

114TH CONGRESS  
2D SESSION

# H. R. 6459

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

DECEMBER 7, 2016

Mr. CURBELO of Florida (for himself and Mr. SCOTT of Virginia) 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 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”; 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) in paragraph (18) by adding at the end the  
13 following:

14 “that has a law enforcement function, as determined  
15 by the Secretary of the Interior in consultation with  
16 the Attorney General;”.

17 (3) by amending paragraph (22) to read as fol-  
18 lows:

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

23 (4) by amending paragraph (25) to read as fol-  
24 lows:

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

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

6 “(26) the term ‘adult inmate’—

7 “(A) means an individual who—

8 “(i) has reached the age of full crimi-  
9 nal responsibility under applicable State  
10 law; and

11 “(ii) has been arrested and is in cus-  
12 tody for or awaiting trial on a criminal  
13 charge, or is convicted of a criminal of-  
14 fense; and

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

16 “(i) at the time of the offense was  
17 younger than the maximum age at which a  
18 youth can be held in a juvenile facility  
19 under applicable State law; and

20 “(ii) was committed to the care and  
21 custody or supervision, including post-  
22 placement or parole supervision, of a juve-  
23 nile correctional agency by a court of com-  
24 petent jurisdiction or by operation of appli-  
25 cable State law;”;

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

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

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

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

7                 “(A) means the requirements described in  
8                 paragraphs (11), (12), (13), and (15) of section  
9                 223(a); and

10                “(B) does not include the data collection  
11                requirements described in subparagraphs (A)  
12                through (K) of section 207(1);

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

17           “(32) the term ‘isolation’—

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

21                 “(B) does not include—

22                         “(i) confinement during regularly  
23                         scheduled sleeping hours;

1 “(ii) separation based on a treatment  
2 program approved by a licensed medical or  
3 mental health professional;

4 “(iii) confinement or separation that  
5 is requested by the youth; or

6 “(iv) the separation of the youth from  
7 a group in a nonlocked setting for the lim-  
8 ited purpose of calming;

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

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

14 “(A) is demonstrated to be effective when  
15 implemented with fidelity;

16 “(B) is based on a clearly articulated and  
17 empirically supported theory;

18 “(C) has measurable outcomes relevant to  
19 juvenile justice, including a detailed description  
20 of the outcomes produced in a particular popu-  
21 lation, whether urban or rural; and

22 “(D) has been scientifically tested and  
23 proven effective through randomized control  
24 studies or comparison group studies and with  
25 the ability to replicate and scale;

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

3           “(A) is demonstrated to be effective based  
4       on positive outcomes relevant to juvenile justice  
5       from one or more objective, independent, and  
6       scientifically valid evaluations, as documented  
7       in writing to the Administrator; and

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

11          “(36) the term ‘dangerous practice’ means an  
12      act, procedure, or program that creates an unreason-  
13      able risk of physical injury, pain, or psychological  
14      harm to a juvenile subjected to the act, procedure,  
15      or program;

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

18          “(A) designed to identify youth who may  
19      have mental health, behavioral health, sub-  
20      stance abuse, or other needs requiring imme-  
21      diate attention, intervention, and further eval-  
22      uation; and

23          “(B) the purpose of which is to quickly  
24      identify a youth with possible mental health, be-



1           havioral health, substance abuse, or other needs  
2           in need of further assessment;

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

6                   “(A) by an appropriately trained profes-  
7                   sional who is licensed or certified by the appli-  
8                   cable State in the mental health, behavioral  
9                   health, or substance abuse fields; and

10                   “(B) which is designed to identify signifi-  
11                   cant mental health, behavioral health, or sub-  
12                   stance abuse treatment needs to be addressed  
13                   during a youth’s confinement;

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

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

21                   “(A) understanding the impact that expo-  
22                   sure to violence and trauma have on a youth’s  
23                   physical, psychological, and psychosocial devel-  
24                   opment;

1           “(B) recognizing when a youth has been  
2           exposed to violence and trauma and is in need  
3           of help to recover from the adverse impacts of  
4           trauma; and

5           “(C) responding in ways that resist re-  
6           traumatization;

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

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

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

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

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

24                 “(B) reliability of reporting for internal  
25                 and external use; and

1 “(C) compliance with applicable laws and  
2 regulations, as well as recommendations of the  
3 Office of Inspector General and the Government  
4 Accountability Office; and  
5 “(45) the term ‘tribal government’ means the  
6 governing body of an Indian tribe.”.

7 **TITLE II—JUVENILE JUSTICE**  
8 **AND DELINQUENCY PREVEN-**  
9 **TION**

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

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

13 (1) in subsection (a)—

14 (A) in paragraph (1), in the first sen-  
15 tence—

16 (i) by striking “a long-term plan, and  
17 implement” and inserting the following: “a  
18 long-term plan to improve the juvenile jus-  
19 tice system in the United States, taking  
20 into account scientific knowledge regarding  
21 adolescent development and behavior and  
22 regarding the effects of delinquency pre-  
23 vention programs and juvenile justice  
24 interventions on adolescents, and shall im-  
25 plement”; and

1 (ii) by striking “research, and im-  
2 provement of the juvenile justice system in  
3 the United States” and inserting “and re-  
4 search”; and

5 (B) in paragraph (2)(B), by striking “Fed-  
6 eral Register” and all that follows and inserting  
7 “Federal Register during the 30-day period  
8 ending on October 1 of each year.”; and  
9 (2) in subsection (b)—

10 (A) by striking paragraph (7);

11 (B) by redesignating paragraphs (5) and  
12 (6) as paragraphs (6) and (7), respectively;

13 (C) by inserting after paragraph (4), the  
14 following:

15 “(5) not later than 1 year after the date of en-  
16 actment of the Supporting Youth Opportunity and  
17 Preventing Delinquency Act of 2016, in consultation  
18 with Indian tribes, develop a policy for the Office of  
19 Juvenile Justice and Delinquency Prevention to col-  
20 laborate with representatives of Indian tribes with a  
21 criminal justice function on the implementation of  
22 the provisions of this Act relating to Indian tribes;”;

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

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

- 1 (i) by striking “monitoring”;
- 2 (ii) by striking “section 223(a)(15)”
- 3 and inserting “section 223(a)(16)”; and
- 4 (iii) by striking “to review the ade-
- 5 quacy of such systems; and” and inserting
- 6 “for monitoring compliance.”.

7 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**  
 8 **AND DELINQUENCY PREVENTION.**

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

11 (1) in subsection (a)—

12 (A) in paragraph (1)—

13 (i) by inserting “the Administrator of  
 14 the Substance Abuse and Mental Health  
 15 Services Administration, the Secretary of  
 16 the Interior,” after “the Secretary of  
 17 Health and Human Services,”; and

18 (ii) by striking “Commissioner of Im-  
 19 migration and Naturalization” and insert-  
 20 ing “Assistant Secretary for Immigration  
 21 and Customs Enforcement”; and

22 (B) in paragraph (2), by striking “United  
 23 States” and inserting “Federal Government”;  
 24 and

25 (2) in subsection (c)—

1 (A) in paragraph (1), by striking “para-  
2 graphs (12)(A), (13), and (14) of section  
3 223(a) of this title” and inserting “the core re-  
4 quirements”; and

5 (B) in paragraph (2)—

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

9 (ii) by striking subparagraph (B) and  
10 inserting the following:

11 “(B) not later than 120 days after the  
12 completion of the last meeting of the Council  
13 during any fiscal year, submit to the Committee  
14 on Education and the Workforce of the House  
15 of Representatives and the Committee on the  
16 Judiciary of the Senate a report that—

17 “(i) contains the recommendations de-  
18 scribed in subparagraph (A);

19 “(ii) includes a detailed account of the  
20 activities conducted by the Council during  
21 the fiscal year, including a complete de-  
22 tailed accounting of expenses incurred by  
23 the Council to conduct operations in ac-  
24 cordance with this section;

1 “(iii) is published on the Web sites of  
2 the Office of Juvenile Justice and Delin-  
3 quency Prevention, the Council, and the  
4 Department of Justice; and  
5 “(iv) is in addition to the annual re-  
6 port required under section 207.”.

7 **SEC. 203. ANNUAL REPORT.**

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

10 (1) in the matter preceding paragraph (1), by  
11 striking “a fiscal year” and inserting “each fiscal  
12 year”;

13 (2) in paragraph (1)—

14 (A) in subparagraph (B), by striking “and  
15 gender” and inserting “, gender, and ethnicity,  
16 as such term is defined by the Bureau of the  
17 Census,”;

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

20 (C) in subparagraph (F)—

21 (i) by inserting “and other” before  
22 “disabilities,”; and

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

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

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

6           “(H) the number of status offense cases  
7           petitioned to court, number of status offenders  
8           held in secure detention, the findings used to  
9           justify the use of secure detention, and the av-  
10          erage period of time a status offender was held  
11          in secure detention;

12          “(I) the number of juveniles released from  
13          custody and the type of living arrangement to  
14          which they are released;

15          “(J) the number of juveniles whose offense  
16          originated on school grounds, during school-  
17          sponsored off-campus activities, or due to a re-  
18          ferral by a school official, as collected and re-  
19          ported by the Department of Education or simi-  
20          lar State educational agency; and

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

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



1           “(5) A description of the criteria used to deter-  
2           mine what programs qualify as evidence-based and  
3           promising programs under this title and title V and  
4           a comprehensive list of those programs the Adminis-  
5           trator has determined meet such criteria in both  
6           rural and urban areas.

7           “(6) A description of funding provided to In-  
8           dian tribes under this Act or for a juvenile delin-  
9           quency or prevention program under the Tribal Law  
10          and Order Act of 2010 (Public Law 111–211; 124  
11          Stat. 2261), including direct Federal grants and  
12          funding provided to Indian tribes through a State or  
13          unit of local government.

14          “(7) An analysis and evaluation of the internal  
15          controls at the Office of Juvenile Justice and Delin-  
16          quency Prevention to determine if grantees are fol-  
17          lowing the requirements of the Office of Juvenile  
18          Justice and Delinquency Prevention grant programs  
19          and what remedial action the Office of Juvenile Jus-  
20          tice and Delinquency Prevention has taken to re-  
21          cover any grant funds that are expended in violation  
22          of the grant programs, including instances—

23                 “(A) in which supporting documentation  
24                 was not provided for cost reports;

1           “(B) where unauthorized expenditures oc-  
2           curred; or

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

5           “(8) An analysis and evaluation of the total  
6           amount of payments made to grantees that the Of-  
7           fice of Juvenile Justice and Delinquency Prevention  
8           recouped from grantees that were found to be in vio-  
9           lation of policies and procedures of the Office of Ju-  
10          venile Justice and Delinquency Prevention grant  
11          programs, including—

12               “(A) the full name and location of the  
13               grantee;

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

15               “(C) the amount of funds sought to be re-  
16               couped by the Office of Juvenile Justice and  
17               Delinquency Prevention; and

18               “(D) the actual amount recouped by the  
19               Office of Juvenile Justice and Delinquency Pre-  
20               vention.”.

21 **SEC. 204. ALLOCATION OF FUNDS.**

22           (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of  
23 the Juvenile Justice and Delinquency Prevention Act of  
24 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2  
25 percent” and inserting “5 percent”.

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

4           (1) in subsection (a)—

5               (A) in paragraph (1), by striking “age  
6 eighteen” and inserting “18 years of age, based  
7 on the most recent data available from the Bu-  
8 reau of the Census”; and

9               (B) by striking paragraphs (2) and (3) and  
10 inserting the following:

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

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

17           “(ii) the amount allocated to the United States  
18 Virgin Islands, Guam, American Samoa, and the  
19 Commonwealth of the Northern Mariana Islands for  
20 that fiscal year shall be not less than \$75,000.

21       “(B) If the aggregate amount appropriated for a fis-  
22 cal year to carry out this title is not less than  
23 \$75,000,000, then—

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

4           “(ii) the amount allocated to the United States  
5           Virgin Islands, Guam, American Samoa, and the  
6           Commonwealth of the Northern Mariana Islands for  
7           that fiscal year shall be not less than \$100,000.”;

8           (2) in subsection (c), by striking “efficient ad-  
9           ministration, including monitoring, evaluation, and  
10          one full-time staff position” and inserting “effective  
11          and efficient administration of funds, including the  
12          designation of not less than 1 individual who shall  
13          coordinate efforts to achieve and sustain compliance  
14          with the core requirements and certify whether the  
15          State is in compliance with such requirements”; and

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

19 **SEC. 205. STATE PLANS.**

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

22                 (1) in subsection (a)—

23                         (A) in the matter preceding paragraph (1),  
24                         by striking “and shall describe the status of  
25                         compliance with State plan requirements.” and

1 inserting “and shall describe how the State plan  
2 is supported by or takes account of scientific  
3 knowledge regarding adolescent development  
4 and behavior and regarding the effects of delin-  
5 quency prevention programs and juvenile justice  
6 interventions on adolescents. Not later than 60  
7 days after the date on which a plan or amended  
8 plan submitted under this subsection is final-  
9 ized, a State shall make the plan or amended  
10 plan publicly available by posting the plan or  
11 amended plan on the State’s publicly available  
12 Web site.”;

13 (B) in paragraph (1), by striking “de-  
14 scribed in section 299(c)(1)” and inserting “as  
15 designated by the chief executive officer of the  
16 State”;

17 (C) in paragraph (3)—

18 (i) in subparagraph (A)—

19 (I) in clause (i), by inserting “ad-  
20 olescent development,” after “con-  
21 cerning”;

22 (II) in clause (ii)—

23 (aa) in subclause (II), by in-  
24 serting “publicly supported court-  
25 appointed legal counsel with ex-

1 perience representing juveniles in  
2 delinquency proceedings,” after  
3 “youth,”;

4 (bb) in subclause (III), by  
5 striking “mental health, edu-  
6 cation, special education” and in-  
7 serting “child and adolescent  
8 mental health, education, child  
9 and adolescent substance abuse,  
10 special education, services for  
11 youth with disabilities”;

12 (cc) in subclause (V), by  
13 striking “delinquents or potential  
14 delinquents” and inserting “de-  
15 linquent youth or youth at risk of  
16 delinquency”;

17 (dd) in subclause (VI), by  
18 striking “youth workers involved  
19 with” and inserting “representa-  
20 tives of”;

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

23 (ff) by striking subclause  
24 (VIII) and inserting the fol-  
25 lowing:

1 “(VIII) persons, licensed or cer-  
2 tified by the applicable State, with ex-  
3 pertise and competence in preventing  
4 and addressing mental health and  
5 substance abuse needs in delinquent  
6 youth and youth at risk of delin-  
7 quency;

8 “(IX) representatives of victim or  
9 witness advocacy groups, including at  
10 least 1 individual with expertise in ad-  
11 dressing the challenges of sexual  
12 abuse and exploitation and trauma,  
13 particularly the needs of special popu-  
14 lations who experience dispropor-  
15 tionate levels of sexual abuse, exploi-  
16 tation, and trauma before entering the  
17 juvenile justice system; and

18 “(X) for a State in which one or  
19 more Indian tribes are located, an In-  
20 dian tribal representative or other in-  
21 dividual with significant expertise in  
22 tribal law enforcement and juvenile  
23 justice in Indian tribal communities;”;

24 (III) in clause (iv), by striking  
25 “24 at the time of appointment” and

1 inserting “28 at the time of initial ap-  
2 pointment”; and

3 (IV) in clause (v) by inserting  
4 “or, if not feasible and in appropriate  
5 circumstances, who is the parent or  
6 guardian of someone who has been or  
7 is currently under the jurisdiction of  
8 the juvenile justice system” after “ju-  
9 venile justice system”;

10 (ii) in subparagraph (C), by striking  
11 “30 days” and inserting “45 days”; and

12 (iii) in subparagraph (D)—

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

15 (II) in clause (ii), by striking “at  
16 least annually recommendations re-  
17 garding State compliance with the re-  
18 quirements of paragraphs (11), (12),  
19 and (13)” and inserting “at least  
20 every 2 years a report and necessary  
21 recommendations regarding State  
22 compliance with the core require-  
23 ments”; and

24 (iv) in subparagraph (E)—



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

3 (II) in clause (ii), by striking the  
4 period at the end and inserting a  
5 semicolon;

6 (D) in paragraph (5)(C), by striking “In-  
7 dian tribes” and all that follows through “appli-  
8 cable to the detention and confinement of juve-  
9 niles” and inserting “Indian tribes that agree  
10 to attempt to comply with the core require-  
11 ments applicable to the detention and confine-  
12 ment of juveniles”;

13 (E) in paragraph (7)—

14 (i) in subparagraph (A), by striking  
15 “performs law enforcement functions” and  
16 inserting “has jurisdiction”; and

17 (ii) in subparagraph (B)—

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

20 (II) by striking clause (iv) and  
21 inserting the following:

22 “(iv) a plan to provide alternatives to  
23 detention for status offenders, survivors of  
24 commercial sexual exploitation, and others,  
25 where appropriate, such as specialized or

1           problem-solving courts or diversion to  
2           home-based or community-based services  
3           or treatment for those youth in need of  
4           mental health, substance abuse, or co-oc-  
5           curring disorder services at the time such  
6           juveniles first come into contact with the  
7           juvenile justice system;

8           “(v) a plan to reduce the number of  
9           children housed in secure detention and  
10          corrections facilities who are awaiting  
11          placement in residential treatment pro-  
12          grams;

13          “(vi) a plan to engage family mem-  
14          bers, where appropriate, in the design and  
15          delivery of juvenile delinquency prevention  
16          and treatment services, particularly post-  
17          placement;

18          “(vii) a plan to use community-based  
19          services to respond to the needs of at-risk  
20          youth or youth who have come into contact  
21          with the juvenile justice system;

22          “(viii) a plan to promote evidence-  
23          based and trauma-informed programs and  
24          practices; and

1 “(ix) not later than 1 year after the  
2 date of enactment of the Supporting Youth  
3 Opportunity and Preventing Delinquency  
4 Act of 2016, a plan, which shall be imple-  
5 mented not later than 2 years after the  
6 date of enactment of the Supporting Youth  
7 Opportunity and Preventing Delinquency  
8 Act of 2016, to—

9 “(I) eliminate the use of re-  
10 straints of known pregnant juveniles  
11 housed in secure juvenile detention  
12 and correction facilities, during labor,  
13 delivery, and post-partum recovery,  
14 unless credible, reasonable grounds  
15 exist to believe the detainee presents  
16 an immediate and serious threat of  
17 hurting herself, staff, or others; and

18 “(II) eliminate the use of abdom-  
19 inal restraints, leg and ankle re-  
20 straints, wrist restraints behind the  
21 back, and four-point restraints on  
22 known pregnant juveniles, unless—

23 “(aa) credible, reasonable  
24 grounds exist to believe the de-  
25 tainee presents an immediate and

1                   serious threat of hurting herself,  
2                   staff, or others; or

3                   “(bb) reasonable grounds  
4                   exist to believe the detainee pre-  
5                   sents an immediate and credible  
6                   risk of escape that cannot be rea-  
7                   sonably minimized through any  
8                   other method;”;

9                   (F) in paragraph (8), by striking “exist-  
10                  ing” and inserting “evidence-based and prom-  
11                  ising”;

12                  (G) in paragraph (9)—

13                   (i) in the matter preceding subpara-  
14                   graph (A), by inserting “, with priority in  
15                   funding given to entities meeting the cri-  
16                   teria for evidence-based or promising pro-  
17                   grams” after “used for”;

18                   (ii) in subparagraph (A)—

19                   (I) in clause (i)—

20                   (aa) by inserting “status of-  
21                   fenders and other” before “youth  
22                   who need”; and

23                   (bb) by striking “and” at  
24                   the end;

1 (II) in clause (ii) by adding  
2 “and” at the end; and

3 (III) by inserting after clause (ii)  
4 the following:

5 “(iii) for youth who are active or  
6 former gang members, specialized intensive  
7 and comprehensive services that address  
8 the unique issues encountered by youth  
9 when they become involved with gangs;”;

10 (iii) in subparagraph (B)(i)—

11 (I) by striking “parents and  
12 other family members” and inserting  
13 “status offenders, other youth, and  
14 the parents and other family members  
15 of such offenders and youth”; and

16 (II) by striking “be retained”  
17 and inserting “remain”;

18 (iv) in subparagraph (E)—

19 (I) in the matter preceding clause  
20 (i), by striking “delinquent” and in-  
21 serting “at-risk or delinquent youth”;  
22 and

23 (II) in clause (i), by inserting “,  
24 including for truancy prevention and  
25 reduction” before the semicolon;

1 (v) in subparagraph (F), in the mat-  
2 ter preceding clause (i), by striking “ex-  
3 panding” and inserting “programs to ex-  
4 pand”;

5 (vi) by redesignating subparagraphs  
6 (G) through (S) as subparagraphs (H)  
7 through (T), respectively;

8 (vii) by inserting after subparagraph  
9 (F), the following:

10 “(G) programs—

11 “(i) to ensure youth have access to  
12 appropriate legal representation; and

13 “(ii) to expand access to publicly sup-  
14 ported, court-appointed legal counsel who  
15 are trained to represent juveniles in adju-  
16 dication proceedings,

17 except that the State may not use more than 2  
18 percent of the funds received under section 222  
19 for these purposes;”;

20 (viii) in subparagraph (H), as so re-  
21 designated, by striking “State,” each place  
22 the term appears and inserting “State,  
23 tribal,”;

24 (ix) in subparagraph (M), as so redes-  
25 ignated—

1 (I) in clause (i)—

2 (aa) by inserting “pre-adju-  
3 dication and” before “post-adju-  
4 dication”;

5 (bb) by striking “restraints”  
6 and inserting “alternatives”; and

7 (cc) by inserting “specialized  
8 or problem-solving courts,” after  
9 “(including”;

10 (II) in clause (ii)—

11 (aa) by striking “by the pro-  
12 vision by the Administrator”; and

13 (bb) by striking “to States”;

14 (x) in subparagraph (N), as redesig-  
15 nated—

16 (I) by inserting “and reduce the  
17 risk of recidivism” after “families”;  
18 and

19 (II) by striking “so that such ju-  
20 veniles may be retained in their  
21 homes”;

22 (xi) in subparagraph (S), as so redes-  
23 ignated, by striking “and” at the end;

24 (xii) in subparagraph (T), as so redes-  
25 ignated—

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

3 (II) by inserting “court-involved  
4 or” before “incarcerated”;

5 (III) by striking “suspected to  
6 be”;

7 (IV) by striking “and discharge  
8 plans” and inserting “provision of  
9 treatment, and development of dis-  
10 charge plans”; and

11 (V) by striking the period at the  
12 end and inserting a semicolon; and

13 (xiii) by inserting after subparagraph  
14 (T) the following:

15 “(U) programs and projects designed—

16 “(i) to inform juveniles of the oppor-  
17 tunity and process for sealing and  
18 expunging juvenile records; and

19 “(ii) to assist juveniles in pursuing ju-  
20 venile record sealing and expungements for  
21 both adjudications and arrests not followed  
22 by adjudications;

23 except that the State may not use more than 2  
24 percent of the funds received under section 222  
25 for these purposes;



1 “(V) programs that address the needs of  
2 girls in or at risk of entering the juvenile justice  
3 system, including pregnant girls, young moth-  
4 ers, victims of sexual abuse, survivors of com-  
5 mercial sexual exploitation or domestic child sex  
6 trafficking, girls with disabilities, and girls of  
7 color, including girls who are members of an In-  
8 dian tribe; and

9 “(W) monitoring for compliance with the  
10 core requirements and providing training and  
11 technical assistance on the core requirements to  
12 secure facilities;”;

13 (H) by striking paragraph (11) and insert-  
14 ing the following:

15 “(11)(A) in accordance with rules issued by the  
16 Administrator, provide that a juvenile shall not be  
17 placed in a secure detention facility or a secure cor-  
18 rectional facility, if—

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

22 “(I) a juvenile who is charged with or  
23 has committed a violation of section  
24 922(x)(2) of title 18, United States Code,  
25 or of a similar State law;

1 “(II) a juvenile who is charged with  
2 or has committed a violation of a valid  
3 court order issued and reviewed in accord-  
4 ance with paragraph (23); and

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

8 “(ii) the juvenile—

9 “(I) is not charged with any offense;  
10 and

11 “(II)(aa) is an alien; or

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

14 “(B) require that—

15 “(i) not later than 3 years after the date  
16 of enactment of the Supporting Youth Oppor-  
17 tunity and Preventing Delinquency Act of 2016,  
18 unless a court finds, after a hearing and in  
19 writing, that it is in the interest of justice, juve-  
20 niles awaiting trial or other legal process who  
21 are treated as adults for purposes of prosecu-  
22 tion in criminal court and housed in a secure  
23 facility—

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

1 “(II) except as provided in paragraph  
2 (13), may not be held in any jail or lockup  
3 for adults;

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

9 “(I) the age of the juvenile;

10 “(II) the physical and mental matu-  
11 rity of the juvenile;

12 “(III) the present mental state of the  
13 juvenile, including whether the juvenile  
14 presents an imminent risk of harm to the  
15 juvenile;

16 “(IV) the nature and circumstances of  
17 the alleged offense;

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

20 “(VI) the relative ability of the avail-  
21 able adult and juvenile detention facilities  
22 to not only meet the specific needs of the  
23 juvenile but also to protect the safety of  
24 the public as well as other detained youth;  
25 and

1 “(VII) any other relevant factor; and

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

6 “(I) the court shall hold a hearing not  
7 less frequently than once every 30 days, or  
8 in the case of a rural jurisdiction, not less  
9 frequently than once every 45 days, to re-  
10 view whether it is still in the interest of  
11 justice to permit the juvenile to be so held  
12 or have such sight or sound contact; and

13 “(II) the juvenile shall not be held in  
14 any jail or lockup for adults, or permitted  
15 to have sight or sound contact with adult  
16 inmates, for more than 180 days, unless  
17 the court, in writing, determines there is  
18 good cause for an extension or the juvenile  
19 expressly waives this limitation;”.

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

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

25 (K) in paragraph (14)—

1 (i) by striking “adequate system” and  
2 inserting “effective system”;

3 (ii) by inserting “lock-ups,” after  
4 “monitoring jails,”;

5 (iii) by inserting “and” after “deten-  
6 tion facilities,”;

7 (iv) by striking “, and non-secure fa-  
8 cilities”;

9 (v) by striking “insure” and inserting  
10 “ensure”;

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

14 (vii) by striking “, in the opinion of  
15 the Administrator,”;

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

17 (M) by redesignating paragraph (28) as  
18 paragraph (27);

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

22 (O) by inserting after paragraph (14) the  
23 following:

24 “(15) implement policy, practice, and system  
25 improvement strategies at the State, territorial,

1 local, and tribal levels, as applicable, to identify and  
2 reduce racial and ethnic disparities among youth  
3 who come into contact with the juvenile justice sys-  
4 tem, without establishing or requiring numerical  
5 standards or quotas, by—

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

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

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

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

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

4 (R) in paragraph (23)—

5 (i) in subparagraphs (A), (B), and  
6 (C), by striking “juvenile” each place it  
7 appears and inserting “status offender”;

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

10 (iii) in subparagraph (C)—

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

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

15 (III) by adding at the end the  
16 following:

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

21 “(I) the court shall issue a writ-  
22 ten order that—

23 “(aa) identifies the valid  
24 court order that has been vio-  
25 lated;

1 “(bb) specifies the factual  
2 basis for determining that there  
3 is reasonable cause to believe  
4 that the status offender has vio-  
5 lated such order;

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

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

21 “(ee) may not be renewed or  
22 extended; and

23 “(II) the court may not issue a  
24 second or subsequent order described  
25 in subclause (I) relating to a status



1 offender unless the status offender  
2 violates a valid court order after the  
3 date on which the court issues an  
4 order described in subclause (I); and”;  
5 and

6 (iv) by adding at the end the fol-  
7 lowing:

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

15 (S) in paragraph (26)—

16 (i) by inserting “and in accordance  
17 with confidentiality concerns,” after “max-  
18 imum extent practicable,”; and

19 (ii) by striking the semicolon at the  
20 end and inserting the following: “, so as to  
21 provide for—

22 “(A) data in child abuse or neglect reports  
23 relating to juveniles entering the juvenile justice  
24 system with a prior reported history of arrest,

1 court intake, probation and parole, juvenile de-  
2 tention, and corrections; and

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

7 (T) in paragraph (27), as so redesignated,  
8 by striking the period at the end and inserting  
9 a semicolon; and

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

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

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

21 “(30) describe—

22 “(A) the evidence-based methods that will  
23 be used to conduct mental health and substance  
24 abuse screening, assessment, referral, and  
25 treatment for juveniles who—

1 “(i) request a screening;

2 “(ii) show signs of needing a screen-  
3 ing; or

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

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

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

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

16 “(i) the pre-release and post-release  
17 plans for the juveniles;

18 “(ii) the living arrangement to which  
19 the juveniles are to be discharged; and

20 “(iii) any other plans developed for  
21 the juveniles based on an individualized as-  
22 sessment; and

23 “(B) review processes;

24 “(32) provide an assurance that the agency of  
25 the State receiving funds under this title collaborates

1 with the State educational agency receiving assist-  
2 ance under part A of title I of the Elementary and  
3 Secondary Education Act of 1965 (20 U.S.C. 6311  
4 et seq.) to develop and implement a plan to ensure  
5 that, in order to support educational progress—

6 “(A) the student records of adjudicated ju-  
7 veniles, including electronic records if available,  
8 are transferred in a timely manner from the  
9 educational program in the juvenile detention or  
10 secure treatment facility to the educational or  
11 training program into which the juveniles will  
12 enroll;

13 “(B) the credits of adjudicated juveniles  
14 are transferred; and

15 “(C) adjudicated juveniles receive full or  
16 partial credit toward high school graduation for  
17 secondary school coursework satisfactorily com-  
18 pleted before and during the period of time dur-  
19 ing which the juveniles are held in custody, re-  
20 gardless of the local educational agency or enti-  
21 ty from which the credits were earned; and

22 “(33) describe policies and procedures to—

23 “(A) screen for, identify, and document in  
24 records of the State the identification of victims

1 of domestic human trafficking, or those at risk  
2 of such trafficking, upon intake; and

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

6 (2) by amending subsection (c) to read as fol-  
7 lows:

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

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

15 “(B) the State shall be ineligible to receive any  
16 allocation under such section for such fiscal year un-  
17 less—

18 “(i) the State agrees to expend 50 percent  
19 of the amount allocated to the State for such  
20 fiscal year to achieve compliance with any such  
21 core requirement with respect to which the  
22 State is in noncompliance; or

23 “(ii) the Administrator determines that the  
24 State—

1 “(I) has achieved substantial compli-  
2 ance with such applicable requirements  
3 with respect to which the State was not in  
4 compliance; and

5 “(II) has made, through appropriate  
6 executive or legislative action, an unequiv-  
7 cal commitment to achieving full compli-  
8 ance with such applicable requirements  
9 within a reasonable time.

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

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

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

20 (3) in subsection (d)—

21 (A) by striking “described in paragraphs  
22 (11), (12), (13), and (22) of subsection (a)”  
23 and inserting “described in the core require-  
24 ments”; and

1 (B) by striking “the requirements under  
 2 paragraphs (11), (12), (13), and (22) of sub-  
 3 section (a)” and inserting “the core require-  
 4 ments”;  
 5 (4) in subsection (f)(2)—

6 (A) by striking subparagraph (A); and  
 7 (B) by redesignating subparagraphs (B)  
 8 through (E) as subparagraphs (A) through (D),  
 9 respectively; and  
 10 (5) by adding at the end the following:

11 “(g) COMPLIANCE DETERMINATION.—

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

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

18 “(A) issue an annual public report—

19 “(i) describing any determination de-  
 20 scribed in paragraph (1) made during the  
 21 previous year, including a summary of the  
 22 information on which the determination is  
 23 based and the actions to be taken by the  
 24 Administrator (including a description of

1 any reduction imposed under subsection  
2 (c)); and

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

7 “(B) make the report described in sub-  
8 paragraph (A) available on a publicly available  
9 Web site.

10 “(3) DETERMINATIONS REQUIRED.—The Ad-  
11 ministrator may not—

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

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

18 **SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVEN-**  
19 **TION BLOCK GRANT PROGRAM.**

20 Part C of title II of the Juvenile Justice and Delin-  
21 quency Prevention Act of 1974 (42 U.S.C. 5651 et seq.)  
22 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 preceding 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 status  
17 offenders and first-time minor offenders from  
18 subsequent involvement with the juvenile justice  
19 and criminal justice systems;”;

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

22 “(vii) the prevalence and duration of be-  
23 havioral health needs (including mental health,  
24 substance abuse, and co-occurring disorders)  
25 among juveniles pre-placement and post-place-  
26 ment in the juvenile justice system, including

1 an examination of the effects of secure confine-  
2 ment;”;

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

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

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

11 “(x) methods to improve the recruitment,  
12 selection, training, and retention of professional  
13 personnel who are focused on the prevention,  
14 identification, and treatment of delinquency;

15 “(xi) methods to improve the identification  
16 and response to victims of domestic child sex  
17 trafficking within the juvenile justice system;

18 “(xii) identifying positive outcome meas-  
19 ures, such as attainment of employment and  
20 educational degrees, that States and units of  
21 local government should use to evaluate the  
22 success of programs aimed at reducing recidi-  
23 vism of youth who have come in contact with  
24 the juvenile justice system or criminal justice  
25 system;

1           “(xiii) evaluating the impact and outcomes  
2 of the prosecution and sentencing of juveniles  
3 as adults;

4           “(xiv) evaluating the impact of fines, fees,  
5 and other costs assessed by the juvenile justice  
6 system on the long-term disposition of status  
7 offenders and other juveniles;

8           “(xv) successful and cost-effective efforts  
9 by States and units of local government to re-  
10 duce recidivism through policies that provide for  
11 consideration of appropriate alternative sanc-  
12 tions to incarceration of youth facing nonviolent  
13 charges, while ensuring that public safety is  
14 preserved;”; 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

1 (II) by inserting “in accordance  
2 with relevant confidentiality require-  
3 ments” after “wards of the State”;  
4 (ii) in subparagraph (D), by inserting  
5 “and Indian tribes” after “State”;  
6 (iii) in subparagraph (F), by striking  
7 “and” at the end;  
8 (iv) in subparagraph (G), by striking  
9 the period at the end and inserting a semi-  
10 colon; and  
11 (v) by adding at the end the following:  
12 “(H) a description of the best practices in dis-  
13 charge planning; and  
14 “(I) an assessment of living arrangements for  
15 juveniles who, upon release from confinement in a  
16 State correctional facility, cannot return to the resi-  
17 dence they occupied prior to 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 carry out 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-based  
9 and promising programs or practices that promote  
10 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 volved 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 carry  
 9 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; and

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

15 (C) in paragraph (2)—

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

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

21 **SEC. 210. ADMINISTRATIVE AUTHORITY.**

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

25 (1) in subsection (d)—

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

3 (B) by striking “, after appropriate con-  
4 sultation with representatives of States and  
5 units of local government,”;

6 (C) by inserting “guidance,” after “regula-  
7 tions,”; and

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

15 “(2) The Administrator shall ensure that—

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

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

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

4       **TITLE III—INCENTIVE GRANTS**  
5       **FOR LOCAL DELINQUENCY**  
6       **PREVENTION PROGRAMS**

7       **SEC. 301. SHORT TITLE.**

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

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

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

14      **SEC. 302. DEFINITIONS.**

15      Section 502 of the Incentive Grants for Local Delin-  
16      quency Prevention Programs Act of 2002 (42 U.S.C.  
17      5781) is amended to read as follows:

18      **“SEC. 502. DEFINITIONS.**

19          “In this title—

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

21               “(A) a unit of local government that is in  
22              compliance with the requirements of part B of  
23              title II; or

1           “(B) a nonprofit organization in partner-  
2           ship with a unit of local government described  
3           in subparagraph (A);

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

9           “(A) not fewer than 15 and not more than  
10          21 members; and

11          “(B) a balanced representation of—

12                  “(i) public agencies and private non-  
13                  profit organizations serving juveniles and  
14                  their families; and

15                  “(ii) business and industry;

16          “(C) at least one representative of the  
17          faith community, one adjudicated youth, and  
18          one parent of an adjudicated youth; and

19          “(D) in the case of an eligible entity de-  
20          scribed in paragraph (1)(B), a representative of  
21          the nonprofit organization of the eligible entity;

22          “(3) the term ‘mentoring’ means matching 1  
23          adult with one or more youths for the purpose of  
24          providing guidance, support, and encouragement

1 through regularly scheduled meetings for not less  
2 than 9 months;

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

6 “(A) alcohol and substance abuse preven-  
7 tion services;

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

10 “(C) child and adolescent health and men-  
11 tal health services;

12 “(D) recreation services;

13 “(E) leadership and youth development ac-  
14 tivities;

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

17 “(G) assistance in the development of job  
18 training skills;

19 “(H) youth mentoring programs;

20 “(I) after-school programs;

21 “(J) coordination of a continuum of serv-  
22 ices, which may include—

23 “(i) early childhood development serv-  
24 ices;

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



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

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

8 “(K) other data-driven evidence-based or  
 9 promising prevention programs;

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

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

17 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**  
 18 **TRATOR.**

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

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

23 (2) by redesignating paragraphs (2) through

24 (4) as paragraphs (1) through (3), respectively.

1 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**  
2 **GRAMS.**

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

6 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVEN-**  
7 **TION PROGRAMS.**

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

16 “(b) PROGRAM AUTHORIZED.—The Administrator  
17 shall—

18 “(1) for each fiscal year for which less than  
19 \$25,000,000 is appropriated under section 506,  
20 award grants to not fewer than 3 State entities, but  
21 not more than 5 State entities, that apply under  
22 subsection (c) and meet the requirements of sub-  
23 section (d); or

24 “(2) for each fiscal year for which \$25,000,000  
25 or more is appropriated under section 506, award  
26 grants to not fewer than 5 State entities that apply

1 under subsection (c) and meet the requirements of  
2 subsection (d).

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

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

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

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

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

19 “(B) the remainder of such grant to award  
20 subgrants to eligible entities under subsection  
21 (e).

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

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

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

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

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

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

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

24          “(e) SUBGRANT PROGRAM.—

25                 “(1) PROGRAM AUTHORIZED.—

1           “(A) IN GENERAL.—Each State entity re-  
2           ceiving a grant under this section shall award  
3           subgrants to eligible entities in accordance with  
4           this subsection.

5           “(B) PRIORITY.—In awarding subgrants  
6           under this subsection, the State entity shall give  
7           priority to eligible entities that demonstrate  
8           ability in—

9                   “(i) plans for service and agency co-  
10                  ordination and collaboration including the  
11                  collocation of services;

12                  “(ii) innovative ways to involve the  
13                  private nonprofit and business sector in de-  
14                  linquency prevention activities;

15                  “(iii) developing data-driven preven-  
16                  tion plans, employing evidence-based pre-  
17                  vention strategies, and conducting program  
18                  evaluations to determine impact and effec-  
19                  tiveness;

20                  “(iv) identifying under the plan sub-  
21                  mitted under paragraph (5) potential sav-  
22                  ings and efficiencies associated with suc-  
23                  cessful implementation of such plan; and

24                  “(v) describing how such savings and  
25                  efficiencies may be used to carry out delin-

1           quency prevention programs and be rein-  
2           vested in the continuing implementation of  
3           such programs after the end of the  
4           subgrant period.

5           “(C) SUBGRANT PROGRAM PERIOD AND DI-  
6           VERSITY OF PROJECTS.—

7                   “(i) PROGRAM PERIOD.—A subgrant  
8           awarded to an eligible entity by a State en-  
9           tity under this section shall be for a period  
10          of not more than 5 years, of which the eli-  
11          gible entity—

12                   “(I) may use not more than 18  
13          months for completing the plan sub-  
14          mitted by the eligible entity under  
15          paragraph (5); and

16                   “(II) shall use the remainder of  
17          the subgrant period, after planning  
18          period described in subclause (I), for  
19          the implementation of such plan.

20           “(ii) DIVERSITY OF PROJECTS.—In  
21          awarding subgrants under this subsection,  
22          a State entity shall ensure, to the extent  
23          practicable and applicable, that such sub-  
24          grants are distributed throughout different

1            areas, including urban, suburban, and  
2            rural areas.

3            “(2) LOCAL APPLICATION.—An eligible entity  
4            that desires a subgrant under this subsection shall  
5            submit an application to the State entity in the  
6            State of the eligible entity, at such time and in such  
7            manner as determined by the State entity, and that  
8            includes—

9            “(A) a description of—

10            “(i) the local policy board and local  
11            partners the eligible entity will engage in  
12            the development of the plan described in  
13            paragraph (5);

14            “(ii) the unmet needs of youth in the  
15            community who are or have been involved  
16            in, or are at risk of being involved in juve-  
17            nile delinquency or gang activity;

18            “(iii) available resources in the com-  
19            munity to meet the unmet needs identified  
20            in the needs assessment described in para-  
21            graph (5)(A);

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

24            “(B) a specific time period for the plan-  
25            ning and subsequent implementation of its con-

1           tinuum of local delinquency prevention pro-  
2           grams;

3           “(C) the steps the eligible entity will take  
4           to implement the plan under subparagraph (A);  
5           and

6           “(D) a plan to continue the grant activity  
7           with non-Federal funds, if proven successful ac-  
8           cording to the performance evaluation process  
9           under paragraph (5)(D), after the grant period.

10          “(3) MATCHING REQUIREMENT.—An eligible  
11          entity desiring a subgrant under this subsection  
12          shall agree to provide a 50 percent match of the  
13          amount of the subgrant, which may include the  
14          value of in-kind contributions.

15          “(4) SUBGRANT REVIEW.—

16                 “(A) REVIEW.—Not later than the end of  
17                 the second year of a subgrant period for a  
18                 subgrant awarded to an eligible entity under  
19                 this subsection and before awarding the remain-  
20                 ing amount of the subgrant to the eligible enti-  
21                 ty, the State entity shall—

22                         “(i) ensure that the eligible entity has  
23                         completed the plan submitted under para-  
24                         graph (2) and that the plan meets the re-  
25                         quirements of such paragraph; and



1                   “(ii) verify that the eligible entity will  
2                   begin the implementation of its plan upon  
3                   receiving the next installment of its  
4                   subgrant award.

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

15                  “(5) LOCAL USES OF FUNDS.—An eligible enti-  
16                  ty that receives a subgrant under this subsection  
17                  shall use the funds to implement a plan to carry out  
18                  delinquency prevention programs in the community  
19                  served by the eligible entity in a coordinated manner  
20                  with other delinquency prevention programs or enti-  
21                  ties serving such community, which includes—

22                         “(A) an analysis of the unmet needs of  
23                         youth in the community who are or have been,  
24                         or are at risk of being, involved in juvenile de-  
25                         linquency or gang activity—

1 “(i) which shall include—

2 “(I) the available resources in the  
3 community to meet the unmet needs;  
4 and

5 “(II) factors present in the com-  
6 munity that may contribute to delin-  
7 quency, such as homelessness, food in-  
8 security, teen pregnancy, youth unem-  
9 ployment, family instability, lack of  
10 educational opportunity; and

11 “(ii) may include an estimate—

12 “(I) for the most recent year for  
13 which reliable data is available, the  
14 amount expended by the community  
15 and other entities for delinquency ad-  
16 judication for juveniles and the incar-  
17 ceration of adult offenders for of-  
18 fenses committed in such community;  
19 and

20 “(II) of potential savings and ef-  
21 ficiencies that may be achieved  
22 through the implementation of the  
23 plan;

24 “(B) a minimum 3-year comprehensive  
25 strategy to address the unmet needs and an es-

1           timate of the amount or percentage of non-Fed-  
2           eral funds that are available to carry out the  
3           strategy;

4           “(C) a description of how delinquency pre-  
5           vention programs under the plan will be coordi-  
6           nated;

7           “(D) a description of the performance eval-  
8           uation process of the delinquency prevention  
9           programs to be implemented under the plan,  
10          which shall include performance measures to  
11          assess efforts to address the unmet needs of  
12          youth in the community analyzed under sub-  
13          paragraph (A);

14          “(E) the evidence or promising evaluation  
15          on which such delinquency prevention programs  
16          are based; and

17          “(F) if such delinquency prevention pro-  
18          grams are proven successful according to the  
19          performance evaluation process under subpara-  
20          graph (D), a strategy to continue such pro-  
21          grams after the subgrant period with non-Fed-  
22          eral funds, including a description of how any  
23          estimated savings or efficiencies created by the  
24          implementation of the plan may be used to con-  
25          tinue such programs.”.

1 **SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION**  
2 **AND RESPONSE PROGRAMS.**

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

7 **“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVEN-**  
8 **TION AND RESPONSE PROGRAMS.**

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

13 “(1) to support and enhance—

14 “(A) tribal juvenile delinquency prevention  
15 services; and

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

18 “(2) to encourage accountability of Indian trib-  
19 al governments with respect to preventing juvenile  
20 delinquency, and responding to, and caring for, juve-  
21 nile offenders.

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

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

4 “(1) juvenile delinquency rates;

5 “(2) school dropout rates; and

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

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

10 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 506, as redesignated by section 305, is  
 12 amended to read as follows:

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

14 “There are authorized to be appropriated to carry out  
 15 this title—

16 “(1) \$91,857,500 for fiscal year 2018;

17 “(2) \$91,857,500 for fiscal year 2019;

18 “(3) \$93,235,362 for fiscal year 2020;

19 “(4) \$94,633,892 for fiscal year 2021; and

20 “(5) \$96,053,401 for fiscal year 2022.”.

21 **SEC. 307. TECHNICAL AMENDMENT.**

22 Title V of the Juvenile Justice and Delinquency Pre-  
 23 vention Act of 1974 as enacted by Public Law 93–415  
 24 (88 Stat. 1133) (relating to miscellaneous and conforming  
 25 amendments) is repealed.

## **TITLE IV—MISCELLANEOUS PROVISIONS**

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

#### **OFFICE.**

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

(1) conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as “the agency”), its functions, its programs, and its grants;

(2) conduct a comprehensive audit and evaluation of a selected, sample of grantees (as determined by the Comptroller General) that receive Federal funds under grant programs administered by the agency including a review of internal controls (as defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603), as amended by this Act) to prevent fraud, waste, and abuse of funds by grantees; and

(3) submit a report in accordance with subsection (d).

(b) CONSIDERATIONS FOR EVALUATION.—In conducting the analysis and evaluation under subsection

1 (a)(1), and in order to document the efficiency and public  
2 benefit of the Juvenile Justice and Delinquency Preven-  
3 tion Act of 1974 (42 U.S.C. 5601 et seq.), excluding the  
4 Runaway and Homeless Youth Act (42 U.S.C. 5701 et  
5 seq.) and the Missing Children's Assistance Act (42  
6 U.S.C. 5771 et seq.), the Comptroller General shall take  
7 into consideration—

8 (1) the outcome and results of the programs  
9 carried out by the agency and those programs ad-  
10 ministered through grants by the agency;

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

14 (3) the extent to which the jurisdiction of, and  
15 the programs administered by, the agency duplicate  
16 or conflict with the jurisdiction and programs of  
17 other agencies;

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

22 (5) whether less restrictive or alternative meth-  
23 ods exist to carry out the functions of the agency  
24 and whether current functions or operations are im-

1       peded or enhanced by existing statutes, rules, and  
2       procedures;

3           (6) the number and types of beneficiaries or  
4       persons served by programs carried out by the agen-  
5       cy;

6           (7) the manner with which the agency seeks  
7       public input and input from State and local govern-  
8       ments on the performance of the functions of the  
9       agency;

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

13          (9) whether greater oversight is needed of pro-  
14       grams developed with grants made by the agency;  
15       and

16          (10) the extent to which changes are necessary  
17       in the authorizing statutes of the agency in order for  
18       the functions of the agency to be performed in a  
19       more efficient and effective manner.

20       (c) CONSIDERATIONS FOR AUDITS.—In conducting  
21       the audit and evaluation under subsection (a)(2), and in  
22       order to document the efficiency and public benefit of the  
23       Juvenile Justice and Delinquency Prevention Act of 1974  
24       (42 U.S.C. 5601 et seq.), excluding the Runaway and  
25       Homeless Youth Act (42 U.S.C. 5701 et seq.) and the



1 Missing Children's Assistance Act (42 U.S.C. 5771 et  
2 seq.), the Comptroller General shall take into consider-  
3 ation—

4 (1) whether grantees timely file Financial Sta-  
5 tus Reports;

6 (2) whether grantees have sufficient internal  
7 controls to ensure adequate oversight of grant fund  
8 received;

9 (3) whether disbursements were accompanied  
10 with adequate supporting documentation (including  
11 invoices and receipts);

12 (4) whether expenditures were authorized;

13 (5) whether subrecipients of grant funds were  
14 complying with program requirements;

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

17 (7) whether contracts were bid in accordance  
18 with program guidelines; and

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

21 (d) REPORT.—

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

1 (A) submit a report regarding the evalua-  
 2 tion conducted under subsection (a) and audit  
 3 under subsection (b), to the Speaker of the  
 4 House of Representatives and the President pro  
 5 tempore of the Senate; and

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

8 (2) CONTENTS.—The report submitted in ac-  
 9 cordance with paragraph (1) shall include all audit  
 10 findings determined by the selected, statistically sig-  
 11 nificant sample of grantees as required by subsection  
 12 (a)(2) and shall include the name and location of  
 13 any selected grantee as well as any findings required  
 14 by subsection (a)(2).

15 **SEC. 402. ACCOUNTABILITY AND OVERSIGHT.**

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

19 **“TITLE VI—ACCOUNTABILITY**  
 20 **AND OVERSIGHT**

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

22 “(a) SENSE OF CONGRESS.—It is the sense of Con-  
 23 gress that, in order to ensure that at-risk youth, and youth  
 24 who come into contact with the juvenile justice system or

1 the criminal justice system, are treated fairly and that the  
2 outcome of that contact is beneficial to the Nation—

3 “(1) the Department of Justice, through its Of-  
4 fice of Juvenile Justice and Delinquency Prevention,  
5 must restore meaningful enforcement of the core re-  
6 quirements in title II; and

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

12 “(b) ACCOUNTABILITY.—

13 “(1) AGENCY PROGRAM REVIEW.—

14 “(A) PROGRAMMATIC AND FINANCIAL AS-  
15 SESSMENT.—

16 “(i) IN GENERAL.—Not later than 60  
17 days after the date of enactment of the  
18 Supporting Youth Opportunity and Pre-  
19 venting Delinquency Act of 2016, the Di-  
20 rector of the Office of Audit, Assessment,  
21 and Management of the Office of Justice  
22 Programs at the Department of Justice  
23 (referred to in this section as the ‘Direc-  
24 tor’) shall—

1           “(I) conduct a comprehensive  
2 analysis and evaluation of the internal  
3 controls of the Office of Juvenile Jus-  
4 tice and Delinquency Prevention (re-  
5 ferred to in this section as the ‘agen-  
6 cy’) to determine if States and Indian  
7 tribes receiving grants are following  
8 the requirements of the agency grant  
9 programs and what remedial action  
10 the agency has taken to recover any  
11 grant funds that are expended in vio-  
12 lation of grant programs, including in-  
13 stances where—

14                   “(aa) supporting docu-  
15 mentation was not provided for  
16 cost reports;

17                   “(bb) unauthorized expendi-  
18 tures occurred; and

19                   “(cc) subrecipients of grant  
20 funds were not in compliance  
21 with program requirements;

22           “(II) conduct a comprehensive  
23 audit and evaluation of a selected sta-  
24 tistically significant sample of States  
25 and Indian tribes (as determined by

1 the Director) that have received Fed-  
2 eral funds under title II, including a  
3 review of internal controls to prevent  
4 fraud, waste, and abuse of funds by  
5 grantees; and

6 “(III) submit a report in accord-  
7 ance with clause (iv).

8 “(ii) CONSIDERATIONS FOR EVALUA-  
9 TIONS.—In conducting the analysis and  
10 evaluation under clause (i)(I), and in order  
11 to document the efficiency and public ben-  
12 efit of titles II and V, the Director shall  
13 take into consideration the extent to  
14 which—

15 “(I) greater oversight is needed  
16 of programs developed with grants  
17 made by the agency;

18 “(II) changes are necessary in  
19 the authorizing statutes of the agency  
20 in order that the functions of the  
21 agency can be performed in a more ef-  
22 ficient and effective manner; and

23 “(III) the agency has imple-  
24 mented recommendations issued by  
25 the Comptroller General or Office of

1 Inspector General relating to the  
2 grant making and grant monitoring  
3 responsibilities of the agency.

4 “(iii) CONSIDERATIONS FOR AU-  
5 DITS.—In conducting the audit and evalua-  
6 tion under clause (i)(II), and in order to  
7 document the efficiency and public benefit  
8 of titles II and V, the Director shall take  
9 into consideration—

10 “(I) whether grantees timely file  
11 Financial Status Reports;

12 “(II) whether grantees have suf-  
13 ficient internal controls to ensure ade-  
14 quate oversight of grant funds re-  
15 ceived;

16 “(III) whether grantees’ asser-  
17 tions of compliance with the core re-  
18 quirements were accompanied with  
19 adequate supporting documentation;

20 “(IV) whether expenditures were  
21 authorized;

22 “(V) whether subrecipients of  
23 grant funds were complying with pro-  
24 gram requirements; and

1 “(VI) whether grant funds were  
2 spent in accordance with the program  
3 goals and guidelines.

4 “(iv) REPORT.—The Director shall—

5 “(I) submit to the Congress a re-  
6 port outlining the results of the anal-  
7 ysis, evaluation, and audit conducted  
8 under clause (i), including supporting  
9 materials, to the Speaker of the  
10 House of Representatives and the  
11 President pro tempore of the Senate;  
12 and

13 “(II) shall make such report  
14 available to the public online, not later  
15 than 1 year after the date of enact-  
16 ment of this section.

17 “(B) ANALYSIS OF INTERNAL CON-  
18 TROLS.—

19 “(i) IN GENERAL.—Not later than 30  
20 days after the date of enactment of the  
21 Supporting Youth Opportunity and Pre-  
22 venting Delinquency Act of 2016, the Ad-  
23 ministrator shall initiate a comprehensive  
24 analysis and evaluation of the internal con-  
25 trols of the agency to determine whether,

1 and to what extent, States and Indian  
2 tribes that receive grants under titles II  
3 and V are following the requirements of  
4 the grant programs authorized under titles  
5 II and V.

6 “(ii) REPORT.—Not later than 180  
7 days after the date of enactment of the  
8 Supporting Youth Opportunity and Pre-  
9 venting Delinquency Act of 2016, the Ad-  
10 ministrator shall submit to Congress a re-  
11 port containing—

12 “(I) the findings of the analysis  
13 and evaluation conducted under clause  
14 (i);

15 “(II) a description of remedial  
16 actions, if any, that will be taken by  
17 the Administrator to enhance the in-  
18 ternal controls of the agency and re-  
19 coup funds that may have been ex-  
20 pended in violation of law, regulations,  
21 or program requirements issued under  
22 titles II and V; and

23 “(III) a description of—

24 “(aa) the analysis conducted  
25 under clause (i);



1                   “(bb) whether the funds  
2                   awarded under titles II and V  
3                   have been used in accordance  
4                   with law, regulations, program  
5                   guidance, and applicable plans;  
6                   and

7                   “(cc) the extent to which  
8                   funds awarded to States and In-  
9                   dian tribes under titles II and V  
10                  enhanced the ability of grantees  
11                  to fulfill the core requirements.

12               “(C) REPORT BY THE ATTORNEY GEN-  
13               ERAL.—Not later than 180 days after the date  
14               of enactment of the Supporting Youth Oppor-  
15               tunity and Preventing Delinquency Act of 2016,  
16               the Attorney General shall submit to the appro-  
17               priate committees of the Congress a report on  
18               the estimated amount of formula grant funds  
19               disbursed by the agency since fiscal year 2010  
20               that did not meet the requirements for awards  
21               of formula grants to States under title II.

22               “(2) CONFERENCE EXPENDITURES.—

23               “(A) LIMITATION.—No amounts author-  
24               ized to be appropriated to the Department of  
25               Justice under this Act may be used by the At-

1           torney General, or by any individual or organi-  
2           zation awarded discretionary funds through a  
3           cooperative agreement under this Act, to host  
4           or support any expenditure for conferences that  
5           uses more than \$20,000 in funds made avail-  
6           able to the Department of Justice, unless the  
7           Deputy Attorney General or such Assistant At-  
8           torney Generals, Directors, or principal deputies  
9           as the Deputy Attorney General may designate,  
10          provides prior written authorization that the  
11          funds may be expended to host a conference.

12                 “(B) WRITTEN APPROVAL.—Written ap-  
13           proval under subparagraph (A) shall include a  
14           written estimate of all costs associated with the  
15           conference, including the cost of all food and  
16           beverages, audiovisual equipment, honoraria for  
17           speakers, and entertainment.

18                 “(C) REPORT.—The Deputy Attorney Gen-  
19           eral shall submit an annual report to the Com-  
20           mittee on the Judiciary of the Senate and the  
21           Committee on Education and the Workforce of  
22           the House of Representatives on all conference  
23           expenditures approved under this paragraph.

24                 “(3) PROHIBITION ON LOBBYING ACTIVITY.—

1           “(A) IN GENERAL.—Amounts authorized  
2           to be appropriated under this Act may not be  
3           utilized by any recipient of a grant made using  
4           such amounts—

5                   “(i) to lobby any representative of the  
6                   Department of Justice regarding the  
7                   award of grant funding; or

8                   “(ii) to lobby any representative of a  
9                   Federal, State, local, or tribal government  
10                  regarding the award of grant funding.

11           “(B) PENALTY.—If the Attorney General  
12           determines that any recipient of a grant made  
13           using amounts authorized to be appropriated  
14           under this Act has violated subparagraph (A),  
15           the Attorney General shall—

16                   “(i) require the recipient to repay the  
17                   grant in full; and

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

21           “(C) CLARIFICATION.—For purposes of  
22           this paragraph, submitting an application for a  
23           grant under this Act shall not be considered  
24           lobbying activity in violation of subparagraph  
25           (A).

1 “(c) PREVENTING DUPLICATIVE GRANTS.—

2 “(1) IN GENERAL.—Before the Attorney Gen-  
3 eral awards a grant to an applicant under this Act,  
4 the Attorney General shall compare potential grant  
5 awards with other grants awarded under this Act to  
6 determine if duplicate grant awards are awarded for  
7 the same purpose.

8 “(2) REPORT.—If the Attorney General awards  
9 duplicate grants to the same applicant for the same  
10 purpose the Attorney General shall submit to the  
11 Committee on the Judiciary of the Senate and the  
12 Committee on Education and the Workforce of the  
13 House of Representatives a report that includes—

14 “(A) a list of all duplicate grants awarded,  
15 including the total dollar amount of any dupli-  
16 cate grants awarded; and

17 “(B) the reason the Attorney General  
18 awarded the duplicative grant.

19 “(d) COMPLIANCE WITH AUDITING STANDARDS.—  
20 The Administrator shall comply with the Generally Ac-  
21 cepted Government Auditing Standards, published by the  
22 General Accountability Office (commonly known as the  
23 ‘Yellow Book’), in the conduct of fiscal, compliance, and  
24 programmatic audits of States.”.

25 (b) TECHNICAL AND CONFORMING AMENDMENT.—

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

5           (2) EFFECTIVE DATE.—The amendment made  
6 by paragraph (1) shall take effect on the first day  
7 of the first fiscal year that begins after the date of  
8 enactment of this Act.

9           (3) SAVINGS CLAUSE.—In the case of an entity  
10 that is barred from receiving grant funds under  
11 paragraph (7)(B)(ii) of section 407 of the Juvenile  
12 Justice and Delinquency Prevention Act of 1974 (42  
13 U.S.C. 5776a), the amendment made by paragraph  
14 (1) of this subsection shall not affect the applica-  
15 bility to the entity, or to the Attorney General with  
16 respect to the entity, of paragraph (7) of such sec-  
17 tion 407, as in effect on the day before the effective  
18 date of the amendment made by paragraph (1).

○