—If the State entity  
12               finds through the review conducted under sub-  
13               paragraph (A) that the eligible entity has not  
14               met the requirements of clause (i) of such sub-  
15               paragraph, the State entity shall reallocate the  
16               amount remaining on the subgrant of the eligi-  
17               ble entity to other eligible entities receiving a  
18               subgrant under this subsection or award the  
19               amount to an eligible entity during the next  
20               subgrant competition under this subsection.

21               “(5) LOCAL USES OF FUNDS.—An eligible enti-  
22               ty that receives a subgrant under this subsection  
23               shall use the funds to implement a plan to carry out  
24               delinquency prevention programs in the community  
25               served by the eligible entity in a coordinated manner

1 with other delinquency prevention programs or enti-  
2 ties serving such community, which includes—

3 “(A) an analysis of the unmet needs of  
4 youth in the community who are or have been,  
5 or are at risk of being, involved in juvenile de-  
6 linquency or gang activity—

7 “(i) which shall include—

8 “(I) the available resources in the  
9 community to meet the unmet needs;  
10 and

11 “(II) factors present in the com-  
12 munity that may contribute to delin-  
13 quency, such as homelessness, food in-  
14 security, teen pregnancy, youth unem-  
15 ployment, family instability, lack of  
16 educational opportunity; and

17 “(ii) may include an estimate—

18 “(I) for the most recent year for  
19 which reliable data is available, the  
20 amount expended by the community  
21 and other entities for delinquency ad-  
22 judication for juveniles and the incar-  
23 ceration of adult offenders for of-  
24 fenses committed in such community;  
25 and

1                   “(II) of potential savings and ef-  
2                   ficiencies that may be achieved  
3                   through the implementation of the  
4                   plan;

5                   “(B) a minimum 3-year comprehensive  
6                   strategy to address the unmet needs and an es-  
7                   timate of the amount or percentage of non-Fed-  
8                   eral funds that are available to carry out the  
9                   strategy;

10                  “(C) a description of how delinquency pre-  
11                  vention programs under the plan will be coordi-  
12                  nated;

13                  “(D) a description of the performance eval-  
14                  uation process of the delinquency prevention  
15                  programs to be implemented under the plan,  
16                  which shall include performance measures to  
17                  assess efforts to address the unmet needs of  
18                  youth in the community analyzed under sub-  
19                  paragraph (A);

20                  “(E) the evidence or promising evaluation  
21                  on which such delinquency prevention programs  
22                  are based; and

23                  “(F) if such delinquency prevention pro-  
24                  grams are proven successful according to the  
25                  performance evaluation process under subpara-

1 graph (D), a strategy to continue such pro-  
2 grams after the subgrant period with non-Fed-  
3 eral funds, including a description of how any  
4 estimated savings or efficiencies created by the  
5 implementation of the plan may be used to con-  
6 tinue such programs.”.

7 **SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION**  
8 **AND RESPONSE PROGRAMS.**

9 The Incentive Grants for Local Delinquency Preven-  
10 tion Programs Act of 2002 (42 U.S.C. 5781 et seq.) is  
11 amended by redesignating section 505 as section 506 and  
12 by inserting after section 504 the following:

13 **“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVEN-**  
14 **TION AND RESPONSE PROGRAMS.**

15 “(a) IN GENERAL.—The Administrator shall make  
16 grants under this section, on a competitive basis, to eligi-  
17 ble Indian tribes (or consortia of Indian tribes) as de-  
18 scribed in subsection (b)—

19 “(1) to support and enhance—

20 “(A) tribal juvenile delinquency prevention  
21 services; and

22 “(B) the ability of Indian tribes to respond  
23 to, and care for, juvenile offenders; and

24 “(2) to encourage accountability of Indian trib-  
25 al governments with respect to preventing juvenile

1 delinquency, and responding to, and caring for, juve-  
2 nile offenders.

3 “(b) ELIGIBLE INDIAN TRIBES.—To be eligible to re-  
4 ceive a grant under this section, an Indian tribe or consor-  
5 tium of Indian tribes shall submit to the Administrator  
6 an application in such form as the Administrator may re-  
7 quire.

8 “(c) CONSIDERATIONS.—In providing grants under  
9 this section, the Administrator shall take into consider-  
10 ation, with respect to the Indian tribe to be served, the—

11 “(1) juvenile delinquency rates;

12 “(2) school dropout rates; and

13 “(3) number of youth at risk of delinquency.

14 “(d) AVAILABILITY OF FUNDS.—Of the amount ap-  
15 propriated for a fiscal year to carry out this title, 11 per-  
16 cent shall be available to carry out this section.”.

17 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 506, as redesignated by section 305, is  
19 amended to read as follows:

20 **“SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

21 “There are authorized to be appropriated to carry out  
22 this title—

23 “(1) \$91,857,500 for fiscal year 2018;

24 “(2) \$91,857,500 for fiscal year 2019;

25 “(3) \$93,235,362 for fiscal year 2020;

1           “(4) \$94,633,892 for fiscal year 2021; and  
2           “(5) \$96,053,401 for fiscal year 2022.”.

3 **SEC. 307. TECHNICAL AND CONFORMING AMENDMENT.**

4           The Juvenile Justice and Delinquency Prevention Act  
5 of 1974 is amended by striking title V, as enacted by the  
6 Juvenile Justice and Delinquency Prevention Act of 1974  
7 (Public Law 93–415; 88 Stat. 1133) (relating to miscella-  
8 neous and conforming amendments).

9           **TITLE IV—MISCELLANEOUS**  
10           **PROVISIONS**

11 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**

12           **OFFICE.**

13           (a) EVALUATION.—Not later than 1 year after the  
14 date of enactment of this Act, the Comptroller General  
15 of the United States shall—

16           (1) conduct a comprehensive analysis and eval-  
17 uation regarding the performance of the Office of  
18 Juvenile Justice and Delinquency Prevention (re-  
19 ferred to in this section as “the agency”), its func-  
20 tions, its programs, and its grants;

21           (2) conduct a comprehensive audit and evalua-  
22 tion of a selected, sample of grantees (as determined  
23 by the Comptroller General) that receive Federal  
24 funds under grant programs administered by the  
25 agency including a review of internal controls (as de-



1        fined in section 103 of the Juvenile Justice and De-  
2        linquency Prevention Act of 1974 (42 U.S.C. 5603),  
3        as amended by this Act) to prevent fraud, waste,  
4        and abuse of funds by grantees; and

5            (3) submit a report in accordance with sub-  
6        section (d).

7        (b) CONSIDERATIONS FOR EVALUATION.—In con-  
8        ducting the analysis and evaluation under subsection  
9        (a)(1), and in order to document the efficiency and public  
10       benefit of the Juvenile Justice and Delinquency Preven-  
11       tion Act of 1974 (42 U.S.C. 5601 et seq.), excluding the  
12       Runaway and Homeless Youth Act (42 U.S.C. 5701 et  
13       seq.) and the Missing Children’s Assistance Act (42  
14       U.S.C. 5771 et seq.), the Comptroller General shall take  
15       into consideration—

16            (1) the outcome and results of the programs  
17        carried out by the agency and those programs ad-  
18        ministered through grants by the agency;

19            (2) the extent to which the agency has complied  
20        with the Government Performance and Results Act  
21        of 1993 (Public Law 103–62; 107 Stat. 285);

22            (3) the extent to which the jurisdiction of, and  
23        the programs administered by, the agency duplicate  
24        or conflict with the jurisdiction and programs of  
25        other agencies;

1           (4) the potential benefits of consolidating pro-  
2           grams administered by the agency with similar or  
3           duplicative programs of other agencies, and the po-  
4           tential for consolidating those programs;

5           (5) whether less restrictive or alternative meth-  
6           ods exist to carry out the functions of the agency  
7           and whether current functions or operations are im-  
8           peded or enhanced by existing statutes, rules, and  
9           procedures;

10          (6) the number and types of beneficiaries or  
11          persons served by programs carried out by the agen-  
12          cy;

13          (7) the manner with which the agency seeks  
14          public input and input from State and local govern-  
15          ments on the performance of the functions of the  
16          agency;

17          (8) the extent to which the agency complies  
18          with section 552 of title 5, United States Code (com-  
19          monly known as the Freedom of Information Act);

20          (9) whether greater oversight is needed of pro-  
21          grams developed with grants made by the agency;  
22          and

23          (10) the extent to which changes are necessary  
24          in the authorizing statutes of the agency in order for

1 the functions of the agency to be performed in a  
2 more efficient and effective manner.

3 (c) CONSIDERATIONS FOR AUDITS.—In conducting  
4 the audit and evaluation under subsection (a)(2), and in  
5 order to document the efficiency and public benefit of the  
6 Juvenile Justice and Delinquency Prevention Act of 1974  
7 (42 U.S.C. 5601 et seq.), excluding the Runaway and  
8 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the  
9 Missing Children’s Assistance Act (42 U.S.C. 5771 et  
10 seq.), the Comptroller General shall take into consider-  
11 ation—

12 (1) whether grantees timely file Financial Sta-  
13 tus Reports;

14 (2) whether grantees have sufficient internal  
15 controls to ensure adequate oversight of grant fund  
16 received;

17 (3) whether disbursements were accompanied  
18 with adequate supporting documentation (including  
19 invoices and receipts);

20 (4) whether expenditures were authorized;

21 (5) whether subrecipients of grant funds were  
22 complying with program requirements;

23 (6) whether salaries and fringe benefits of per-  
24 sonnel were adequately supported by documentation;

1           (7) whether contracts were bid in accordance  
2 with program guidelines; and

3           (8) whether grant funds were spent in accord-  
4 ance with program goals and guidelines.

5 (d) REPORT.—

6           (1) IN GENERAL.—Not later than 1 year after  
7 the date of enactment of this Act, the Comptroller  
8 General of the United States shall—

9           (A) submit a report regarding the evalua-  
10 tion conducted under subsection (a) and audit  
11 under subsection (b), to the Speaker of the  
12 House of Representatives and the President pro  
13 tempore of the Senate; and

14           (B) make the report described in subpara-  
15 graph (A) available to the public.

16           (2) CONTENTS.—The report submitted in ac-  
17 cordance with paragraph (1) shall include all audit  
18 findings determined by the selected, statistically sig-  
19 nificant sample of grantees as required by subsection  
20 (a)(2) and shall include the name and location of  
21 any selected grantee as well as any findings required  
22 by subsection (a)(2).

1 **SEC. 402. ACCOUNTABILITY AND OVERSIGHT.**

2 (a) IN GENERAL.—The Juvenile Justice and Delin-  
 3 quency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)  
 4 is amended by adding at the end the following:

5 **“TITLE VI—ACCOUNTABILITY**  
 6 **AND OVERSIGHT**

7 **“SEC. 601. ACCOUNTABILITY AND OVERSIGHT.**

8 “(a) SENSE OF CONGRESS.—It is the sense of Con-  
 9 gress that, in order to ensure that at-risk youth, and youth  
 10 who come into contact with the juvenile justice system or  
 11 the criminal justice system, are treated fairly and that the  
 12 outcome of that contact is beneficial to the Nation—

13 “(1) the Department of Justice, through its Of-  
 14 fice of Juvenile Justice and Delinquency Prevention,  
 15 must restore meaningful enforcement of the core re-  
 16 quirements in title II; and

17 “(2) States, which are entrusted with a fiscal  
 18 stewardship role if they accept funds under title II  
 19 must exercise vigilant oversight to ensure full com-  
 20 pliance with the core requirements for juveniles pro-  
 21 vided for in title II.

22 “(b) ACCOUNTABILITY.—

23 “(1) AGENCY PROGRAM REVIEW.—

24 “(A) PROGRAMMATIC AND FINANCIAL AS-  
 25 SESSMENT.—

1           “(i) IN GENERAL.—Not later than 60  
2           days after the date of enactment of the  
3           Supporting Youth Opportunity and Pre-  
4           venting Delinquency Act of 2016, the Di-  
5           rector of the Office of Audit, Assessment,  
6           and Management of the Office of Justice  
7           Programs at the Department of Justice  
8           (referred to in this section as the ‘Direc-  
9           tor’) shall—

10                   “(I) conduct a comprehensive  
11                   analysis and evaluation of the internal  
12                   controls of the Office of Juvenile Jus-  
13                   tice and Delinquency Prevention (re-  
14                   ferred to in this section as the ‘agen-  
15                   cy’) to determine if States and Indian  
16                   tribes receiving grants are following  
17                   the requirements of the agency grant  
18                   programs and what remedial action  
19                   the agency has taken to recover any  
20                   grant funds that are expended in vio-  
21                   lation of grant programs, including in-  
22                   stances where—

23                           “(aa) supporting documen-  
24                           tation was not provided for cost  
25                           reports;

1                   “(bb) unauthorized expendi-  
2                   tures occurred; and

3                   “(cc) subrecipients of grant  
4                   funds were not in compliance  
5                   with program requirements;

6                   “(II) conduct a comprehensive  
7                   audit and evaluation of a selected sta-  
8                   tistically significant sample of States  
9                   and Indian tribes (as determined by  
10                  the Director) that have received Fed-  
11                  eral funds under title II, including a  
12                  review of internal controls to prevent  
13                  fraud, waste, and abuse of funds by  
14                  grantees; and

15                  “(III) submit a report in accord-  
16                  ance with clause (iv).

17                  “(ii) CONSIDERATIONS FOR EVALUA-  
18                  TIONS.—In conducting the analysis and  
19                  evaluation under clause (i)(I), and in order  
20                  to document the efficiency and public ben-  
21                  efit of titles II and V, the Director shall  
22                  take into consideration the extent to  
23                  which—

1           “(I) greater oversight is needed  
2 of programs developed with grants  
3 made by the agency;

4           “(II) changes are necessary in  
5 the authorizing statutes of the agency  
6 in order that the functions of the  
7 agency can be performed in a more ef-  
8 ficient and effective manner; and

9           “(III) the agency has imple-  
10 mented recommendations issued by  
11 the Comptroller General or Office of  
12 Inspector General relating to the  
13 grant making and grant monitoring  
14 responsibilities of the agency.

15           “(iii) CONSIDERATIONS FOR AU-  
16 DITS.—In conducting the audit and evalua-  
17 tion under clause (i)(II), and in order to  
18 document the efficiency and public benefit  
19 of titles II and V, the Director shall take  
20 into consideration—

21           “(I) whether grantees timely file  
22 Financial Status Reports;

23           “(II) whether grantees have suf-  
24 ficient internal controls to ensure ade-



1           quate oversight of grant funds re-  
2           ceived;

3           “(III) whether grantees’ asser-  
4           tions of compliance with the core re-  
5           quirements were accompanied with  
6           adequate supporting documentation;

7           “(IV) whether expenditures were  
8           authorized;

9           “(V) whether subrecipients of  
10          grant funds were complying with pro-  
11          gram requirements; and

12          “(VI) whether grant funds were  
13          spent in accordance with the program  
14          goals and guidelines.

15          “(iv) REPORT.—The Director shall—

16               “(I) submit to the Congress a re-  
17               port outlining the results of the anal-  
18               ysis, evaluation, and audit conducted  
19               under clause (i), including supporting  
20               materials, to the Speaker of the  
21               House of Representatives and the  
22               President pro tempore of the Senate;  
23               and

24               “(II) shall make such report  
25               available to the public online, not later

1 than 1 year after the date of enact-  
2 ment of this section.

3 “(B) ANALYSIS OF INTERNAL CON-  
4 TROLS.—

5 “(i) IN GENERAL.—Not later than 30  
6 days after the date of enactment of the  
7 Supporting Youth Opportunity and Pre-  
8 venting Delinquency Act of 2016, the Ad-  
9 ministrator shall initiate a comprehensive  
10 analysis and evaluation of the internal con-  
11 trols of the agency to determine whether,  
12 and to what extent, States and Indian  
13 tribes that receive grants under titles II  
14 and V are following the requirements of  
15 the grant programs authorized under titles  
16 II and V.

17 “(ii) REPORT.—Not later than 180  
18 days after the date of enactment of the  
19 Supporting Youth Opportunity and Pre-  
20 venting Delinquency Act of 2016, the Ad-  
21 ministrator shall submit to Congress a re-  
22 port containing—

23 “(I) the findings of the analysis  
24 and evaluation conducted under clause  
25 (i);

1           “(II) a description of remedial  
2           actions, if any, that will be taken by  
3           the Administrator to enhance the in-  
4           ternal controls of the agency and re-  
5           coup funds that may have been ex-  
6           pended in violation of law, regulations,  
7           or program requirements issued under  
8           titles II and V; and

9           “(III) a description of—

10           “(aa) the analysis conducted  
11           under clause (i);

12           “(bb) whether the funds  
13           awarded under titles II and V  
14           have been used in accordance  
15           with law, regulations, program  
16           guidance, and applicable plans;  
17           and

18           “(cc) the extent to which  
19           funds awarded to States and In-  
20           dian tribes under titles II and V  
21           enhanced the ability of grantees  
22           to fulfill the core requirements.

23           “(C) REPORT BY THE ATTORNEY GEN-  
24           ERAL.—Not later than 180 days after the date  
25           of enactment of the Supporting Youth Oppor-

1 tunity and Preventing Delinquency Act of 2016,  
2 the Attorney General shall submit to the appro-  
3 priate committees of the Congress a report on  
4 the estimated amount of formula grant funds  
5 disbursed by the agency since fiscal year 2010  
6 that did not meet the requirements for awards  
7 of formula grants to States under title II.

8 “(2) CONFERENCE EXPENDITURES.—

9 “(A) LIMITATION.—No amounts author-  
10 ized to be appropriated to the Department of  
11 Justice under this Act may be used by the At-  
12 torney General, or by any individual or organi-  
13 zation awarded discretionary funds through a  
14 cooperative agreement under this Act, to host  
15 or support any expenditure for conferences that  
16 uses more than \$20,000 in funds made avail-  
17 able to the Department of Justice, unless the  
18 Deputy Attorney General or such Assistant At-  
19 torney Generals, Directors, or principal deputies  
20 as the Deputy Attorney General may designate,  
21 provides prior written authorization that the  
22 funds may be expended to host a conference.

23 “(B) WRITTEN APPROVAL.—Written ap-  
24 proval under subparagraph (A) shall include a  
25 written estimate of all costs associated with the

1 conference, including the cost of all food and  
2 beverages, audiovisual equipment, honoraria for  
3 speakers, and entertainment.

4 “(C) REPORT.—The Deputy Attorney Gen-  
5 eral shall submit an annual report to the Com-  
6 mittee on the Judiciary of the Senate and the  
7 Committee on Education and the Workforce of  
8 the House of Representatives on all conference  
9 expenditures approved under this paragraph.

10 “(3) PROHIBITION ON LOBBYING ACTIVITY.—

11 “(A) IN GENERAL.—Amounts authorized  
12 to be appropriated under this Act may not be  
13 utilized by any recipient of a grant made using  
14 such amounts—

15 “(i) to lobby any representative of the  
16 Department of Justice regarding the  
17 award of grant funding; or

18 “(ii) to lobby any representative of a  
19 Federal, State, local, or tribal government  
20 regarding the award of grant funding.

21 “(B) PENALTY.—If the Attorney General  
22 determines that any recipient of a grant made  
23 using amounts authorized to be appropriated  
24 under this Act has violated subparagraph (A),  
25 the Attorney General shall—

1                   “(i) require the recipient to repay the  
2                   grant in full; and

3                   “(ii) prohibit the recipient to receive  
4                   another grant under this Act for not less  
5                   than 5 years.

6                   “(C) CLARIFICATION.—For purposes of  
7                   this paragraph, submitting an application for a  
8                   grant under this Act shall not be considered  
9                   lobbying activity in violation of subparagraph  
10                  (A).

11                  “(c) PREVENTING DUPLICATIVE GRANTS.—

12                   “(1) IN GENERAL.—Before the Attorney Gen-  
13                   eral awards a grant to an applicant under this Act,  
14                   the Attorney General shall compare potential grant  
15                   awards with other grants awarded under this Act to  
16                   determine if duplicate grant awards are awarded for  
17                   the same purpose.

18                   “(2) REPORT.—If the Attorney General awards  
19                   duplicate grants to the same applicant for the same  
20                   purpose the Attorney General shall submit to the  
21                   Committee on the Judiciary of the Senate and the  
22                   Committee on Education and the Workforce of the  
23                   House of Representatives a report that includes—

1           “(A) a list of all duplicate grants awarded,  
2           including the total dollar amount of any dupli-  
3           cate grants awarded; and

4           “(B) the reason the Attorney General  
5           awarded the duplicative grant.

6           “(d) COMPLIANCE WITH AUDITING STANDARDS.—  
7 The Administrator shall comply with the Generally Ac-  
8 cepted Government Auditing Standards, published by the  
9 General Accountability Office (commonly known as the  
10 ‘Yellow Book’), in the conduct of fiscal, compliance, and  
11 programmatic audits of States.”.

12           (b) TECHNICAL AND CONFORMING AMENDMENT.—

13           (1) IN GENERAL.—The Juvenile Justice and  
14 Delinquency Prevention Act of 1974 is amended by  
15 striking paragraphs (6) and (7) of section 407 (42  
16 U.S.C. 5776a).

17           (2) EFFECTIVE DATE.—The amendment made  
18 by paragraph (1) shall take effect on the first day  
19 of the first fiscal year that begins after the date of  
20 enactment of this Act.

21           (3) SAVINGS CLAUSE.—In the case of an entity  
22 that is barred from receiving grant funds under  
23 paragraph (7)(B)(ii) of section 407 of the Juvenile  
24 Justice and Delinquency Prevention Act of 1974 (42  
25 U.S.C. 5776a), the amendment made by paragraph

1 (1) of this subsection shall not affect the applica-  
2 bility to the entity, or to the Attorney General with  
3 respect to the entity, of paragraph (7) of such sec-  
4 tion 407, as in effect on the day before the effective  
5 date of the amendment made by paragraph (1).

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